

## **NOTICE OF MEETING**

TAKE NOTICE THAT A REGULAR MEETING OF THE  
BOARD OF COMMISSIONERS OF  
THE PORT OF BEAUMONT NAVIGATION DISTRICT  
OF JEFFERSON COUNTY, TEXAS

will be held in

The Port District Building, 1225 Main Street, Beaumont, Texas, commencing at 10:00  
a.m., on Monday, August 26, 2019 to consider and act upon the following:

## **INVOCATION**

### **PUBLIC HEARING - CANCELLED**

The Port of Beaumont Board of Commissioners Public Hearing on issuance of Dock and Wharf Facility Revenue Bonds, Series 2019, to Jefferson Terminal Logistics LLC and Jefferson Railport Terminal II LLC, as posted in the Orange Leader on August 17, 2019, and Beaumont Enterprise on August 17, 2019, has been cancelled. The hearing will be rescheduled for a later date.

### **AGENDA PUBLIC COMMENTS**

1. General public comments on Consent Agenda items or Regular Agenda items 3 through 14.

### **CONSENT AGENDA**

2. a) Approval of minutes of the July 29, 2019 regular meeting.  
b) Approval of minutes of the August 12, 2019 work session.  
c) Approval of accounts payable checks over \$25,000 for the month of July 2019.  
c) Approval of commissioner expense report for the month of July 2019.

### **REGULAR AGENDA**

3. Consideration and possible action to terminate the Loading/Unloading Agreement with P.C. Pfeiffer Company, a division of James J. Flanagan Shipping Corp.
4. Consideration and possible action to terminate the Loading/Unloading Lease with P.C. Pfeiffer Company, a division of James J. Flanagan Shipping Corp.

5. Consideration and possible approval of the Port of Beaumont Loading and Unloading Licensing Policy.
6. Consideration and Possible Approval of Port of Beaumont Tariff 007.
7. Consideration and possible approval of revisions to the Port of Beaumont Stevedore Franchise Policy.
8. Consideration and possible approval of Fiscal Year 2019/2020 Budget.
9. Consideration and possible approval of the 2019/2020 tax rate.
10. Consideration and possible approval of 2019/2020 Capital Improvement Program.
11. Consideration and possible approval of health insurance coverage for 2019/2020.
12. Consideration and possible adoption of TCDRS plan and elected contribution rate for calendar year 2020.
13. Consideration and possible approval of engagement letter with FMW, P.C. (Funchess, Mills, White and Associates), Mr. Terry Whiddon, for performing the 2019/2020 fiscal year audit.
14. Consideration and possible approval of Change Order No. 1 to the Allegiant Island Industrial Park Terminal Electrical Project – Phase II.
15. Executive Director’s report to the Commission, including port financial matters and reports, port administrative and policy issues, port marketing and promotion & development efforts, port cargo and operations activity and/or port facilities and capital programs.
16. Executive Session (Closed to the Public) – Board will convene in a closed session under Chapter 551 of the Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.083, 551.084 and/or 551.087 to deliberate on the following:

Section 551.071 Government Code—To discuss potential and pending litigation:

- i. Claim as to July 8, 2019 incident and preservation of evidence request.*
- ii. Kevin Andrus v. James J. Flanagan Shipping Corporation; Vestas-American Wind Technology, Inc.; and Port of Beaumont Navigation District of Jefferson County, Cause No. D-202839, 136<sup>th</sup> District Court.*

*iii. David W. Mickles v. P.C. Pfeiffer Co. Inc.; Suzano Pulp and Paper America, Inc.; and Port of Beaumont Navigation District of Jefferson County, Cause No. D-202840, 136<sup>th</sup> District Court.*

## **GENERAL PUBLIC COMMENTS**

### 17. General public comments (limited to three minutes per person)

This Notice of Meeting is given and posted pursuant to the Texas Open Meetings Act, contained in Chapter 551 of the Texas Government Code. Capitalized words and phrases have the meaning given to them in the Act. The Meeting will be held at the Date, Time and Place stated above. The Board of Directors of the Governmental Body will Deliberate upon the items listed in the Agenda above. Any Agenda item is subject to discussion only, action only, or both discussion and action. All portions of the Meeting shall be Open, unless a Closed Meeting is held when permitted, and in the manner specified, by the Act. If the Act permits all or any portion of the Deliberation of an Agenda item to be Closed, the Governing Body may enter into a Closed Meeting whether or not the Agenda item below states that a Closed Meeting for such item is anticipated. Agenda items are not required to be considered in the same order as listed in the Agenda. Any Agenda item(s) may be tabled for Deliberation at a later Meeting, or removed from the Agenda. Any such tabled or removed Agenda item may be placed on an Agenda for a later Meeting for which Notice has been given and posted pursuant to the Act.

The Board of Commissioners of  
the Port of Beaumont Navigation  
District of Jefferson County, Texas

By: David C. Fisher  
Port Director & CEO

Dated: August 21, 2019