

**Notice of Meeting**

**BOARD OF TRUSTEES OF THE GALVESTON WHARVES**

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THIS OFFICE, 123 ROSENBERG AVENUE, 8<sup>TH</sup> FLOOR, GALVESTON, TEXAS 77550 (409-766-6105) TO MAKE ARRANGEMENTS FOR THE SPECIAL ACCOMMODATION.

**Regular Monthly Meeting**

**Monday, July 25, 2016**

**9:15 a.m.**

**Port of Galveston**

**8<sup>th</sup> Floor Shearn Moody Plaza**

**123 Rosenberg Avenue, Galveston, TX 77550**

**-THE REGULAR MONTHLY MEETING IS OPEN TO THE PUBLIC-**

**BOARD OF TRUSTEES**

**Chairman Benjamin F. Holland, Jr.**

**Trustee Elizabeth Beeton**

**Trustee Albert P. Shannon**

**Trustee Mayor James D. Yarbrough**

**Vice Chairman Edward J. Walsh, III**

**Trustee Richard D. DeVries**

**Trustee Gerald A. Sullivan**

**Michael J. Mierzwa, Port Director**

**Anthony P. Brown, Port Attorney**

**I. REGULAR MONTHLY MEETING**

**A. CALL TO ORDER**

A-1 Roll Call

A-2 Declaration of Quorum

A-3 Pledge of Allegiance

**B. DECLARATION OF CONFLICTS OF INTEREST BY TRUSTEES**

**C. GENERAL BUSINESS**

**1. PRESENTATIONS AND ANNOUNCEMENTS**

A-1 Comments from the Public

## **2. APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES**

- B-1 Minutes of the Regular Monthly Meeting of the Board of Trustees held June 27, 2016

## **3. PORT DIRECTOR'S REPORT**

- C-1 Port Director/Staff Reports – Consideration of Information Received from the Port Director or Other Members of Port Staff with Respect to Port Operations, Including Such Matters as Revenue, Expense, and Other Financial Information; Cargo Tonnage and Ship Calls; Cruise Passenger Activity, Car Counts, and Ship Calls; Security Conditions and Other Security Related Matters; Facility Improvements, Maintenance, Repairs, and Demolition; Dredging; Matters Relating to Parking Operations; Staff and Trustee Travel Reports; and Other Matters Required to be Reported to the Trustees Pursuant to Law or Board Policy.

## **4. CONSENT AGENDA**

- D-1 Consider Board and Staff Expense Reports
- D-2 Consider Financial Statements
- D-3 Accept Port Investments Report
- D-4 Accept Bank Reconciliation Report and Schedule of Restricted Fund Balances
- D-5 Accept Cash Flow Projections
- D-6 Accept Monthly Delinquent Accounts Receivable Analysis
- D-7 Accept Vendor Check Register Report
- D-8 Consider Trade Development

## **5. BUSINESS ITEMS**

- E-1 Discuss and Consider Portfolio Performance Analysis Report, Summary of Investment Performance Report and Investment Detail of the Galveston Wharves Pension Plan for Period Ending June 30, 2016, and Discuss and Consider any Percentage Changes in Fund Mix that May Be Necessary to Increase Investment Results
- E-2 Discuss and Consider Galveston Wharves Participation in U.S. Customs and Border Protection (CBP) Reimbursable Services Program Wherein CBP Provides Services to Requesting Parties on a Reimbursable Basis
- E-3 Discuss and Consider Request from Galveston City Council for Wharves Board Input on Applicant Questions for Upcoming Council Interviews to Fill Wharves Board Vacancies

## **II. RECESS INTO EXECUTIVE SESSION**

### **ANNOUNCE GOING INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE**

#### **-Section 551.071 – Consultation with Attorney**

- a. Seek or receive advice on legal claim asserted by an employee.
- b. Seek or receive advice on pending litigation and legal claims, including without limitation:
  1. Santa Fe Discount Cruise Parking, Inc., et al. v. the Board of Trustees of the Galveston Wharves et al., Federal Maritime Commission Docket No. 14-06;

#### **-Section 551.072 – Real Estate**

- a. Discuss issues relating to value of real property owned and operated by Port:
  1. Proposed Lease Agreement Between the Board of Trustees of the Galveston Wharves and Keith and Kathleen Guindon for the Continued Operation of a Retail Fish Sales Outlet at the Pier 19 Charter Area

#### **-Section 551.087 – Economic Development Negotiation**

- a. Discuss or Deliberate Regarding Commercial or Financial Information Received from a Business Prospect Seeking to Locate, Stay, or Expand at the Port of Galveston, or Deliberate the Offer of a Financial or Other Incentive to such a Business Prospect

### **ADJOURNMENT OF EXECUTIVE SESSION**

### **RECONVENE REGULAR MONTHLY MEETING**

### **BUSINESS ITEMS (CONTINUED)**

- E-4 Discuss and Consider Lease Agreement Between the Board of Trustees of the Galveston Wharves and Keith and Kathleen Guindon for the Continued Operation of a Retail Fish Sales Outlet at the Pier 19 Charter Area
- E-5 Discuss Long-Term Planning and Goals of the Port of Galveston

- D. COMMENTS FROM THE BOARD OF TRUSTEES
- E. SET DATE OF NEXT BOARD MEETING, TIME AND LOCATION
- E. ADJOURNMENT

THE ITEMS LISTED FOR THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND WILL NOT BE DISCUSSED UNLESS A TRUSTEE DESIRES TO DISCUSS - AS IS THE CASE, THAT SUCH ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED PRIOR TO THE REGULAR AGENDA ITEMS. AS USED IN THIS NOTICE, THE TERM "EXECUTIVE SESSION" MEANS A "CLOSED MEETING" AS DEFINED IN TEXAS GOVERNMENT CODE CHAPTER 551, THE OPEN MEETINGS ACT. THE BOARD RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY SUBJECT, INCLUDING WITHOUT LIMITATION ANY SUBJECT APPEARING ON THIS AGENDA, AS AUTHORIZED BY THE OPEN MEETINGS ACT. FOLLOWING ANY EXECUTIVE SESSION, THE BOARD IN OPEN SESSION MAY TAKE A FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN EXECUTIVE SESSION, AS AUTHORIZED BY THE OPEN MEETINGS ACT.

3:30 p.m., Thursday, July 21, 2016

By: Michael J. Mierzwa  
Michael J. Mierzwa, Port Director

Please Note

Members of the City Council may be attending and participating in the discussion.

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POSTED  
JUL 21 2016  
CITY SECRETARY'S  
OFFICE

AD  
3:15 pm