

**Board of Pilot Commissioners for Harris County Ports
Public Meeting**

**Houston, Texas
May 24, 2011**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on May 24, 2011 at 9:01 a.m., at the Port of Houston Authority Executive Office Boardroom, at 111 East Loop North, Houston, Texas 77029. The following Commissioners, staff, and counsel were present:

James T. Edmonds, Chairman
Jimmy A. Burke, Commissioner
Jim Fonteno, Jr., Commissioner
Elyse B. Lanier, Commissioner
Kase L. Lawal, Commissioner
Janiece Longoria, Commissioner
Steve L. Phelps, Commissioner
Alec G. Dreyer, Secretary
Erik A. Eriksson, General Counsel and Assistant Secretary
David H. Brown of Brown & Kornegay, LLP, Litigation Counsel
J. Kent Friedman of Haynes and Boone, LLP, Special Counsel

(PB-2011-0524-01) Chairman Edmonds asked if the Pilot Board had changes to the minutes of its April 26, 2011 meeting. Hearing no changes, the Chairman declared the minutes approved as written.

The Pilot Board then considered the Request for Pilot Board Action ("RPBA") submitted by Mr. Dreyer, attached to these minutes as Exhibit "A."


(PB-2011-0524-02) RPBA C1 was presented, moved by Commissioner Burke, seconded by Commissioner Lanier. All voting Aye. Nays none. RPBA C1 PASSED.

(PB-2011-0524-03) RPBA C2 was presented, moved by Commissioner Burke, seconded by Commissioner Lanier. All voting Aye. Nays none. RPBA C2 PASSED.

(PB-2011-0524-04) RPBA C3 was presented, moved by Commissioner Burke, seconded by Commissioner Lanier. All voting Aye. Nays none. RPBA C3 PASSED.

At 9:02 a.m., Chairman Edmonds adjourned the meeting of the Pilot Board.

The above is a correct copy of the Minutes of the May 24, 2011 meeting of the Pilot Board.



James T. Edmonds, Chairman



Erik A. Eriksson, General Counsel and Assistant Secretary

Request for Board of Pilot Commissioner Action

Category: General	Agenda Date: May 24, 2011	Agenda Section: C - 1
From: Division: Operations Department: Marine	Staff Contact: Jimmy Jamison	
Summary Recommendation: Renewal of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Richard J. Teeter		
Background: Prior authorizing Port Commission action: Minute No. 2007-0626-52 The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel, and an investigation including a criminal background check and the applicant's accident history is conducted.		
Staff Evaluation/Justification: Captain Richard J. Teeter has applied for renewal of his commission as Branch Pilot for the Galveston Bar and Houston Ship Channel. The application includes a renewal request on his behalf from the Houston Pilots and evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor. After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Richard J. Teeter meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations governing Pilots and Pilotage on the Houston Ship Channel Between the Galveston Bar and the Turning Basin Terminal. Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Richard J. Teeter to renew his commission as Branch Pilot for the Galveston Bar and the Houston Ship Channel. Such commission is for a four-year term.		
Full Recommendation: The Pilot Board, at its May 24, 2011 meeting, recommend to the Governor the renewal of the commission of Captain Richard J. Teeter as Branch Pilot for the Galveston Bar and the Houston Ship Channel for a four-year term effective September 1, 2011, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.		

Request for Board of Pilot Commissioner Action

Category: General	Agenda Date: May 24, 2011	Agenda Section: C - 2
From: Division: Operations Department: Marine	Staff Contact: Jimmy Jamison	
Summary Recommendation: Recommend Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Michael T. Riggle		
Background: Prior authorizing Port Commission action: Minute No. 2008-0826-44 The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel, and an investigation including a criminal background check and the applicant's accident history is conducted.		
Staff Evaluation/Justification: Captain Michael T. Riggle has applied for commission as Branch Pilot for the Galveston Bar and Houston Ship Channel. The application includes a recommendation request on his behalf from the Houston Pilots and evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor. After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Michael T. Riggle meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations governing Pilots and Pilotage on the Houston Ship Channel Between the Galveston Bar and the Turning Basin Terminal. Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Michael T. Riggle for commission as Branch Pilot for the Galveston Bar and the Houston Ship Channel. Such commission is for a four-year term.		
Full Recommendation: The Pilot Board, at its May 24, 2011 meeting, recommend to the Governor the commission of Captain Michael T. Riggle as Branch Pilot for the Galveston Bar and the Houston Ship Channel for a four-year term effective August 26, 2011 and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.		

Request for Board of Pilot Commissioner Action

Category: General	Agenda Date: May 24, 2011	Agenda Section: C - 3
From: Division: Legal	Staff Contact: Erik Eriksson	
Summary Recommendation: Amend Section 4.A.3 and Section 4.A.8 of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel		
Background: By Pilot Board Minute No. 2010-0323-23, the Board of Pilot Commissioners adopted revised Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and the Turning Basin (Rules). Based on discussions and requests from the Houston Pilots and the pilot Application Review Committee (ARC), two items require minor additional revision to Section 4.A. of the Rules, which govern the application requirements for persons desiring to enter the deputy pilot selection pool.		
Staff Evaluation/Justification: <p>The requirement in Section 4.A.3 as currently written provides for an applicant to draw “without reference to other materials” a chart of the Houston Ship Channel, and lists in detail the specific features that must be depicted. The “without reference to other materials” language in that requirement was not included in prior version of the Rules.</p> <p>The requirement in Section 4.A.8 describes the amount of required service experience in terms of minimum number of years.</p> <p>The Houston Pilots and the ARC have requested two changes to the Rules: that the phrase “without reference to other materials” be removed from the chart drawing requirement, and that the service experience requirement be clarified by additionally stating the minimum number of service days (as defined by the U.S. Coast Guard) that comprise a service year.</p> <p>Staff believes this amendment to be generally supported by representatives of all interested parties and accordingly recommends that the Pilot Board adopt such an amendment.</p> <p>As required by Section 66.020 of the Houston Pilots Licensing and Regulatory Act, Texas Transportation Code Chapter 66, at least ten days notice prior to the proposed adoption of the First Amendment to the Rules has been provided to the public by posting the notice and a copy of the proposed First Amendment to the Rules at the Pilot Board offices (i.e. the Executive Office Building of the Port of Houston Authority) for public inspection.</p>		
Full Recommendation: The Board of Pilot Commissioners, at its May 24, 2011 meeting, adopt the First Amendment to the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and the Turning Basin (as adopted March 23, 2010) in the form posted at the offices of the Board of Pilot Commissioners at least ten days prior to such action, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.		