

I N D E X

THE BOARD OF PILOT COMMISSIONERS OF THE PORTS OF HARRIS COUNTY, TEXAS

May 20, 2014

<i>Minute No.</i>	<i>Event/Action</i>
	General
	Chairman Longoria convened the meeting of the Board of Pilot Commissioners
	Minutes
(PB-2014-0520-01)	Approve the Minutes of the Board of Pilot Commissioners Meeting – April 22, 2014
	Appearances
(PB-2014-0520-02A)	Chairman Longoria introduced Captain Michael Morris, Presiding Officer, Houston Pilots Association, who addressed the Pilot Board
(PB-2014-0520-02B)	Chairman Longoria asked if anyone else would like to address the Port Commission; Mr. Niels Aalund, Senior Vice President Maritime Affairs, West Gulf Maritime Association, responded and addressed the Pilot Board
	Pilot Matters
(PB-2014-0520-03)	Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Bobby W. Kirk
(PB-2014-0520-04)	Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Laurence A. Wheatley
(PB-2014-0520-05)	Recommendation for Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Sheldon J. Ginsburg
(PB-2014-0520-06)	Accept the resignation of Captain Richard Boullion as Deputy Branch Pilot for the Houston Ship Channel and Galveston Bar
	Adjourn the meeting of the Board of Pilot Commissioners

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

**Houston, Texas
May 20, 2014**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on May 20, 2014 at 11:00 a.m., at the Port of Houston Authority Executive Offices, Fourth Floor Boardroom, at 111 East Loop North, Houston, Texas 77029. The following Commissioners, staff, and counsel were present:

Janiece Longoria, Chairman
Theldon R. Branch, III, Commissioner
Dean E. Corgey, Commissioner
Clyde E. Fitzgerald, Commissioner
John D. Kennedy, Commissioner
Roy D. Mease, Commissioner
Roger Guenther, Executive Director
Thomas G. Schroeter, Associate General Counsel
David H. Brown, Brown & Kornegay, LLP
J. Kent Friedman, Haynes and Boone LLP

Chairman Longoria convened the meeting of the Pilot Board and asked if there were any changes to the minutes of its April 22, 2014 meeting.

(PB-2014-0520-01) Commissioner Mease brought a motion to approve the minutes of the Pilot Board's April 22, 2014 meeting, seconded by Commissioner Branch. Chairman Longoria, and Commissioners Branch, Corgey, Fitzgerald, Kennedy, and Mease voted Aye. Nays none. The minutes were approved as written.

(PB-2014-0520-02) Appearances

(A) Chairman Longoria introduced Captain Michael Morris, Presiding Officer, Houston Pilots Association, who addressed the Pilot Board.

Captain Morris began by thanking the commissioners for their support and attendance of some at the Houston Pilots open house, where they were given a demonstration of the Pilots' training simulators. He expressed his enthusiasm for the simulators, indicating they would be the cornerstone for continuing education training.

He then presented slides that provided an overview of the first four months of 2014. He noted April 2014 was a very strong month, one of the strongest ever, but on the other hand, February saw a number of fog days.

Captain Morris indicated that new pipeline facilities may present some challenges for cargo levels, but the short-term impact has not been as great as expected, and the long-term looks good.

He then showed slides depicting new vessels that will be coming to the ship channel. He noted that the width of the new vessels, would present some challenges navigating in the ship channel, particularly when the wind is up, and there will need to be a review of traffic management rules. He concluded by stating that the Houston Pilots were excited about new vessels coming to the port.

Chairman Longoria thanked Captain Morris for his presentation and noted that the information provided could help determine how to remain competitive.

Mr. Guenther commented that the carriers, pilots, and the Port Authority need to review and develop appropriate new rules to facilitate these new ships. Captain Morris stated he would be glad to work to help develop a solution.

(B) Chairman Longoria asked if anyone else would like to address the Port Commission. Mr. Niels Aalund, Senior Vice President Maritime Affairs, West Gulf Maritime Association (“WGMA”), responded and addressed the Pilot Board.

Mr. Aalund commended Captain Morris on his presentation and noted that Captain Morris would be meeting with the WGMA, the carriers, and agents on a quarterly basis beginning next week. He said the meetings were open meetings, and invited Port Commissioners to attend.

The Pilot Board then considered each Request for Pilot Board Action (“RPBA”), submitted by Chairman Longoria, and attached to these minutes as Exhibit “A.”

(PB-2014-0520-03) RPBA E1 was presented, moved by Commissioner Corgey, seconded by Commissioner Branch. Chairman Longoria, and Commissioners Branch, Corgey, Fitzgerald, Kennedy, and Mease voted Aye. RPBA E1 PASSED.

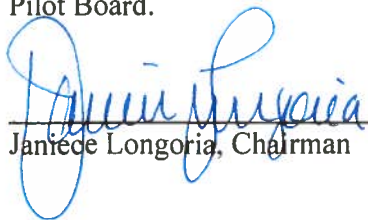
(PB-2014-0520-04) RPBA E2 was presented, moved by Commissioner Mease, seconded by Commissioner Branch. Chairman Longoria, and Commissioners Branch, Corgey, Fitzgerald, Kennedy, and Mease voted Aye. RPBA E2 PASSED.

(PB-2014-0520-05) RPBA E3 was presented, moved by Commissioner Branch, seconded by Commissioner Corgey. Chairman Longoria, and Commissioners Branch, Corgey, Fitzgerald, Kennedy, and Mease voted Aye. RPBA E3 PASSED.

(PB-2014-0520-06) RPBA E4 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Branch. Chairman Longoria, and Commissioners Branch, Corgey, Fitzgerald, Kennedy, and Mease voted Aye. RPBA E4 PASSED.

At 11:14 a.m. Chairman Longoria adjourned the meeting of the Pilot Board.

The above is a correct copy of the Minutes of the May 20, 2014 meeting of the Pilot Board.



Jantéde Longoria, Chairman

ATTEST:



Erik A. Eriksson, General Counsel and
Assistant Secretary

Request for Board of Pilot Commissioners Action

Category: Pilot Matters	Agenda Date: May 20, 2014	Agenda Section: E - 1
From: Division: Legal Branch: Pilot Administration	Staff Contact: Erik Eriksson	
Summary Recommendation: Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Bobby W. Kirk.		
Background: 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 and Galveston Bar. 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 Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.		
Staff Evaluation/Justification: Captain Bobby W. Kirk has applied for renewal of his commission that expires July 1, 2014, as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application includes continued education training in Radar Observer (recertification), Pilot Incident Management, AIS (Automatic Information System), Colregs (Collision Regulations) for Pilots, and Raven Electronic Navigation System Training, and a renewal request on his behalf from the Houston Pilots with 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 the application, the ARC determined that Captain Bobby W. Kirk 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 and Galveston Bar. Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Bobby W. Kirk to renew his commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.		
Full Recommendation: The Pilot Board, at its May 20, 2014 meeting, recommend to the governor the renewal of the commission of Captain Bobby W. Kirk as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective July 1, 2014, 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 Commissioners Action

Category: Pilot Matters	Agenda Date: May 20, 2014	Agenda Section: E - 2
From: Division: Legal Branch: Pilot Administration	Staff Contact: Erik Eriksson	
Summary Recommendation: Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Laurence A. Wheatley.		
Background: 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 and Galveston Bar. 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 Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.		
Staff Evaluation/Justification: Captain Laurence A. Wheatley has applied for renewal of his commission that expires July 24, 2014, as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application includes continued education training in Radar Observer (recertification), BRM-P (Bridge Resource Management - Pilots), Legal Aspects of Piloting, Manned Model Ship Handling, Pilot Incident Management, and Colregs (Collision Regulations) for Pilots, and a renewal request on his behalf from the Houston Pilots with 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 the application, the ARC determined that Captain Laurence A. Wheatley 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 and Galveston Bar. Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Laurence A. Wheatley to renew his commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.		
Full Recommendation: The Pilot Board, at its May 20, 2014 meeting, recommend to the governor the renewal of the commission of Captain Laurence A. Wheatley as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective July 24, 2014, 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 Commissioners Action

Category: Pilot Matters	Agenda Date: May 20, 2014	Agenda Section: E - 3
From: Division: Legal Branch: Pilot Administration	Staff Contact: Erik Eriksson	
Summary Recommendation: Recommendation for Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Sheldon J. Ginsburg.		
Background: 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 Sheldon J. Ginsburg will have successfully completed a three-year deputyship July 26, 2014, performing all aspects and duties required of a Branch Pilot and has applied for commission as Branch Pilot for the Galveston Bar and Houston Ship Channel. The application includes continued education training in BRM-P (Bridge Resource Management - Pilots), Fatigue, Sleep, & Medication Course, Legal Aspects of Piloting, Ship Handling with Tractor Tugs, ECDIS (Electronic Chart Display Information System), and E-NAV (Electronic Navigation), and a 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 the application, the ARC determined that Captain Sheldon J. Ginsburg meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.033, 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 Sheldon J. Ginsburg for 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 20, 2014 meeting, recommend to the governor the commission of Captain Sheldon J. Ginsburg as Branch Pilot for the Galveston Bar and the Houston Ship Channel for a four-year term effective July 26, 2014, 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 Commissioners Action

Category: Pilot Matters	Agenda Date: May 20, 2014	Agenda Section: E - 4
From: Division: Legal Branch: Pilot Administration	Staff Contact: Erik Eriksson	
Summary Recommendation: Accept the resignation of Captain Richard Boullion as Deputy Branch Pilot for the Houston Ship Channel and Galveston Bar.		
Background: 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 and Galveston Bar.		
Staff Evaluation/Justification: <p>The Pilot Board, by Minute No. (PB-2012-0724-03), approved the appointment of Captain Richard Boullion as a Deputy Branch Pilot for the Houston Ship Channel and Galveston Bar for a three-year term effective July 24, 2012. As required by the Texas Transportation Code, Chapter 66 (the "Act"), and the Rules and Regulations Governing Pilots and Pilotage of the Houston Ship Channel Between the Galveston Bar and Turning Basin (the "Rules"), a Deputy Branch Pilot carries out his or her three-year deputyship under the sponsorship of a Branch Pilot holding a current commission, who accepts responsibility for the acts of that Deputy Branch Pilot.</p> <p>The Pilot Board Secretary received a letter dated April 30, 2014 from Captain Sean Arbogast, stating his intention to resign as Captain Richard Boullion's sponsoring Master Pilot, effective immediately. The Pilot Board Secretary also received a letter dated May 1, 2014 from Captain Richard Boullion stating that he resigned his position as a Deputy Pilot, effective immediately.</p> <p>After an assessment of these two communications, the ARC determined that Captain Richard Boullion no longer meets the requirements of the Act and the Rules for qualification as a Deputy Branch Pilot.</p> <p>Accordingly, the ARC respectfully recommends that the Pilot Board accept the resignation of Captain Richard Boullion and cancel his Deputy Branch Pilot certificate.</p>		
Full Recommendation: The Pilot Board, at its May 20, 2014 meeting, accept the resignation of Captain Richard Boullion as Deputy Branch Pilot for the Houston Ship Channel and Galveston Bar, effective May 1, 2014, 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.		