

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, 8TH FLOOR, GALVESTON, TEXAS 77550 (409-766-6105) TO MAKE ARRANGEMENTS FOR THE SPECIAL ACCOMMODATION.

Regular Monthly Meeting

Monday, August 22, 2016

9:15 a.m.

Port of Galveston

8th 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 Richard D. DeVries

Trustee Albert P. Shannon

Trustee/Mayor James D. Yarbrough

Trustee Elizabeth Beeton

Trustee E. L. "Ted" O'Rourke

Trustee Todd P. 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

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 July 25, 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 Use of the Design-Build Method versus Design-Bid-Build Method for Various Capital Improvement Projects in the Vicinity of Slips 12 and 14
- E-2 Discuss and Consider Advance Funding Agreement Between the State of Texas, Acting By and Through the Texas Department of Transportation and the Board of Trustees of the Galveston Wharves for Repairs to Old Port Industrial Road and a New Traffic Signal at the Intersection of SH 275 (Harborside Drive) and 33rd Street
- E-3 Discuss and Consider Board Attendance at the 2016 Annual Meeting of the American Association of Port Authorities to be Held in New Orleans, Louisiana on October 23, 2016

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;
- c. Seek or receive advice on potential legal issues related to Ignite Group (Joe's Crab Shack) lease with the Board of Trustees on property at Pier 19

-Section 551.072 – Real Estate

- a. Discuss issues relating to value of real property owned and operated by Port:
 1. Proposed First Amendment to Lease Agreement Between the Board of Trustees of the Galveston Wharves and FIT TRI Run, LLC, Doing Business as re: LAX to add Lease Suite B, Consisting of 947 Square Feet of Space in the Galveston Downtown Transit Terminal for a Three-Year Term with Three Additional Three-Year Options for the Operation of a Specialty Retail Store
 2. Proposed Second Amendment to Lease Agreement Between the Board of Trustees of the Galveston Wharves and Crown Castle International Affiliates in Connection with the Cell Tower Site Located at 1520 Harborside Drive
 3. 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 551.074 – Personnel

- a. Deliberate the Appointment, Employment, Evaluation, Reassignment, or Duties of a Public Officer or Employee, Including Without Limitation the Port Director and Deputy Port Director

-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 First Amendment to Lease Agreement Between the Board of Trustees of the Galveston Wharves and FIT TRI Run, LLC, Doing Business as re: LAX to add Lease Suite B, Consisting of 947 Square Feet of Space in the Galveston Downtown Transit Terminal for a Three-Year Term with Three Additional Three-Year Options for the Operation of a Specialty Retail Store
- E-5 Discuss and Consider Second Amendment to Lease Agreement Between the Board of Trustees of the Galveston Wharves and Crown Castle International Affiliates in Connection with the Cell Tower Site Located at 1520 Harborside Drive

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, August 18, 2016

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

Please Note

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

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