

Board of Trustees of the Galveston
Wharves
REGULAR MONTHLY MEETING
Tuesday, February 22, 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 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

The Regular Monthly Meeting is open to the public. Seating is limited due to COVID-19.
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-](https://www.portofgalveston.com/formcenter/public-comment-form-2/public-comment-form-36)

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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. PRESENTATIONS AND ANNOUNCEMENTS

Employee Service Awards
GFOA Award

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>

C.3. APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES

Documents:

[MINUTES 01 25 2022.PDF](#)

C.4. PORT DIRECTOR'S REPORT

Documents:

[2.22.22 PDR.DRAFT.PDF](#)

D. RECESS INTO EXECUTIVE SESSION

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

Section 551.071 - Consultation with Attorney

1. Deliberate Pending Legal Issues Raised by Legal Counsel
2. No. 14-06; Santa Fe Discount Cruise Parking, Inc. et al v. Board of Trustees of the Galveston Wharves, et al
3. Proposed Memorandum of Understanding – Pelican Island Bridge
4. Recent communication from Texas Department of Emergency Management (TDEM) concerning pending FEMA claims for damage caused by Hurricane Ike

Section 551.072 – Real Estate

1. Deliberate the Purchase, Exchange, Lease or Value of Property on Galveston and Pelican Island
2. Discuss Request from Mitchell Historic Properties, Inc. to Assign the Lessee's Interest in the Pier 21 Lease and Development Agreement to Landry's, LLC, and proposed Seventh Amendment to Lease and Development Agreement.

Section 551.087 – Economic Development Negotiation

1. Deliberate Commercial or Financial Information Received concerning 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

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 Port Property, Flood, Liability, Excess Liability, Business Auto, Public Official Liability, Crime, Cyber, Terrorism And Fiduciary Liability Insurance Policies Scheduled For Renewal For The Policy Period March 1, 2022 To March 1, 2023 At A Total Premium Not To Exceed \$3,148, 412**

Documents:

[F1.PDF](#)

- F.2. Discuss And Consider Approval Of Lessor's Consent To Assignment And Assumption Of Ground Lease, From Mitchell Historic Properties, LLC To Landry's, LLC**

Documents:

[F2.PDF](#)

- F.3. Discuss And Consider Approval Of Seventh Amendment To Pier 21 Lease**

And Development Agreement

Documents:

[F3.PDF](#)

- F.4. Consider And Approve Memorandum Of Agreement Between CHS, Inc. And The Galveston Wharves To Complete Pier 35-36 T-Head Storm Induced Erosion Work As Approved By FEMA In An Amount Not To Exceed \$559,686.60**

Documents:

[F4.PDF](#)

- F.5. Discuss And Approve Consulting Agreement Between The Board Of Trustees And Telaforce LLC For Security System Integration, Design, Management And Life Cycle Support For FY 21 Port Security Grant Implementation And Maintenance At A Cost Not To Exceed \$1,202,000**

Documents:

[F5.PDF](#)

- F.6. Discuss And Consider For Approval The Office Lease Agreement Between The Board Of Trustees Of The Galveston Wharves And Andrew Vasquez Inc. (Auto Visual Services) For One Year Beginning March 1, 2022 And Expiring February 28, 2023 With An Additional One Year Option**

Documents:

[F6.PDF](#)

- F.7. Consider And Approve Construction Contract Between The Board Of Trustees Of The Galveston Wharves And David E Harvey Builders, Inc. For Pier 10 Development Parking Facility In The Amount Not To Exceed \$7,679,555.84 And A Contingency Of \$400,000.00 To Be Used For Additional Construction Necessary For This Project**

Documents:

[F7.PDF](#)

- F.8. Discuss And Consider Tariff And Adherence To The Policies And Procedures**

Documents:

[F8.PDF](#)

- F.9. Discuss And Consider Options Of Obtaining The Dashboard For The Trustees**

Documents:

[F9.PDF](#)

- F.10. Discuss And Consider For Approval The Proposed Memorandum Of Understanding For The Pelican Island Bridge**

Documents:

[F10.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, February 18, 2022.

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).