

**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, September 25, 2017**

**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 E. L. "Ted" O'Rourke**  
**Trustee Elizabeth Beeton**  
**Trustee Jayson Levy**  
**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 TRUSTEE**

**C. GENERAL BUSINESS**

**1. PRESENTATIONS AND ANNOUNCEMENTS**

-Sally Bakko, City of Galveston, Federal and State Legislative Discussion

-Mr. Asad Khan, Tetra Tech –Update on Status of Hurricane Ike FEMA Claims and Recovery of Expenses

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

B-1 Minutes of the Regular Monthly Meeting of the Board of Trustees held Monday, September 11, 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 Proposal to Purchase Video Production and Streaming Equipment Including Installation and Orientation Services for \$29,348 from DLJ Studios to Provide Video Streaming, Indexing and Archiving Services for Board of Trustees Meetings
  
- E-2 Discuss and Consider the First Renewal Term of the Insurance Broker Contract Between the Board of Trustees of the Galveston Wharves and Hugh Wood, Inc. for a Period of One Year at a Cost Not to Exceed the Annual Amount of \$53,000.00

- E-3 Discuss and Consider Award of Contract for Cruise Terminal 2 Berth Improvements Phase 1-B to J. W. Kelso Company, Inc. for an Amount Not to Exceed \$598,495.00
- E-4 Discuss and Consider Acceptance of Department of Homeland Security FY2017 Port Security Grant Award in the Amount of \$841,076
- E-5 Discuss and Consider Change in Dates of the October, November and December 2017 Board Meetings

**RECESS INTO EXECUTIVE SESSION**

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

**-Section 551.071 – Consultation with Attorney**

- a. Seek or receive legal advice regarding proposed conveyance of Fadden Building, 2410 Strand, Galveston, Texas from Galveston Port Facilities Corporation to Turner Construction Company, pursuant to prior settlement of litigation.
- b. Seek or receive legal advice regarding state laws providing for exemptions from paying parking fees

**-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 or 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-6 Discuss and Consider Proposed Conveyance of Property Located at 2410 Strand, Galveston, Texas as part of Settlement of Prior Litigation

- E-7 Discuss and Consider First Amendment to the Operating Agreement Between the Galveston Port Facilities Corporation and Magical Cruise Company, Limited, Doing Business as Disney Cruise Line to Provide an Additional 1-Year Renewal Term and to Amend Section 3.09 – Method of Payment of Fees to Conform to Schedule 3.04 – Guaranteed Minimum Annual Passenger Fee as Amended per Section 3.07 of the Operating Agreement
- E-8 Discuss and Consider Changes to Exemptions in Port Tariff from Paying Parking Fees at Port Parking Lots
- E-9 Discuss and Consider Parking Plan to Enhance Competitive Position and Market Share

**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, September 21, 2017**

By:   
 Peter Simons, Interim Port Director

**Please Note**

**Members of the public attending the Board Meeting may park at no cost in the Shearn Moody Plaza Parking Garage. The garage is located across the street from the Port offices.**

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

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**P O S T E D**  
**SEP 21 2017**

CITY SECRETARY'S  
 OFFICE

2:30 