



November 9, 2023

## NOTICE

Notice is hereby given that the Regular Meeting of the Board of Commissioners of the Port of Port Arthur Navigation District of Jefferson County, Texas, will be held at **9:00 A.M., Wednesday, November 15, 2023** at the Port Commission office, **221 Houston Avenue, Port Arthur, Texas**, in person with limited capacity and by telephonic meeting in order to advance the public health goal of limiting face-to-face meeting (also called “Social Distancing”) to slow the spread of the Coronavirus (COVID-19). The public toll-free dial-in number to participate in the telephonic meeting is hosted through conference calling. The toll-free dial-in number is: **1-866-244-8528** and the access code number is: **328412#**. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made available to the public in accordance with the Open Meetings Act, upon written request. The Meeting will include the following matters:

1. Call to Order
2. Roll Call
3. (9:00 A.M) Receive and open bids for New Data Center Project
4. (9:00 A.M) Receive and open bids for New Data Center Generator Project
5. (9:15 a.m.) Recess Meeting to conduct Special Meeting of Board of Directors of Port Arthur Navigation District Industrial Development Corporation (Board of Commissioners Meeting will re-convene immediately after PANDIDC Meeting)
6. Re-convene Meeting
7. Consider Adoption of Resolution Authorizing Port Arthur Navigation District Industrial Development Corporation Variable Rate Demand Industrial Development Revenue Bonds (Route 86 Biogas, LLC Project) Series 2023; Authorizing the Execution of an Indenture of Trust, a Loan Agreement, and a Purchase Agreement; Approval of an Official Statement; and other matters in connection therewith
8. Recognize guests and receive public comments (limit 3 minutes each)

9. Consider approval of Property Tax Agreement between Port of Port Arthur and Cormorant Clean Energy LLC for a new facility to be constructed within the Cormorant Clean Energy Reinvestment Zone pursuant to Sec. 312.40 et seq., Texas Property Tax Code
10. Approve Minutes of October 18, 2023 Regular Meeting
11. Consider approval of Annual Comprehensive Financial Report, including Single Audit Report, for fiscal year ending July 31, 2023
12. Consider approval of annually determined retirement system employer contribution rate for 2024 (Texas County and District Retirement System)
13. Consider approval of retirement system supplemental death benefit contribution rate for 2024 (Texas County and District Retirement System)
14. Consider approval and ratification of investments, including certificates of deposit and other government-backed securities
15. Discuss status of following projects:
  - (A) Economic Development Administration CARES ACT Recovery Assistance Grant Project (Berth 5 Backland Improvement Project)
  - (B) Economic Development Administration (EDA) Disaster Supplemental Grant (Port Rail Yard and Laydown Yard Project)
  - (C) Berth 6 Expansion Project (BUILD Grant)
  - (D) TXDOT Rider 37 Grant Project (2.5-Acre Multimodal Laydown Yard and Truck Queuing Area)
  - (E) TXDOT Rider 38 Grant Project (Truck Queuing Area)
  - (F) TXDOT Rider 45 Grant – Project 1 (4<sup>th</sup> Street, Houston Avenue and Lakeshore Drive Project)
  - (G) TXDOT Rider 45 Grant – Project 2 (Lakeshore Drive Turnaround and Parking Lot Lighting Project)
  - (H) FY 2020 MARAD Port Infrastructure Development Program (PIDP) Grant (Transit Shed #1 Project)

- (I) FY 2023 Port Infrastructure Development Program (PIDP)
- (J) Sprinkler System at 748 Houston Avenue
- (K) Rebuilding America Infrastructure with Sustainability and Equity (RAISE) 2022 Grant Project
- (L) 2023 Mechanical Maintenance Dredging of Berths 1-5 Project
- (M) Big Arthur Crane Inspection, Repairs and Painting
- (N) HVAC Improvements (Port Dock Office)
- (O) Demolition and Abatement Projects of Port-owned properties
- (P) FY 2024 Community Project Funding Requests

16. Consider payment of invoices
17. Consider authorizing payment of claim from Bond Holder in connection with Port of Port Arthur Navigation District of Jefferson County, Texas General Obligation Bonds, Series 1966 (JP Morgan Chase)
18. Discuss status of Transit Shed Fire Protection System Project and consider acceptance of proposal for Engineering Services for fire system improvements in Warehouse Nos. 1 & 2 (Marshall Engineering Corporation)
19. Discuss status of TXDOT Seaport Connectivity Project (SCP) 2023 and TXDOT Maritime Infrastructure Program (MIP) 2023 and consider adoption of Resolution authorizing the Port of Port Arthur to enter into an Advance Funding Agreement for Railyard Flyover Project
20. Discuss status of TXDOT Rider 37 Grant Project (5-Acre Truck Queuing Area) and consider authoring Notice to Bidders
21. Discuss status of Notice to Bidders for Maintenance, Waste and Security Services
22. Consider acceptance of proposal for Professional Engineering Services for preparation of construction documents for maintenance repairs of Docks 1-5 (Collins Engineers, Inc.)
23. Discuss status of Foreign Trade Zone Consulting Services (FTI Consulting)

24. Discuss status of participation with Texas Ports Association for preparation of Economic Impact Study (Martin & Associates)
25. Discuss status of Community Outreach and Public Affairs
26. Discuss status of Contractors Assistance Program for Local, Veteran, Minority and Women-owned business enterprises
27. Receive report regarding City of Port Arthur Tax Increment Reinvestment Zone No. 1
28. Discuss status of study and cost/benefit analysis services for evaluation of grant opportunities
29. Discuss any items not on agenda without taking action thereon
30. Executive Session to discuss matters pertaining to personnel, real property, economic development negotiations, security matters and litigation. Action may be taken on any and all items discussed in Executive Session upon return to Open Meeting regarding:
  - (A) Personnel (GOV'T. CODE SEC. 551.074)
  - (B) Real Property (GOV'T. CODE SEC. 551.072)
    - (1) Discuss potential purchases of real property in Navigation District
    - (2) Discuss potential leases of real property in Navigation District
  - (C) Conduct deliberations regarding economic development negotiations pertaining to (GOV'T. CODE SEC. 551.086):
    - (1) Liquids Terminal Facilities
    - (2) LNG Facilities
    - (3) Marine Terminal and Inland Storage Area Project
    - (4) Wood Pellets Storage and Loading Facilities
    - (5) Wind Energy Project

(6) Clean Energy Project

(D) Security Matters (GOV'T. CODE SEC. 551.076)

(E) Litigation (GOV'T. CODE SEC. 551.071)

(1) Hurricanes Laura and Delta Insurance Claims

(2) Sabine-Neches Navigation District Channel Modification Litigation

(3) IRS examination of Unlimited Tax Port Improvement Bonds, Series 2017A

(4) M/V Nemea grounding incident

31. Return to Open Meeting

32. Discuss status of settlement in connection with real estate valuation services agreement

33. Discuss status of legislative matters

34. Consider issuing Notice of Termination of contract for Enterprise Resource Planning consulting services and authorize Request for Proposals for Enterprise Resource Planning Implementation Phase I and Phase II services

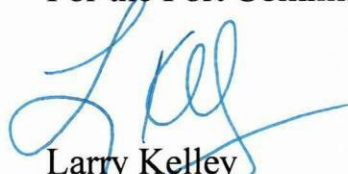
35. Consider award of contract for New Data Center

36. Consider award of contract for New Data Center Generator

37. Discuss status of USACE-DD7 floodwall replacement project and consider approval of proposed alignment

38. Adjourn

For the Port Commission



Larry Kelley  
Executive Port Director – CEO