

Board of Trustees of the Galveston
Wharves
Regular Monthly Meeting
Tuesday, October 26, 2021 10:00 a.m.
Port of Galveston
123 Rosenberg Avenue, 8th Floor
Galveston, TX 77550

BOARD OF TRUSTEES
Chairman Harry D. Maxwell, Jr.
Vice Chair Todd P. Sullivan
Trustee/Mayor Craig Brown
Trustee Sheila S. Lidstone
Trustee E.L. "Ted" O'Rourke
Trustee Jeff Patterson
Trustee Victor Pierson
Rodger Rees, Port Director/CEO
Anthony P. Brown, Port Attorney

NOTICE OF MEETING

One or more members of the Board of Trustees of the Galveston Wharves may attend the Regular Monthly Meeting scheduled at 10:00 a.m. on October 26, 2021 at the Port of Galveston, 123 Rosenberg, Galveston Texas 77550, by video-conference or in person.

The Regular Monthly Meeting is open to the public. Seating is limited due to COVID. To reserve a seat, please call 409.765.9321 ext. 4.

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->

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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

B. DECLARATION OF CONFLICTS OF INTEREST BY TRUSTEE

C. GENERAL BUSINESS

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

Documents:

[MINUTES ANNUAL MEETING 9-21-21.PDF](#)
[MINUTES REG. MONTHLY MEETING 9-21-21.PDF](#)

C.2. PORT DIRECTOR'S REPORT

Documents:

[2021 OCTOBER 26 PDR FINAL DRAFT.PDF](#)

C.3. COMMENTS FROM THE PUBLIC

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

D. RECESS INTO EXECUTIVE SESSION

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

Section 551.071 - Consultation with Attorney

a. Deliberate Pending legal issues Raised by Legal Counsel

1. Citation No. 086562 Issued by City Marshal

2. Legal issues relating to request for assignment of Pier 21 Lease (Mitchell Historic Properties)

Section 551.072 - Real Estate

a. Deliberate the Purchase, Exchange, Lease or Value of Property

1. Proposed Interlocal Agreement with City – 14th Street Pump Station Project, and potential relocation of a portion of Leased Premises (Del Monte Lease)

2. Request to assign Tenant's Interest in Pier 21 Lease (Mitchell Historic Properties)

3. Request to subordinate Landlord's Lien to proposed Lender's Lien on Tenant's personal Property (Gulf Copper Lease)

Section 551.074 - Personnel

a. Deliberate the Appointment, Employment, Evaluation, Reassignment, or Duties of a Public Officer or Employee, without Limitation the Port Director

Section 551.087 - Economic Development Negotiation

a. Discuss and Deliberate Regarding of Commercial or Financial Information Received from a Business Prospect Seeking to Locate, Stay, or Expand at the Port of Galveston, or Deliberated 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.PDF](#)
[A..PDF](#)
[B..PDF](#)
[C..PDF](#)
[D..PDF](#)
[E..PDF](#)
[F..PDF](#)
[G..PDF](#)
[H..PDF](#)

F.2. Consider And Approve Portfolio Performance Analysis Report, Summary Of Investment Performance Report And Investment Detail Of The Galveston Wharves Pension Plan For Year Ending September 30, 2021 And Discuss And Consider Any Percentage Changes In Fund Mix That May Be Necessary To Increase Investment Results

Documents:

[F2.PDF](#)

F.3. Discuss And Consider 2022 Operating, Renewal & Replacement And Capital Improvements Budget

Documents:

[F3.PDF](#)

F.4. Discuss And Consider For Approval The 2022 Rate Adjustment Amendments For Dockage, Wharfage, Harbor Master/Harbor Maintenance Charges, And Security Surcharges To The Board Of Trustees Of The Galveston Wharves Tariff Circular No. 7.

Documents:

[F4.PDF](#)

F.5. Consider And Approve Budget For Pier 14 Parking Lot Construction And East End Utility Construction And Delegate The Authority To The Port Director To Enter Into Agreements Necessary Within The Project Budget

Documents:

[F5.PDF](#)

F.6. Consider And Approve Construction Contract Between The Board Of Trustees Of The Galveston Wharves And Tandem Services, LLC For East End Cruise Corridor Development / 20th Street To Royal Caribbean Way In The Amount Not To Exceed \$5,248,111.65 And Approve A Contingency Of \$250,000 For The East End Cruise Corridor Project

Documents:

[F6.PDF](#)

F.7. Discuss And Consider Acceptance Of The 2021 Port Security Grant Award

Documents:

[F7.PDF](#)

F.8. Discuss And Consider Authorizing Staff To Continue Negotiating An Interlocal Agreement With City Of Galveston For The City's Proposed 14th Street Pump Station Project, And Relocation Of A Portion Of The Leased Premises Under The Wharves' Lease With Del Monte, In Order To Accommodate The Proposed Project

Documents:

[F8.PDF](#)

F.9. Discuss And Consider Approval Of Subordination Agreement With Gulf Copper & Manufacturing Corporation And Moody National Bank

Documents:

[F9.PDF](#)

F.10. Discuss And Consider Tariff On Party Boats

Documents:

[F10.PDF](#)

F.11. Discuss And Consider Appointment Of Committees Of The Board

Documents:

[F11.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, October 22, 2021.

Rodger Rees, Port Director/CEO

PLEASE NOTE:

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 THE PORT'S OFFICE, 123 ROSENBERG, GALVESTON, TEXAS 77550 (409-765-3921).