

**NOTICE OF MEETING
THE PORT OF BEAUMONT NAVIGATION DISTRICT
OF JEFFERSON COUNTY, TEXAS
TELEPHONIC MEETING**

September 28, 2020
10 a.m.

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued March 16, 2020. The Port of Beaumont Navigation District of Jefferson County, Texas, will conduct its Regular Meeting, scheduled for Monday, September 28, 2020, at 10 a.m., located at The Port District Building, 1225 Main Street, Beaumont, Texas, by telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the coronavirus (COVID-19). There will be no public access to the location above.

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: 1-832-917-1510 and the Access Code Number is: 541259.

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 and will be available to the public in accordance with the Open Meetings Act, upon written request.

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

1. General public comments will be taken from the audience on any subject matter, whether that item is on the agenda or not. While your comments are appreciated, all speakers are limited to a maximum three minutes. As the Texas Open Meetings Act does not allow the Board to respond to items not listed on the agenda, your comments will be noted by the Board and forwarded to the Port Director. A member of the audience who desires to address the Board is requested to make it known at the start of the meeting.

CONSENT AGENDA

2.
 - a. Approval of minutes of the August 24, 2020 regular meeting.
 - b. Approval of accounts payable checks over \$25,000 for the month of August 2020.
 - c. Approval of commissioner expense report for the month of August 2020.

REGULAR AGENDA

3. Consideration and possible adoption of the 2020 tax rates:
 - a. Interest and Sinking (I&S) Rate
 - b. Maintenance and Operation (M&O) Rate
4. Consideration and possible approval of resolution authorizing the Port of Beaumont Truck Queuing Area, the funding therefor and execution of the documents with the Texas Department of Transportation relating thereto.
5. Consideration and possible award of contract for the Puzzle Switch Fabrication Project.
6. Consideration and possible approval of the First Amendment to the Rail Transportation Contract Third Supplement.
7. Consideration and possible approval of the First Amendment to the Switching Agreement.
8. 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.
9. Board of Commissioners comments on matters of community interest.
10. 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 pending and potential litigation:

 - i. James J. Flanagan Shipping Corporation and P.C. Pfeiffer Co. Inc. vs. Port of Beaumont Navigation District of Jefferson County, Texas and David C. Fisher in his Official Capacity as Port Director and Chief Executive Officer, Cause No. 1:20-cv-191, U.S. District Court for the Eastern District of Texas, Beaumont Division
11. The Port Commission closes the Executive Session and reconvenes in open session to deliberate and/or act upon matters in its Executive Session.

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: September 24, 2020