

**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, April 3, 2017**

**10:30 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 E. L. "Ted" O'Rourke**

**Trustee/Mayor James D. Yarbrough**

**Vice Chairman Albert P. Shannon**

**Trustee Richard D. DeVries**

**Trustee Todd P. Sullivan**

**Peter Simons, Interim 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 Presentation by Dr. Bill Merrell and Colonel Christopher Sallese on the Ring Levee System
- A-2 Presentation of Service Awards to Port Employees
- A-3 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 Monday, February 27, 2017
- B-2 Minutes of the Special Board Meeting held Thursday, March 2, 2017

## **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 Acceptance of the Galveston Wharves (Port) and Galveston Port Facilities Corporation (GPFC) Consolidated 2016 Financial Audit, Federal Single Audit and the Comprehensive Annual Financial Report (CAFR)

- E-2 Discuss and Consider Resolution Approving the Galveston Wharves Investment Policy Following Annual Review as Required by the Public Funds Investment Act
- E-3 Discuss Pension and Savings Plans for Port of Galveston Employees, Including Galveston Wharves Pension Plan (Defined Benefit Plan), Galveston Wharves Pension Plan (Cash Balance Account), Retirement Accumulation Plan for the Employees of the Galveston Wharves, Galveston Wharves 2010 Plan, Galveston Wharves 457 Deferred Compensation Plan and Galveston Wharves Roth IRA Plan

## **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.
  - 1. Paula Welch EEOC Claim
  - 2. Carmen Parker EEOC Claim of Discrimination
- 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
  - 2. Appeal of Final Agency Action by FEMA Denying the Port's Request for Reimbursement for Pelican Island Recovery Work

#### **-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 Acceptance of Proposed Settlement of All Claims by Paula Welch

E-5 Discuss and Consider the Hiring of an Executive Search Firm

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

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

**F. 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, March 30, 2017**

By:   
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**Peter Simons, Interim Port Director**

**Please Note**

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

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 CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409-797-3510).