

NOTICE OF MEETING

The Port Commission ("Commission") of the Port of Corpus Christi Authority ("PCCA") will meet in regular session on Tuesday, February 8, 2011, at 9:00 a.m., at the Congressman Solomon P. Ortiz International Center located at 402 Harbor Drive, Corpus Christi, Texas.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Sherry DuBois at 885-6174 at least 48 hours in advance so that appropriate arrangements can be made.

Si usted se dirige a la junta y cree que su inglés es limitado, habrá un intérprete inglés español en la reunión de la junta para ayudarle.

Members of the audience will be provided an opportunity to address the Port Commission. Please speak into the microphone located at the podium and state your name and address. Your presentation will be limited to three minutes.

PUBLIC NOTICE is given that the Commission may go into executive session at any time during the meeting to discuss matters listed on the agenda when authorized to do so by the provisions of Section 418.183 or Chapter 551 of the Texas Government Code. In the event the Commission elects to go into executive session regarding any agenda item, the presiding officer will publicly announce the section or sections of the Texas Government Code authorizing the executive session.

The agenda for the meeting is as follows:

1. Call meeting to order and receive Conflict of Interest Affidavits.
2. Approve the minutes of the January 11, 2011, Commission meeting.
3. Receive comments from the public. *(Each speaker will be limited to three minutes.)*
4. The Chairman will appoint the members of the Commission's standing and special committees and the chair of each.
5. Approve a resolution in support of a proposed special Texas legislation bill for the Port of Corpus Christi.
6. Take action on bids received on January 27, 2011, for the lease of, with an option to purchase, the Refrigerated Warehouse.
7. Approve a contract with B. E. Beecroft Company, Inc., the lowest and best bidder, based upon bids received on January 31, 2011, for Cold Storage facility repairs.
8. Approve a lease agreement with the New Elk Coal Company LLC, for approximately 18 acres of PCCA property located at the Bulk Terminal.
9. Approve a lease option agreement with NUSTAR Energy for approximately 15.62-acres of PCCA property located on the north side of the Main Turning Basin.

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- 10. Consent Agenda.** The Port Commissioners have been furnished with supporting documentation and staff's recommendation for each of the following items. All Consent Agenda items will be approved, in accordance with the respective staff recommendations, by one vote without being discussed separately unless a Port Commissioner requests otherwise:

 - A.** Approve a contract with R.J. Corman Railpower, the lowest and best bidder based upon bids received on February 1, 2011 for repower of Bulk Terminal switch engine locomotive.
 - B.** Approve change order no. 1 with Garrett Construction Company for the paving of additional storage area behind the Brown Express Building project.
 - C.** Approve a lease agreement with the Blattner Energy, Inc., for approximately 2.06-acres of PCCA property located on the north side of the Main Turning Basin.
 - D.** Approve a lease agreement with Cemex Construction Materials South, LLC for 1.54 acres of PCCA property located north and west of the Avery Point Turning Basin.
 - E.** Ratify Workers' Compensation invoice amount for the period January 1, 2011.
- 11.** Receive report from the Executive Director on upcoming PCCA events and the activities of the following PCCA departments during the preceding month: business development, community relations, government affairs, operations, engineering services, accounting, and human resources.
- 12.** Receive comments from Commissioners on any of the agenda items for this meeting, the Port's activities during the preceding month, upcoming PCCA events, and suggestions for future agenda items.
- 13.** The Port Commission will go into executive session pursuant to §551.072 of the Texas Government Code to deliberate the terms and conditions of a lease option agreement with Martin Operating Partners for approximately 10 acres located on the north side of the Inner Harbor and may take action on this lease option agreement in open session.
- 14.** The Port Commission will go into executive session pursuant to §551.072 of the Texas Government Code to discuss the purchase of additional property in the Inner Harbor.
- 15.** The Port Commission will go into executive session pursuant to §551.071 of the Texas Government Code to receive legal advice from its attorney about PCCA's wharfage charges.

16. The Port Commission will go into executive session pursuant to §551.071 of the Texas Government Code to receive the advice of its attorney regarding Cause No. D-1-GV-09-001901; *State of Texas on behalf of Land Commissioner Jerry Patterson, Plaintiff v. Port of Corpus Christi Authority of Nueces County, Texas, in the 419th District Court of Travis County, Texas*.
17. Receive a progress report and staff recommendations on selling or leasing all or part of approximately 918.828 acres of upland property on Ingleside Point in San Patricio County (a portion of which was formerly occupied by Naval Station Ingleside) and the improvements thereon and the two former Naval Station Ingleside piers in Corpus Christi Bay adjacent to the upland property (collectively, the “NSI Development Property”). Receive presentations from parties proposing to purchase or lease all or part of the NSI Development Property (collectively, the “Proposing Parties”). The Commission may authorize PCCA staff to enter into exclusive negotiations with one or more of the Proposing Parties for the sale or lease of all or part of the NSI Development Property. The Port Commission may go into executive session pursuant to §551.072 of the Texas Government Code to deliberate PCCA’s terms for selling or leasing the NSI Development Property prior to taking any action on this agenda item in open session.
18. Approve a lease agreement with Texas State Technical College Harlingen for Building 201 at the former Naval Station Ingleside property. The Port Commission may go into executive session pursuant to §551.072 of the Texas Government Code to deliberate the terms of this lease prior to taking any action on this agenda item in open session.
19. Approve a surplus property sales contract with Flint Hills Resources Corpus Christi, LLC, for (a) the sale of approximately 3.42-acres of upland property on Ingleside Point in San Patricio County on the east side of the former Naval Station Ingleside Main Base (the “Upland Property”) and the improvements thereon and the (former Naval Station Ingleside) Small Craft Pier adjacent to the Upland Property, and (b) the lease of approximately 10.9-acres of submerged land in Corpus Christi Bay between the Upland Property and the Corpus Christi Ship Channel (the “Submerged Land”). The Port Commission may go into executive session pursuant to §551.072 of the Texas Government Code to deliberate the terms of this sale and lease prior to taking any action on this agenda item in open session.
20. The Port Commission will go into executive session pursuant to §551.071 of the Texas Government Code to receive legal advice from its attorney concerning PCCA's Code of Ethics.

- 21.** PCCA and The Texas A&M University System (TAMUS) entered into an Amended and Restated Development Services Agreement (the “Development Services Agreement”) effective as of May 11, 2010, for the development of the NSI Development Property. The Port Commission will go into executive session pursuant to §551.071 of the Texas Government Code to seek the advice of its attorney regarding PCCA’s legal right to terminate the Development Services Agreement. The Commission may take action on this agenda item in open session.
- 22.** Approve the first reading of a franchise agreement granting Flint Hills Resources Corpus Christi, LLC, the right of access to the Waters of Nueces County and the Corpus Christi Ship Channel from the wharves, piers and other improvements now or hereafter constructed on the Upland Property or the Submerged Land described in agenda item no. 19.
- 23.** Approve a lease agreement with Flint Hills Resources Corpus Christi, LLC, for the Submerged Land described in agenda item no. 19.
- 24.** Approve an easement agreement with Koch Pipeline Company, L.P., for one 12-inch pipeline located on the east side of the former Naval Station Ingleside property.
- 25.** Adjourn.