

Board of Trustees of the Galveston Wharves  
**REGULAR MONTHLY MEETING**  
Tuesday, October 25, 2022 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. Declaration Of Conflicts Of Interest By A Trustee

**B. GENERAL BUSINESS**

- B.1. APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES
- B.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)

- B.3. PORT DIRECTOR'S REPORT

**C. RECESS INTO EXECUTIVE SESSION**

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

**Section 551.071 - Consultation with Attorney**

- a. Operating Agreements, and proposed MOU with Cruise Lines
- b. Ground Lease with Galveston Cruise Terminals, LLC (Cruise Terminal No. 10)
- c. Parking Lot Litigation and Passenger Litigation

## **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. Discuss Pier 21 Lease and Development Agreement

## **Section 551.087 – Economic Development Negotiation**

- a. Discuss or Deliberate the 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**

### **D. RECONVENE REGULAR MONTHLY MEETING**

- D.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

### **E. BUSINESS ITEMS**

#### **E.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.)

#### **E.2. Discuss And Consider 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 In The Fund Mix That May Be Necessary To Increase Investment Results**

#### **E.3. Discuss And Consider 2023 Operating, Renewal & Replacement And Capital Improvements Budget**

#### **E.4. Discuss And Consider Engagement Letter From FORVIS, LLP To Audit The Financial Statement Of The Board Of Trustees Of The Galveston Wharves, The Federal And State Single Source Audit, And The Annual Defined Benefit Pension Plan Audit For The Year Ending December 31, 2022**

#### **E.5. Discuss And Consider Small Vessel Passenger Fees**

#### **E.6. Consider And Approve Fourth Amendment To The Professional Services Agreement Between The Board Of Trustees Of The Galveston Wharves And Freese And Nichols, Inc. For Rider 37 Wharf Road Improvements And Additional Construction Phase Services For Existing Projects At An Amount Not To Exceed \$552,359.00**

- E.7. Consider And Approve Professional Services Agreement Between The Board Of Trustees Of The Galveston Wharves And Lloyd Engineering, Inc. For Engineering Services For The West End Port Redevelopment Program At A Cost Not To Exceed \$2,850,570.00

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

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

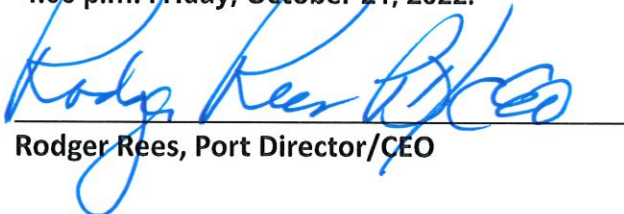
1. Expressions of thanks, gratitude, and condolences
2. Information regarding holiday schedules
3. Honorary or salutary recognition of a public official, public employee, or other citizen
4. Reminders regarding Galveston Wharves events
5. Reminders regarding community events
6. Health and safety announcements

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

**H. 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 21, 2022.**



Rodger Rees, Port Director/CEO

Posted by Rose D'Ambra City Secretary Office 10-21-22 4:15 pm

*Rose D'Ambra*