

Board of Trustees of the Galveston  
Wharves  
REGULAR MONTHLY MEETING  
Tuesday, January 31, 2023 9:30 a.m.  
Port of Galveston  
123 Rosenberg Avenue, 8th Floor  
Galveston, TX 77550

BOARD OF TRUSTEES  
Chairman Harry D. Maxwell, Jr.  
Vice Chairman Victor Pierson  
Trustee/Mayor Craig Brown  
Trustee Willy Gonzalez  
Trustee Sheila S. Lidstone  
Trustee Jeff Patterson  
Trustee James D. Yarbrough  
Rodger Rees, Port Director/CEO  
Anthony P. Brown, Port Attorney

NOTICE OF MEETING

The Regular Monthly Meeting is open to the public.

Members of the public may participate in the meeting in the following ways:

1. Watch the meeting at the following online at:  
<https://www.portofgalveston.com/68/watch-meetings-online>
2. Submit public comment in advance of the meeting. Comments can be submitted to:  
<https://www.portofgalveston.com/formcenter/public-comment-form-2/public-comment-form-36>
3. Attend the meeting in person at the above address.

**A. CALL TO ORDER**

- A.1. **Roll Call**
- A.2. **Declaration Of Quorum**
- A.3. **Pledge Of Allegiance**
- A.4. **Declaration Of Conflicts Of Interest By A Trustee**

**B. PRESENTATIONS AND ANNOUNCEMENTS**

- o Employee Service Awards
- o Presentation by Seapath Group/Pilot LNG

**C. GENERAL BUSINESS**

**C.1. APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES**

Documents:

[MINUTES 12 13 2022.PDF](#)

**C.2. COMMENTS FROM THE PUBLIC**

The Public will be permitted to submit public comments electronically. Comments can be submitted to:

[HTTPS://WWW.PORTOFGALVESTON.COM/FORMCENTER/PUBLIC-COMMENT-FORM-2/PUBLIC-COMMENT-FORM-36](https://www.portofgalveston.com/formcenter/public-comment-form-2/public-comment-form-36)

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

Documents:

[1-31-23 PDR .PDF](#)

### D. RECESS INTO EXECUTIVE SESSION

#### D.1. ANNOUNCE GOING INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE

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

- a. Receive Legal Advice Concerning Pending Legal Issues Raised by Legal Counsel
  - o Issues Relating to Public Information Requests and Requests for Information Submitted by Trustees
  - o Issues Relating to Operating Agreement with Cruise Lines
  - o No. 14-06; *Sylvia Robledo d/b/a 81<sup>st</sup> Dolphin Parking v. Board of Trustees of the Galveston Wharves*; Before the U.S. Federal Maritime Commission

##### **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

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

- a. Deliberate the Purchase, Exchange, Lease or Value of Property on Galveston and Pelican Islands

##### **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

### E. RECONVENE REGULAR MONTHLY MEETING

- E.1. **Discuss And Consider Action, If Any, On Specific Matters Discussed In Executive Session Which Were Listed On The Agenda In Sufficient Detail To Provide Notice To The Public As Required By The Texas Open Meetings Act**

### F. BUSINESS ITEMS

## **F.1. Consider And Approve CFO Report - Consent Agenda**

- Consider Board and Staff Expense Reports (a.)
- Consider Financial Statements (b.)
- Accept Port Investments Report (c.)
- Accept Bank Reconciliation Report and Schedule of Restricted Fund Balances Report (d.)
- Accept Cash Flow Projections (e.)
- Accept Monthly Delinquent Accounts Receivable Analysis (f.)
- Accept Vendor Check Register Report (g.)
- Consider Trade Development (h.)

Documents:

[CFO REPORT 01 31 2023.PDF](#)  
[A.PDF](#)  
[B.PDF](#)  
[C.PDF](#)  
[D.PDF](#)  
[E.PDF](#)  
[F.PDF](#)  
[G.PDF](#)  
[H.PDF](#)

## **F.2. Discuss And Consider Portfolio Performance Analysis Report, Summary Of Investment Performance Report And Investment Detail Of The Galveston Wharves Pension Plan For Period Ending December 31, 2022, And Discuss And Consider Percentage Changes In The Fund Mix That May Be Necessary To Increase Investment Results**

Documents:

[F2.PDF](#)

## **F.3. Discuss And Consider For Approval, The 1st Amendment To The Lease Agreement Between The Board Of Trustees Of The Galveston Wharves And Ports America Texas, Inc. For Extending The Lease 19-Months**

Documents:

[F3.PDF](#)

## **F.4. Discuss And Consider For Approval, The 1st Amendment To The Lease Agreement Between The Board Of Trustees Of The Galveston Wharves And Ports America Texas, Inc. For The Use Of 1.5 Acres At Pier 37 And 4.5 Acres At 4105 Old Port Industrial Blvd For 17-Months**

Documents:

[F4.PDF](#)

## **F.5. Consider And Approve Changes To The Construction Contract Between The Board Of Trustees Of The Galveston Wharves And David E Harvey Builders, Inc. Contract Services For Pier 10 Development / Parking Facility To Increase The Amount Payable Under The Contract By An Additional \$300,000.00 To A Total Amount Not To Exceed \$8,379,555.84**

Documents:

[F5.PDF](#)

- F.6. Consider And Approve A Resolution Of The Board Of Trustees Of The Galveston Wharves Determining That The Competitive Sealed Proposal Method Provides The Best Value For Portions Of The Cruise Terminal 25 Improvements Project**

Documents:

[F6.PDF](#)

- F.7. Discuss And Consider Increase Of Capital Purchase By \$32,185.00**

Documents:

[F7.PDF](#)

- F.8. Consider And Approve The Galveston Wharves Legislative Agenda For The Texas State 88th Legislature**

Documents:

[F8.PDF](#)

- F.9. Discuss And Consider Approval Of Settlement With Sylvia Robledo D/B/A 81st Dolphin Parking, Resolving No. 14-06, Santa Fe Discount Cruise Parking, Inc. D/B/A EZ Cruise, Et Al V. Board Of Trustees Of The Galveston Wharves, Before The U.S. Federal Maritime Commission**

Documents:

[F9.PDF](#)

- F.10. Discuss And Consider Changing The Date Of The March Regular Monthly Meeting From Tuesday, March 28, 2023, To Friday, March 24, 2023, And Consider Changing The Date Of The October Regular Monthly Meeting From October 24, 2023 To October 17th Or 31st For Purposes Not To Conflict With Staff And Board Travel To Seatrade Cruise Global, And The American Association Of Port Athorities Annual Meetings**

Documents:

[F10.PDF](#)

- F.11. Discuss And Consider Approval Of Payment Of Additional Performance-Based Compensation To Port Director/CEO As Provided For In Current Port Director/CEO Employment Agreement**

Documents:

[F11.PDF](#)

- F.12. Discuss And Consider Approval Of Second Amendment To Port Director/CEO Employment Agreement**

Documents:

[F12.PDF](#)

**G. COMMENTS FROM THE BOARD OF TRUSTEES**

Pursuant to Texas Government Code Section 551.0415, Trustees may report on any of the following items:

1. Expressions of thanks, gratitude, and condolences
2. Information regarding holiday schedules
3. Honorary or salutary recognition of a public official, public employee, or other citizen
4. Reminders regarding Galveston Wharves events
5. Reminders regarding community events
6. Health and safety announcements

**H. SET DATE OF NEXT BOARD MEETING, TIME AND LOCATION**

**I. 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.

**I certify that the above Notice of Meeting was posted in a place convenient to the public, in accordance with Chapter 551 of the Texas Government Code, on or before 4:00 p.m. Friday, January 27, 2023.**

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**Rodger Rees, Port Director/CEO**