

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

**Houston, Texas
September 27, 2011**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on September 27, 2011 at 8:09 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
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
Nancy Kornegay of Brown & Kornegay, LLP
J. Kent Friedman of Haynes and Boone, LLP, Special Counsel

(PB-2011-0927-01) Chairman Edmonds asked if the Pilot Board had changes to the minutes of its August 23, 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-2011-0927-02) RPBA C1 was presented, moved by Commissioner Fonteno, seconded by Commissioner Phelps. All voting Aye. Nays none. RPBA C1 PASSED.

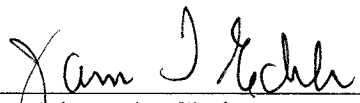
(PB-2011-0927-03) RPBA C2 was presented, moved by Commissioner Fonteno, seconded by Commissioner Phelps. All voting Aye. Nays none. RPBA C2 PASSED.

(PB-2011-0927-04) RPBA C3 was presented, moved by Commissioner Fonteno, seconded by Commissioner Phelps. All voting Aye. Nays none. RPBA C3 PASSED.


(PB-2011-0927-05) RPBA C4 was presented, moved by Commissioner Fonteno, seconded by Commissioner Phelps. All voting Aye. Nays none. RPBA C4 PASSED.

At 8:09 a.m., Chairman Edmonds adjourned the meeting of the Pilot Board.

The above is a correct copy of the Minutes of the September 27, 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: September 27, 2011	Agenda Section: C - 1
From: Division: Port Security & Emergency Operations Department: Marine	Staff Contact: Ruben Arredondo	
Summary Recommendation: Recommendation to confirm issuance of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Adam W. Guice		
Background: Prior authorizing Pilot Board action: Minute No. PB-2011-0628-02. At its meeting on June 28, 2011, the Pilot Board recommended that the Governor issue a commission as Branch Pilot for the Galveston Bar and Houston Ship Channel to Captain Adam W. Guice, to be effective October 28, 2011, the date of the completion of Captain Guice's three year apprenticeship as Deputy Pilot. After the Pilot Board recommendation, information pertaining to Captain Guice was submitted anonymously to members of the Pilot Board and Governor. The Application Review Committee (ARC) of the Pilot Board, at their regular meeting on September 21, 2011, reviewed the newly submitted information, and Captain Guice was offered and accepted the opportunity to appear before the ARC to respond to the information.		
Staff Evaluation/Justification: After an assessment of the additional information, the ARC reaffirmed that Captain Adam W. Guice 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. Additionally, the Presiding Officer of the Houston Pilots, who was in attendance at the September 21, 2011 ARC meeting, has confirmed that the Houston Pilots have not changed their support for the commission of Captain Guice. Accordingly, the ARC respectfully submits to the Pilot Board that the status of the recommendation of Captain Guice is unchanged by the additional information, and that it confirm its previous recommendation of that the Governor issue a commission as Branch Pilot for the Galveston Bar and Houston Ship Channel to Captain Adam W. Guice, as requested by the Governor's Office.		
Full Recommendation: The Pilot Board, at its September 27, 2011 meeting, confirm its recommendation that the Governor issue a commission as Branch Pilot for the Galveston Bar and Houston Ship Channel to Captain Adam W. for a four-year term effective October 28, 2011, and authorize submitting such confirmation to the Governor Office, 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: September 27, 2011	Agenda Section: C - 2
From: Division: Port Security & Emergency Operations Department: Marine	Staff Contact: Ruben Arredondo	
Summary Recommendation: Recommendation for renewal of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Armando U. Luna, Jr.		
Background: Prior authorizing Pilot Board action: Minute No. 2007-0828-61 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 Armando U. Luna, Jr. 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 Armando U. Luna, Jr. 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 Armando U. Luna, Jr. 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 September 27, 2011 meeting, recommend to the Governor the renewal of the commission of Captain Armando U. Luna, Jr. as Branch Pilot for the Galveston Bar and the Houston Ship Channel for a four-year term effective December 13, 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: September 27, 2011	Agenda Section: C - 3
From: Division: Port Security & Emergency Operations Department: Marine	Staff Contact: Ruben Arredondo	
Summary Recommendation: Recommendation for issuance of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Frank J. Loeffler IV.		
Background: Prior authorizing Pilot Board action: Minute No. 2008-1216-69 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 Frank J. Loeffler IV 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 Frank J. Loeffler IV 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 Frank J. Loeffler 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 September 27, 2011 meeting, recommend to the Governor the commission of Captain Frank J. Loeffler IV as Branch Pilot for the Galveston Bar and the Houston Ship Channel for a four-year term effective December 16, 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: September 27, 2011	Agenda Section: C - 4
From: Division: Port Security & Emergency Operations Department: Marine	Staff Contact: Ruben Arredondo	
Summary Recommendation: Issuance of Deputy Branch Pilot Certificate in and for the Houston Ship Channel and Galveston Bar: Captain Kristi J. Taylor.		
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 Kristi J. Taylor has applied for appointment as Deputy Branch Pilot for the Galveston Bar and Houston Ship Channel. The application includes a letter from Master Houston Branch Pilot Charles Lary III expressing his willingness to appoint Captain Kristi J. Taylor as Deputy Branch Pilot and to act as her master for her proposed deputyship of three years and evidence of her ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor. After an assessment of her qualifications and the documents filed with her application, the ARC determined that Captain Kristi J. Taylor meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.034, 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 Kristi J. Taylor for appointment as Deputy Branch Pilot for the Galveston Bar and the Houston Ship Channel. Such appointment is for a three-year term.		
Full Recommendation: The Pilot Board, at its September 27, 2011 meeting, issue a certificate to Captain Kristi J. Taylor as Deputy Branch Pilot for the Galveston Bar and the Houston Ship Channel for a three-year term effective September 27, 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.		