

August 30, 2021

NOTICE OF
MEETING/ HEARING
OF
THE BOARD OF PILOT COMMISSIONERS
FOR
THE PORTS OF HARRIS COUNTY

In accordance with official practice of the Board of Pilot Commissioners for the Ports of Harris County, there is attached hereto a copy of the Agenda of the meeting/ hearing of the Board of Pilot Commissioners for the Ports of Harris County to be held on September 9, 2021. The Pilot Board will meet at 2:00 p.m., via video conference (Zoom webinar) and at the offices of the Houston Pilot Board, 203 Ivy Avenue, Deer Park, Texas 77536. The Pilot Board intends to have a quorum present at the offices of the Houston Pilot Board as required by Section 551.127(b) of the Texas Open Meetings Act. The instructions for accessing the meeting via Zoom webinar are provided on the following page.

BOARD OF PILOT COMMISSIONERS
PORTS OF HARRIS COUNTY, TEXAS



SECRETARY

Instructions to Join Virtually Via Zoom

Topic: Houston Pilot Board Meeting/ Hearing

Time: September 9, 2021 02:00 PM Central Time (US and Canada)

Every 3 months on the Second Thu, until Dec 9, 2021, 4 occurrence(s)

Mar 11, 2021 02:00 PM

Jun 10, 2021 02:00 PM

Sep 9, 2021 02:00 PM

Dec 9, 2021 02:00 PM

Join Zoom Meeting

<https://zoom.us/j/94045100840?pwd=QXVZMhPWjd3WCtHUz1EN3JlSTI3dz09>

Meeting ID: 940 4510 0840

Passcode: 895021

One tap mobile

+13462487799,,94045100840#,,,,*895021# US (Houston)

+12532158782,,94045100840#,,,,*895021# US (Tacoma)

Dial by your location

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 669 900 9128 US (San Jose)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 940 4510 0840

Passcode: 895021

Find your local number: <https://zoom.us/u/ac8OYyCshF>

RECOMMENDED Signup Procedures for Speaking During Posted Public Comment Section

Members of the public may speak during the posted public comment section by signing up as follows:

- Please register to speak no later than two hours before the meeting by emailing to Tyler Gavis tgavis@houstonpilotboard.com. Please provide the name of the speaker, and the organization the speaker represents (if applicable).
- Sign up in person at the meeting venue no later than 20 minutes before the start time of the meeting.

AGENDA

BOARD OF PILOT COMMISSIONERS for HARRIS COUNTY PORTS

**September 9, 2021
2:00 p.m.**

**Offices of the Houston Pilot Board
Boardroom
203 Ivy Avenue
Deer Park, Texas 77536**

And via Zoom

- 1. CALL TO ORDER** (Chairman Reginald McKamie)
- 2. ROLL CALL AND CONFIRMATION OF QUORUM** (Captain M. Tyler Gavis)
- 3. CHAIRMAN'S REMARKS** (Chairman Reginald McKamie)
- 4. RECOGNITIONS AND PRESENTATION OF AWARDS** (Chairman Reginald McKamie)
 - a. Recognize the passing of Captain Thomas Lightsey Jr.
- 5. PUBLIC COMMENT** (Captain M. Tyler Gavis)
- 6. APPROVAL OF MINUTES** (Chairman Reginald McKamie)
 - a. June 10, 2021 Public Meeting
 - b. June 28, 2021 Public Meeting/ Hearing
- 7. EXECUTIVE DIRECTOR REPORT** (Captain M. Tyler Gavis)
 - No activity to report
- 8. PILOT BOARD COMMITTEE REPORTS** (Captain M. Tyler Gavis)
 - a. Executive (Chairman Reginald McKamie)
 - No activity to report
 - b. Legislative (Commissioner Michel Bechtel)
 - Update on the status of the Coastal Barrier Project
 - c. Navigation (Commissioner Brad Hance)
 - Report from the August 6, 2021 Lone Star Harbor Safety Committee meeting

- d. USCG Liaison (Commissioner Darrell Morrison)
 - No activity to report
- e. Pilot Diversity (Commissioner Roland Garcia)
 - No activity to report
- f. Professional Development (Commissioner Parris Beverly)
 - Presentation on the vision for Pilot Board training and indoctrination
 - Report from the San Jacinto College Maritime visits
 - Report from the July 29, 2021 Houston Ship Channel helicopter tour
 - Report from the July 14, 2021 and July 15, 2021 visit by Kings Point interns
- g. Ad Hoc Rules, Policies, and Procedures (Captain M. Tyler Gavis)
 - Update on the development and implementation of Pilot Board policies and procedures

9. FINANCIAL REPORT (Pilot Board Treasurer Frances Dyess)

- a. Report on year-to-date financial activity

10. HOUSTON PILOTS ASSOCIATION REPORT (Captain Robert Thompson)

- a. Report on vessel traffic and navigational issues facing the Houston Pilots

11. ARC & PBIRC REPORTS (Captain Stephen Polk and Captain David Foret Jr.)

- a. Pilot Board Application Review Committee (ARC) report on pilot pool activity and the July 13, 2021 ARC meeting
- b. Approve the Pilot Board Application Review Committee's recommendation for renewal of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar:
 - Captain Michael A. Curtiss
 - Captain Kenneth Jones
 - Captain Michael K. Lawson II
 - Captain Rohit Malhotra
 - Captain Randall E. Medard
 - Captain Robert L. Thompson
- c. Pilot Board Investigation and Recommendation Committee (PBIRC) report on the May 28, 2021 PBIRC Hearing on the M/V CMA CGM DALIA grounding on April 22, 2020 and September 14, 2021 PBIRC Advisory Subcommittee meeting to review pending PBIRC matters
- d. Consideration and possible action regarding the PBIRC's proposed findings and recommendations regarding the M/V CMA CGM DALILA grounding near the Bayport Flare on April 22, 2020, in the Houston Ship Channel

12. EXECUTIVE SESSION (Chairman Reginald McKamie)

- a. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act)

13. ADJOURN EXECUTIVE SESSION AND RECONVENE OPEN MEETING

(Chairman Reginald McKamie)

14. GENERAL MATTERS (Chairman Reginald McKamie)

- a. Briefings, public comment, deliberations, and possible actions regarding the following:
 - Discuss and Vote on the Public Comment Policy developed by the Ad Hoc Rules, Policies, and Procedures committee
 - Authorize the Executive Committee to negotiate 2022 contracts for the Pilot Board Executive Director and office lease

15. OTHER MATTERS (Chairman Reginald McKamie)

- No Activity

16. COMMENCE HEARING TO CONSIDER HOUSTON PILOTS' APPLICATION TO THE PILOT BOARD FOR A CHANGE IN PILOTAGE RATES EFFECTIVE JANUARY 1, 2022 (Captain M. Tyler Gavis)

- a. Discuss and Vote on Timeline and Procedures for conducting Pilotage Rate Change Hearing
- b. Discuss and Vote on Need for Additional Information, Audit, and Handling of Pilot Financial Information
- c. Close Hearing and Defer Public Comment, Testimony and Presentation to Continued Hearing tentatively scheduled for October 7, 2021 at 10:00am

17. ADJOURN (Chairman Reginald McKamie)

Proposed Fall 2021 Houston Pilot Rate Application Hearing

Timeline to be voted upon at the September 9, 2021 Hearing

<i>Action</i>	<i>Date</i>
<i>Houston Pilots submit Pilotage Rate Change Application</i>	August 13 th
<i>Pilot Board Sets Opening Hearing Date</i>	August 17 th
<i>Houston Pilots to begin providing notice of application and hearing</i>	August 17 th
<i>Deadline for submission of Pilot Financial Report</i>	August 30 th
<i>Pilot Board to Post Notice of Hearing and Agenda</i>	August 30 th
<i>Pilot Rate Hearing Opens: procedures approved</i>	September 9 th
<i>Deadline for written submission by interested parties</i>	September 23 rd
<i>Deadline for rebuttal submittals</i>	September 30 th
<i>Continued Hearing: oral presentations (Pilots and interested parties)</i>	October 7 th
<i>Pilot Board Rate Decision by or before this date – and assessment of costs for hearing – this is <u>Final Order if no Written Request for Reconsideration Received</u></i>	October 17 th
<i>Aggrieved Party may Submit Written Request Reconsideration</i>	October 21 st
<i>Pilot Board Issues Final Order if Request for Reconsideration was Received – No Further Actions Permitted before Pilot Board</i>	November 20 th