

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS  
REGULAR MONTHLY MEETING  
TUESDAY, JULY 20, 2021  
PORT ADMINISTRATIVE OFFICE – 5:30 P.M.  
MINUTES**

The Regular meeting of the Port of Iberia District Board of Commissioners was called to order by Commissioner Roy A. Pontiff, Vice President, at the Port of Iberia Administrative Office, on Tuesday, July 20, 2021, at 5:30 P.M.

In attendance were Commissioners Roy A. Pontiff, Vice-President, Shane Walet, Secretary -Treasurer, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.

Commissioners Danny J. David, Sr., President, and Elbridge “Smitty” Smith, III were absent.

Also, present were Craig Romero, Executive Director, Joanna Durke, Chief Administrative Officer, Tracy Boudreaux, Administrative Assistant, Shari Landry, Secretary-Receptionist, and Don Caffery, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Shane Walet recited the opening prayer and the Pledge of Allegiance.

**I. APPROVAL OF MINUTES – Regular Meeting Tuesday, June 15, 2021.  
- Special Meeting Friday, July 9, 2021.**

The minutes for the June Regular Board Meeting on Tuesday, June 15, 2021 and the Special Board Meeting on Friday, July 9, 2021 have been tabled until the August Regular Monthly Board Meeting.

Commissioner Patrick Broussard expressed his concern that the Commissioners received the backup pertaining to the Agenda the night before the Board Meeting.

Executive Director, Mr. Craig Romero, addressed this concern stating that he does understand the concern but the Port Administrative Staff has been busy and focused on completing certain tasks; one of the tasks that was very time consuming was Aquadrill US Gulf, LLC Lease Agreement which required a lot of back and forth between Aquadrill and the Port.

Mr. Craig Romero committed to the Board that they will receive the back up for the Agenda items by the Friday the week before the Tuesday meeting.

**II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:**

**(a) Budget Summary for Twelve (12) Months Ending June 2021.**

- **Report on the Budget Amendment Adjustments (Approved at the June 15<sup>th</sup> Regular Monthly Board Meeting) to the Port's Fiscal Year 2020-2021 Budget.**

Mrs. Joanna Durke presented the Board Three (3) spreadsheets of the Port of Iberia District's FY 2020-2021 Budget. The first spreadsheet was the Budget without amendments. The second spreadsheet was the budget spreadsheet with the budgetary line-items highlighted in yellow that the Board authorized Mrs. Joanna Durke to amend. With these adjustments the Port was at 93.75%. The third Budget spreadsheet indicates the budget amount with the amendments, this is what the Port's budget for FY 2020-2021 came out to in total.

- **Discuss and/or Consider Engaging Raymond Joseph Delahoussaye as the Port of Iberia District's Maintenance/Dock Supervisor and Entering into an Independent Contract with the Port of Iberia District Regarding Same.**

Commissioner Roy Pontiff discussed Mr. Joey Delahoussaye's contract with the Port of Iberia. Commissioner Roy Pontiff stated that the Board made it clear they would prefer having Mr. Joey Delahoussaye as a contract employee rather than an actual employee.

Mr. Craig Romero stated that he spoke with Matthew Richards, Executive Counsel of LWCC, regarding Mr. Joey Delahoussaye's job duties. Mr. Matthew Richards told Mr. Craig Romero that the Port would need to include him in the Port's Workers Comp policy based off of the job duties he will be completing. Commissioner Roy Pontiff stated that his main question is whether Mr. Joey Delahoussaye is a contract employee or an actual employee based on the language of the contract. Port Attorney, Donelson Caffery, stated that he reviewed the contract & did some research on Case Law. Mr. Donelson Caffery stated that ultimately it depends how the Port would like to classify Mr. Joey Delahoussaye. If the Port chooses to give Mr. Joey Delahoussaye a 1099 and pay him as an independent contractor with the hourly rate, this does not make him a true employee. The only duty the Port has is to make him aware of any tax filing deadlines. Commissioner Roy Pontiff asked Mr. Donelson Caffery if the Port could contract with Mr. Joey Delahoussaye as a contract employee in his opinion, and Mr. Donelson Caffery stated that yes, the Port can.

Commissioner Roy Pontiff reviewed the Contract; \$20/Hour, 40 Hour work week, \$400 Auto Allowance, \$50 for reimbursement for telephone costs, 1-year initial term and then month-to-month, either party has a right to terminate the contract upon 30 days written notice, and the Port will provide Worker's Compensation Insurance.

**A motion was made by Commissioner Patrick Broussard, seconded by**

**Commissioner Mark Dore' to approve and authorize the Board President to execute an Independent Contract between Raymond Joseph Delahoussaye and the Port of Iberia District regarding the Maintenance/Dock Supervisor position effective August 1, 2021; and motion further authorizes a salary of \$3,467/month; \$400/month Auto Allowance; and \$50/month reimbursement for Communication Costs. This contract will be for a One (1) year initial term and then month-to-month thereafter; and motion further acknowledges that either party has the right to terminate the contract; and the Port will provide Worker's Compensation Insurance.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**(b) Listing of Utility Breakdown as it Relates to Electricity, Water, & Natural Gas.**

Commissioner Mark Dore' questioned the Sheriff Office billing. Mrs. Joanna Durke stated that they are billed quarterly per the Agreement.

**(c) Listing of Tenant Lease Billings for 2021.**

- **Email from Treva Crosby, Crosby Construction Services, Regarding its Lease Agreement.**

Mrs. Joanna Durke presented an email from Treva Crosby of Crosby Construction Services showing the proposed breakdown of how they will pay the remainder of Invoice# 4908.

Crosby Construction has paid \$28,935.25 of the total amount of \$90,192.27. The email states that Crosby will pay \$20,419.01 in July and August, and \$20,419.00 in September to conclude paying the total amount of Invoice# 4908.

It was a consensus of the Board to accept Crosby Construction Services payment schedule breakdown. The Board will revisit this Agenda item in August and September at the Regular Board Meetings.

- **Diversified Materials Letter dated 7-19-2021 Relative to the Port's Request to Provide Requested Information Regarding Tenant's Lease Agreement & Non-Payment of Rent, and Tenant in Default with its Lease with the POI.**

Mrs. Joanna Durke presented a letter from Diversified Materials dated July 19, 2021 to the Port of Iberia.

Mr. Matt Durand of Diversified Materials addressed the Board concerning the financial situation of Diversified Materials. In the letter presented to the Board from Diversified Materials dated July 19, 2021, they are committing to pay the Port for their lease as well as any penalties by August 30, 2021.

Commissioner Patrick Broussard expressed his concerns about cleaning up the corner of the property to Diversified Materials.

It was a consensus of the Board of Commissioners to accept Mr. Matt Durand of Diversified Materials' commitment to pay the 2021 Lease payment along with the penalties by August 30, 2021. This item will be revisited for the August and September Regular Monthly Board Meetings.

➤ **Parker Drilling Management Services, Ltd July-December 2021 Lease Payment.**

Mrs. Joanna Durke presented a copy of the check in the amount of \$14,250.00 that was received from Parker Drilling for the remainder of Invoice# 4858 for July thru December 2021.

Mr. Craig Romero stated that December 2021 is the end of their contract period. Mrs. Joanna Durke stated that they will have a renewal option that they can take if they want to stay.

**(d) Listing of Boat Stall Tenant Lease Billings for 2021.**

➤ **Email from Mr. Louis Corne Slip #8 Regarding Removal of Sunken Vessel.**

Mrs. Joanna Durke presented an email from Mr. Louis Corne stating that he is in the process of removing his sunken vessel with the help of Jhy Leblanc, Patriot Construction.

Mrs. Joanna Durke also stated that the boat slips that had unmarked boats were boats that Mr. Randy LeCompte has been working on. Mrs. Joanna Durke reported that she has received payments for Two (2) of the boats that were in the slips. Mrs. Joanna Durke stated that she is working with Mr. Randy LeCompte to get the remainder of the boats removed.

**(e) Approve Payment of Bills & Checks Issued During Interim Period.**

Commissioner Roy Pontiff questioned the status of the environmental damage at Bayou Companies in the Port. Mr. Craig Romero stated that the building is in the process of getting demolished. It is building Number Two (2). Mr. Craig Romero reported that the removal of the building is almost complete. Mr. John Koury, Kourco, told Mr. Craig Romero that there is nothing to be concerned about from an environmental stand point.

Mr. Craig Romero stated that Bayou is not vacating the property so there is no need to do a

Phase I.

Mr. Craig Romero stated that he will ask Mr. John Koury of Kourco to come to the August Monthly Board Meeting with a report of the environmental for Bayou Holdco. The commission agreed to have Mr. John Koury of Kourco at the August Board Meeting and have him present a report to the Board.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Shane Walet, to approve and authorize the payment of bills for July 2021, and ratify those paid during the interim period.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**III. Discuss/Approve Opening of Certificate of Deposits for: Bayou Holdco, Freeport McMoRan, Noble Drilling, Aquadrill US Gulf, LLC and Turner Industries.**

Mrs. Joanna Durke stated that these are Five (5) Security Deposits that the Port needs to open in accordance with their Lease Agreements. The best rate they received today is .35% from JD Bank for Twelve (12) months.

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Mark Dore' to approve and authorize the Port of Iberia District to open Certificate of Deposits for: Bayou Holdco, Freeport McMoRan, Noble Drilling, Aquadrill US Gulf, LLC, and Turner Industries with JD Bank, for twelve (12) months at a rate of .35% and 0.35% A.P.Y.; and motion further authorizes the Board President, Danny J. David, Sr., Vice-President, Roy Pontiff, and Secretary-Treasurer, Shane Walet, to sign Certificate of Deposits.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**IV. Update on the Contract Between the Port of Iberia District and Port Attorney Donelson T. Caffery, III., a Professional Law Corporation:**

➤ **Discuss/Consider Authorization for the Board President to**

### **Execute the Contract.**

Commissioner Roy Pontiff stated that at the last Board Meeting, the Board agreed to allow Mrs. Joanna Durke to mirror the former Port Attorney, Ray Allain's contract with the Port of Iberia with the exception of the hourly rate. He also stated that in the Contract it states that the hourly rate is \$225.00, Mr. Donelson Caffery is required to come to the Port meetings both Regular Meetings and Special Meetings; and Mr. Donelson Caffery will have a retainer in the amount of \$2,00.00 per month for the first Eight (8) hours' worth of work, and the contract is year-to-year.

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to approve and authorize the Board President to execute the Port Attorney Contract of Employment between the Port of Iberia District Board of Commissioners and Donelson T. Caffery, III., a Professional Law Corporation, to assume the position of the Port of Iberia District's Port Attorney with a retainer of \$2,000.00/month; and hourly rate of \$225/hour; and motion further states attendance at the Regular Monthly Board Meeting; together with the first Eight (8) hours of Port Attorney time performed during each Calendar Month of this Contract, shall be covered by the retainer; and the Contract shall be renewed from year-to-year without further action by either party provided that the Port may elect not to renew by providing written notice to Doelerson T. Caffery, III, no later than June 1<sup>st</sup> of each year. This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

### **V. REPORT FROM MR. GERALD GESSER, GESSER GROUP, APC ON:**

- (a) Proposed Facility Inspection  
{1} Discuss/Consider Gesser Group's Proposal (Port Development & Maintenance Committee for Review).**

Mr. Gerald Gesser reported that he is awaiting direction on this.

- (b) Port of Iberia Small Repairs Projects  
{1} Status Report for the "You Are Here" Port Sign Installation by Crosby Construction Services Located on David Berard Road.**

Mr. Gerald Gesser reported that he is still working with Crosby Construction on getting this

installed.

**{2} Discuss/Consider Queen City Plumbing Invoice No. 27695 (Backflow Preventer Installation at Turner Industries).**

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to approve and authorize payment for Queen City Plumbing Invoice No. 27695 in the amount of \$2,775.00 for the Installation of Two (2) Watts 1" Back Flow Preventers at Turner Industries.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**{3} Discuss/Consider Iberia Aggregates Invoice No. A-6798 (Tree & Debris Removal at Previous Diamond Offshore Yard).**

Commissioner Roy Pontiff stated that this is the repairs that could be included into Ram's Lease if they wanted the HIS building. This was discussed at the June Monthly Board Meeting. Commissioner Roy Pontiff asked what is the status on this.

Mrs. Joanna Durke stated that she does not know if Ram will take the HIS Building. She spoke with Mr. Nick Derouen of Ram and he told her he moved everything out of the building & he will be moving the risers. Commissioner Mark Dore' stated that if the Port gets a lease for the building to just try to include the repairs.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to approve and authorize payment of Iberia Aggregates Invoice No. A-6798 in the amount of \$7,500.00 to furnish labor and material to demo 110 feet of hurricane fence and haul off, load and haul off dirt, trees, and debris at the former Diamond Offshore Property.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**{4} Discuss/Consider Modular Construction's Invoice No. 4420-21 (Hurricane Laura Damage Repairs at Previous Diamond Offshore**

**6-A Yard).**

Mr. Gerald Gesser stated that this money will come out of the \$20,000.00 that the Port received from the flood insurance claim made for the hurricane.

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Simieon d. Theodile to approve and authorize Modular Construction's Invoice No. 4420-21 in the amount of \$14,950.00 for Hurricane Laura Damages repairs at previous Diamond Offshore 6-A Yard to include pressure wash shop floors, pick up trash, demo downstairs walls 4' high to floor, remove sheetrock and insulation, demos downstairs interior doors, cabinets, and desks, remove sheets and grit in one bay of building to make framed opening.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**{5} Status Report for Utility Meters  
(Cleco, Lawco, Atmos, and Entergy).**

Mr. Gerald Gesser stated that the Port will be receiving credits from Entergy on several different accounts. Mr. Ted Johnson is moving up to the Baton Rouge office and as of today there is no replacement.

Mr. Gerald Gesser stated that the meter in the yard at Seadrill has been charged to the Port when it was scheduled to be disconnected last month so we will hold onto payment of this meter.

**{6} Discuss/Consider Gesser Group's Inv # 13-POI-SRP.**

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice 13-POI-SRP to Gesser Group, APC in the amount of \$4,070.00 for small repairs projects requested by the Executive Director.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**



**(c) Hurricane Laura & Delta Storm Damages**

**{1} Status Report on Hurricane Laura Flood Damage.**

- **Discuss/Consider Three (3) Proposals for Hurricane Laura Damages to HIS/Diamond Building 5-A/6-B.**

Mr. Gerald Gesser discussed the proposed repairs at the HIS building, they received other quotes with pricing.

Executive Director, Craig Romero, asked to make the repairs and include the total of improvements in the rent of the future tenant.

Commissioner Roy Pontiff stated that he can support these repairs if the total of the repairs can be included in the lease rent of the future tenant. Commissioner Roy Pontiff asked if the Port would put a fence to define the boundary line. Commissioner Simieon d. Theodile mentioned to include a gate in the fence so it could be locked & unlocked.

Commissioner Roy Pontiff requested to get quotes with the fence included with the repairs. Gerald Gesser stated he will bring quotes back to the August Board Meeting with the repairs and fencing included in one quote.

**{2} Status Report on Hurricane Laura & Delta FEMA Applications.**

Mr. Gerald Gesser stated that the Port has now spent \$14,950.00 of \$20,000.00 in Flood Insurance money for the previous Diamond Offshore Yard.

Mr. Gerald Gesser stated that he is in contact with Mr. Patrick Wilson of FEMA a few times a day. FEMA does not want to release the money right now. Mr. Gerald Gesser stated that they have made adjustments to the limestone yards.

Commissioner Roy Pontiff asked if there is a FEMA claim on the HIS Building, Mr. Gerald Gesser stated that the Port made a claim on the sliding doors and overhead door on the building. Mr. Gerald Gesser stated that FEMA will pay 90% of the value and the state possibly picking up some to all of the 10% but the only thing the Port has received is \$3,000 or \$4,000 for the Aqua Dam.

**{3} Discuss/Consider Gesser Group's Inv # 11-POI-HLSD.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 11-POI-HLSD to Gesser Group, APC in the amount of \$3,422.50 for the period June 9, 2021 thru July 8, 2021 for architectural services provided from Hurricane Laura Storm Damages.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**VI. LOUISIANA PORT CONSTRUCTION & DEVELOPMENT PRIORITY PROGRAM  
SPN H.011928 “EAST & WEST YARD” EXPANSION & SITE IMPROVEMENTS  
PROJECT:**

- (a) Report from Mr. Oneil Malbrough of GIS Engineering, LLC. on:  
{1} Port Priority & Capital Outlay Spreadsheets.**

Mr. Oneil Malbrough presented updated spreadsheets for Port Priority and Capital Outlay to the Board.

Capital Outlay – Mr. Oneil Malbrough stated that the Port is doing very well with getting reimbursed.

Port Priority – Mr. Oneil Malbrough stated that Ms. Brandi Fontenot with LA DOTD is processing a check for \$57,814.20 for Building A Electrical Repairs Reimbursement.

Mr. Oneil Malbrough stated that the Port has \$5.8 Million left in Port Priority for the East/West Yard. Ms. Molly Bourgoyne with LA DOTD is supposed to be sending a spreadsheet to Mr. Oneil Malbrough to reflect LA DOTD & GIS Engineering numbers matching up.

Commissioner Roy Pontiff discussed the amount of money he originally budgeted for the POI West Yard which was \$13.5 Million for buildings and land on the POI West Yard. He Stated that the Port has spent over \$15.5 Million Dollars already. Commissioner Roy Pontiff stated that the Port has already spent the \$2.5 million dollars allocated for buildings C, D, E, and F. If any improvements are made without adjusting the lease rate to those buildings, the rate of return will be reduced from 6% to some other number.

Commissioner Patrick Broussard discussed a drainage issue on the South side of Seadrill causing some flooding.

Mr. Oneil Malbrough stated that as of now the Port has \$5.8 Million Dollars left in East/West Yard and about \$2.5 Million Dollars waiting for Millennium Expansion Phase III.

- (b) Report from Mr. Austin Hebert of GIS Engineering on:**

- {1} Building B – POI West Yard SPN H.011928(325d)  
Crane & Ventilation Purchase & Installation  
(Phase Vd of SPN H.011928).  
(a) Update on Status of Project.**

GIS Engineering is waiting to receive Acadiane Renovations, Ltd Clear Lien Certificate.

**(b) 45-Day Lien Period.**

Mr. Austin Hebert of GIS Engineering reported the 45-Day Lien period has expired.

**{2} Building B – POI West Yard SPN H.011928(325a)  
Electrical Construction  
(Phase Va of SPN H.011928).**

**(a) Discuss/Consider Approval of Preferred Electric  
Application for Payment No. 10.**

**A motion was made by Commissioner Shane Walet seconded by Commissioner Mark Dore' to approve and authorize Application for Payment Number 10 (Retainage) to Preferred Electric, Inc. in the amount of \$29,968.61 for SPN: H.011928(325a) East & West Yard Expansion & Site Improvements Building B Electrical Construction Project Phase Va of SPN H.011928 for Retainage; in accordance with contract dated June 5, 2020.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**(b) Clear Lien Certificate; Adopt Acceptance Resolution for the LA DOTD.**

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to adopt the following Resolution:**

**RESOLUTION – FINAL PROJECT ACCEPTANCE  
STATE PROJECT NO. H.011928(325a)  
PARISH OF IBERIA**

**RESOLUTION**

**WHEREAS, the Port of Iberia District Board of Commissioners contracted with Preferred Electric, Inc. to complete State Project No. H.011928(325a) (Phase Va of H.011928) – Port Improvements East and West Yard Expansion & Site Improvements Building B Electrical Construction in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211, et seq; and**

**WHEREAS**, the contract between the Port of Iberia District Board of Commissioners and Preferred Electric, Inc. has been successfully completed Port Improvements East and West Yard Expansion & Site Improvements Building B Electrical Construction; and

**WHEREAS**, it is noted that a final inspection was conducted by the LA DOTD on Wednesday, May 5, 2021; and

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 20<sup>th</sup> day of July, 2021, the contract for Port Improvements East and West Yard Expansion & Site Improvements Building B Electrical Construction is hereby accepted by the Port of Iberia District Board of Commissioners effective Tuesday, July 20, 2021.

**This Resolution having been submitted to a vote, the vote thereon was as follows:**  
**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the Resolution was therefore adopted on this the 20th day of July, 2021.**

- {3} Building B – POI West Yard SPN H.011928(325g)  
Bay 5 Repairs and Renovations  
(Phase Vg of SPN H.011928).  
(a) Update on Status of Project.**

- All Flood Vents have been installed by Acadiane Renovations, Ltd.
- GIS Engineering did a walk-through last week, Acadiane Renovations has one punch list item left to complete then GIS will be ready to close out this project next month.

- (b) 45-Day Clear Lien Period.**

GIS Engineering is waiting to receive Acadiane Renovations, Ltd. Clear Lien Certificate.

- {4} Building B – POI West Yard SPN H.011928(325e)  
Building B Multipurpose Facilities & Small Warehouse  
(Phase Ve of SPN H.011928).  
(a) Update on Status of Project.**

- GIS Engineering conducted a final walk-through with Acadiane Renovations, Ltd. and issued a punch list on outstanding items to be completed.

**(c) 45-Day Clear Lien Period.**

GIS Engineering is waiting to receive Acadiane Renovations, Ltd. Clear Lien Certificate.

- {5} Building B – POI West Yard SPN H.011928(325b)  
Concrete Construction (Bays 1-4)  
(a) Discuss/Consider Approval of Southern Constructors  
Application for Payment No. 3.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore' to approve and authorize Application for Payment Number 3 (Retainage) to Southern Constructors, LLC in the amount of \$54,508.18 for East & West Yard Expansion & Site improvements Building B Concrete Construction Project Phase Vb of SPN H.011928 for Retainage; in accordance with contract dated September 4, 2020.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**(b) Clear Lien Certificate; Adopt Acceptance Resolution for the LA DOTD.**

**A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Shane Walet to adopt the following Resolution:**

**RESOLUTION – FINAL PROJECT ACCEPTANCE**

**STATE PROJECT NO. H.011928(325b)**

**PARISH OF IBERIA**

**RESOLUTION**

**WHEREAS**, the Port of Iberia District Board of Commissioners contracted with Southern Constructors, LLC to complete State Project No. H.011928(325b) (Phase Vb of H.011928) – Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211, et seq; and

**WHEREAS**, the contract between the Port of Iberia District Board of Commissioners and Southern Constructors, LLC has been successfully completed Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete; and

**WHEREAS**, it is noted that a final inspection was conducted by the LA DOTD on Wednesday, May 5, 2021; and

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 20<sup>th</sup> day of July, 2021, the contract for Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete is hereby accepted by the Port of Iberia District Board of Commissioners effective Tuesday, July 20, 2021.

**This Resolution having been submitted to a vote, the vote thereon was as follows:**  
**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the Resolution was therefore adopted on this the 20th day of July, 2021**

- {6} Building B – POI West Yard SPN H.011928 (325f)  
Site Improvements  
(Phase Vf of SPN H.011928)  
(a) Discuss/Adopt Acceptance Resolution for the LA DOTD  
(Clear Lien & Retainage Paid March 2021)**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to adopt the following Resolution:**

**RESOLUTION – FINAL PROJECT ACCEPTANCE  
STATE PROJECT NO. H.011928(325b)  
PARISH OF IBERIA**

### **RESOLUTION**

**WHEREAS**, the Port of Iberia District Board of Commissioners contracted with Southern Constructors, LLC to complete State Project No. H.011928(325b) (Phase Vb of H.011928) – Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211, et seq; and

**WHEREAS**, the contract between the Port of Iberia District Board of Commissioners and Southern Constructors, LLC has been successfully completed Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete; and

**WHEREAS**, it is noted that a final inspection was conducted by the LA DOTD on Wednesday, May 5, 2021; and

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 20<sup>th</sup> day of July, 2021, the contract for Port Improvements East and West Yard Expansion & Site Improvements Building B Concrete is hereby accepted by the Port of Iberia District Board of Commissioners effective Tuesday, July 20, 2021.

**This Resolution having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the Resolution was therefore adopted on this the 20<sup>th</sup> day of July, 2021.**

- {7} Building B – POI West Yard SPN H.011928(325c)  
Steel Repairs & Installation (Bays 1-4)  
(Phase Vc of SPN H.011928).  
(a) Update on Status of Project.**

- All flood vents were installed by Frisco Industrial.

- (b) Discuss/Consider the Approval of Frisco Industrial Contractors, LLC Application for Payment No. 8.**

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Simieon d. Theodile to approve and authorize Application for Payment Number 8 to Frisco Industrial Contractors, LLC in the amount of \$72,079.92 for East & West Yard Expansion & Site Improvements Building B Steel Repairs & Installation Project Phase Vc of SPN H.011928 (325c) for the period June 1, 2021 thru June 30, 2021; in accordance with contract dated August 28, 2020.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

- (c) Discuss/Consider Change Order No. 7.**

Austin Hebert of GIS Engineering discussed proposed Change Order No. 7. GIS

Engineering did an inspection in Multipurpose Bldg. B-2. Mr. Austin Hebert stated that they saw condensation on the ceiling panels and they noticed that the return lines on the HVAC are sweating. Mr. Gerald Gesser stated that the Port approved to close up the area on the two-story storage building and two-story office area. Mr. Gerald Gesser stated that in this process, it was specified that they insulate the area in the roof to keep the roof from sweating. Mr. Gerald Gesser stated that this only happens on humid days.

Mr. Gerald Gesser stated that they are recommending to install a ventilation system to include Two (2) intake louvers on the West side to suck the air in and a fan to the East side to expel the air on the opposite side with a humidistat and thermostat to control the operation of the fan. This will allow the air to move around.

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Mark Dore' to approve and authorize Change Order Number 7 regarding SPN H.011928 (325c) East & West Yard Expansion & Site Improvements Project Building B Steel Repairs & Installation (Bays 1-4) as it relates to an increase of \$20,200.00 for the installation of a ventilation system for building B-2; the revised contract amount is \$1,293,052.24 and Motion further adds 78 contract days with a revised completion date of August 17, 2021 ; and motion further authorizes the Board President to execute said Change Order Number 7, and forward to LA DOTD for review and approval.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**{8} Building B – POI West Yard SPN H.011928(325h)  
Crane Controls Safety Upgrade  
(Phase Vh of SPN H.011928).**

GIS Engineering issued the RFQ Package to Three (3) crane contractors (Louisiana Crane Acquisition Corporation and Hoist & Crane Service Group), of which only Two (2) responded. Louisiana Crane & Electrical Services, Inc. being the responsive low bidder.

**(a) Discuss/Adopt Resolution to Award Crane Control Upgrade.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to adopt the following Resolution:**



**RESOLUTION – AWARD PROJECT with Contingency**

**STATE PROJECT NO. H.011928(325h)**

**PARISH OF IBERIA**

**RESOLUTION  
PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS**

**WHEREAS**, the Port of Iberia District Board of Commissioners has received quotes on Thursday, July 15, 2021 on the Port Improvements East and West Yard Expansion & Site Improvements Building B Crane Controls Safety Upgrade (Phase Vh of SPN H.011928) a Port Improvements Project under the Louisiana Port Construction & Development Priority Program; and

**WHEREAS**, GIS Engineering, LLC has recommended that the Award of Contract be made to the lowest qualified bidder; Louisiana Crane Acquisition Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 20<sup>th</sup> day of July, 2021, acting pursuant to the recommendation of GIS Engineering, LLC that the Base Bid in the Amount of \$58,224.00 by Louisiana Crane Acquisition Corporation be accepted and a contract be awarded to them **contingent** upon the LA Department of Transportation and Development's final approval.

**This Resolution having been submitted to a vote, the vote thereon was as follows:  
Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the Resolution was therefore adopted on this the 20th day of July, 2021.**

**(b) Discuss/Adopt Resolution to Certify Compliance with the Public Bid Law.**

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Simieon d. Theodile to adopt the following Resolution:**

**RESOLUTION CERTIFYING COMPLIANCE WITH THE PUBLIC BID LAWS  
with Contingency**

**STATE PROJECT NO. H. 011928(325h)  
PARISH OF IBERIA**

**RESOLUTION**

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS**

**WHEREAS**, the Port of Iberia District Board of Commissioners has solicited bids for State Project No. H.011928(325h) Port Improvements East and West Yard Expansion & Site Improvements Building B Crane Controls Safety Upgrade (Phase Vh of SPN H.011928) in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

**WHEREAS**, the Port of Iberia District Board of Commissioners will submit, **contingent** upon the LA Department of Transportation and Development's final approval, Proof of Three (3) solicited quotes, a legible copy of the bid tabulation of all bids received, and certified to be correct by the Engineer and an authorized official of the Sponsor, a copy of the engineer's recommendation, contract documents, Notice of Award of Contract, and a copy of the recordation data in the Iberia Parish Clerk of Court's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 20<sup>th</sup> day of July, 2021, does hereby certify that the bidding procedures comply with Louisiana Revised Statutes 38:2211, et. seq.

**This Resolution having been submitted to a vote, the vote thereon was as follows:  
Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the Resolution was therefore adopted on this the 20th day of July, 2021.**

**{9} Discuss/Approve GIS Engineering, LLC June Invoice Number 70006252 POI West Yard Expansion.**

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Invoice Number 70006252 to GIS Engineering, LLC in the amount of \$29,476.25 for the period June 1, 2021 thru June 30, 2021 which includes June activities; preparation of plans and specs, resident project representative, construction administration, and architect sub-contractor; in accordance with contract dated August 21, 2018.**

This motion having been submitted to a vote, the vote thereon was as follows:  
Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.

#### VII. EXPANSION – Adopt Resolution to Advertise for Bids.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to expand the agenda of the Port of Iberia District Board of Commissioners July Regular Monthly Board Meeting to Discuss Adopting a Resolution to Advertise for Bids for the AGMAC Dredging Phase I Project.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to adopt the following Resolution:

#### RESOLUTION REQUESTING AUTHORITY TO ADVERTISE PARISH OF IBERIA

#### RESOLUTION

#### PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS

**WHEREAS**, the Port of Iberia District Board of Commissioners has submitted an Application for funding of the AGMAC Phase I Dredging Project port improvement project under the provisions of the Capital Outlay Acts; and

**WHEREAS**, the State’s share of the project funds have been made available; and

**WHEREAS**, at the request of the Port of Iberia District Board of Commissioners, GIS Engineering, LLC, has prepared Plans and Specifications for said Project; and

**WHEREAS**, the Port of Iberia District Board of Commissioners has reviewed the final Plans, Specifications and Cost Estimate and accepts them as submitted and the Department of Transportation and Development has reviewed the final plans, specifications, and cost estimate and has approved them inasmuch as they comply with the requirements of the Capital Outlay Acts; and

**WHEREAS**, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by the Port of Iberia District Board of Commissioners, and the titles thereto are valid and indefeasible; and

**WHEREAS**, the Port of Iberia District Board of Commissioners has obtained all necessary permits required for the construction of this Project; and

**WHEREAS**, the Port of Iberia District Board of Commissioners has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this Project; and

**WHEREAS**, the Official Journal for the Port of Iberia District Board of Commissioners is The Daily Iberian, whose mailing address is Post Office Box 9290, Dept. A, New Iberia, LA 70562-9290, and whose telephone number is (337) 365-6773; and

**WHEREAS**, the Port of Iberia District Board of Commissioners desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Port of Iberia District Board of Commissioners, and furnish engineering services during the progress of the work.

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Iberia District Board of Commissioners, in Regular session assembled on this 20th day of July, 2021, that the Department of Transportation and Development be and hereby is requested to authorize the Port of Iberia District Board of Commissioners to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Port of Iberia District Board of Commissioners, covering the aforesaid improvements.

**BE IT RESOLVED** that the Department of Transportation and Development be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by the Port of Iberia District Board of Commissioners, and the titles thereto are valid and indefeasible and the Port of Iberia District Board of Commissioners expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and the Port of Iberia District Board of Commissioners does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the Project after construction.

**BE IT RESOLVED** that the Department of Transportation and Development be and hereby is assured that all required permits have been obtained by the Port of Iberia District Board of Commissioners.

**BE IT RESOLVED** that the Port of Iberia District Board of Commissioners will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this Project.

**BE IT RESOLVED** that the Port of Iberia District Board of Commissioners does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by Activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation & Development, and pay any judgment which may result from said suit as it relates to this Project.

**This Resolution having been submitted to a vote, the vote thereon was as follows:**  
**Yeas:** Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.

**Nays:** None.

**Absent at Voting:** Danny J. David, Sr. and Elbridge “Smitty” Smith, III.

**And the Resolution was therefore adopted on this the 20<sup>th</sup> day of July, 2021.**

**VIII. REPORT FROM MR. ONEIL MALBROUGH OF GIS ENGINEERING, LLC ON:**

- (a) **Port Millennium Expansion Phase III Project – Site Excavations & Dredging.**  
{1} **Update on the Status of the Port Millennium Expansion Phase III Project.**

Austin Hebert of GIS Engineering reported that there is no update on this agenda item.

- (b) **Port Millennium Expansion Phase II Property Site SPN H.011756 Tract’s “O” and “P” Site Improvements.**  
{1} **Update on Status of Tract’s “O” and “P” Site Improvements.**

- GIS Engineering submitted their recommendation letter to the Port on June 14, 2021 recommending award of the project to Rigid Constructors, LLC.
- Pre-Construction meeting with Rigid Constructors, LLC will be held on August 5, 2021.

- Notice to Proceed will be issued August 6, 2021.

**{2} No Cost Change Proposal - Shifting of Funds.**

Mr. Austin Hebert of GIS Engineering presented to the Board a letter dated July 15, 2021 from GIS Engineering, LLC to transfer funds within their contract for Tracts O & P Site Improvements Project. They will deduct \$30,198.12 from Engineering Design & Preparation of Bid Package line-item and add \$16,233.75 to Bidding and Negotiations line-item and \$13,964.37 to Construction Administration line-item.

It was a concensus by the Board to approve the transfer of funds within GIS Engineering Contract for Tracts O & P Site Improvements Project to deduct \$30,198.12 from Engineering Design & Preparation of Bid Package line-item and add \$16,233.75 to Bidding and Negotiations line-item and \$13,964.37 to Construction Administration line-item.

**{3} Discuss/Approve GIS Engineering, LLC June Invoice Number 70006253.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Invoice Number 70006253 to GIS Engineering, LLC in the amount of \$38,037.50 for the period June 1, 2021 thru June 30, 2021 which covers June 2021 activities including; bidding & negotiations phase, construction administration phase, construction oversight, and engineering surveys in accordance with contract dated March 4, 2021.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**(c) AGMAC Project General Engineering and Consulting Services:  
{1} Update on Status of AGMAC Project.**

Austin Hebert of GIS Engineering reported that there is no update on this agenda item.

**(d) AGMAC Phase I Dredging Project:  
{1} Project Update.**

- GIS Engineering took surveys of the additional slips that were added to the proposed dredge alignment, which includes Slips C-2, C-4, P-1, R-8, R-13, Pa, Port

Canal, and Rodere Canal. Construction plans are being updated to include the additional dredge alignment.

- Continued work on the revised placement area plan.
- Mr. Oneil Malbrough stated that they do not have the drawings completed yet.
- Mr. Oneil Malbrough stated that they are projecting to go out for bids by August 9, 2021.

**{2} AGMAC Dredging Project – Pipeline Coordination.**

**❖ Shell Pipeline (Zydeco Pipeline)**

**(a) Update on Pipeline Relocation.**

- Shell Pipeline is back in service.
- The old pipeline has been removed and all equipment has been demobilized.
- Mr. Oneil Malbrough stated that there is a little settlement between Sterling Sugars & Gonsoulin Farms relative to crop damages that the Port is responsible for paying. There is a meeting scheduled on Friday (7/23/2021) between Sterling Sugars, Gonsoulin Farms, and the consultant for Sterling Sugars to address this matter.

**(b) Discuss/Consider Approval of Shell Pipeline Company, LP (Zydeco Pipeline) Invoice No. 90001067.**

Mr. Oneil Malbrough presented his verification letter for the Shell Pipeline invoice. There is \$2 Million dollars left in the \$6.7 million dollar budget. Mr. Oneil Malbrough explained that Shell had other work to complete in the area. The Port was supposed to pay \$289,000.00 for a loss of revenue when the pipeline shut down but because Shell had other work to complete in the area, the Port was going to pay half of \$289,000.00. Mr. Oneil Malbrough stated that the \$6.7 million dollars has been reduced by \$289,000.00. Mr. Oneil Malbrough stated that Shell thought the bid would come in at \$300,000 or lower and they are thinking it could be closer to \$100,000 – \$150,000 more than that. Mr. Oneil Malbrough stated that once the Port pays this invoice, in the original estimate without the discount, there is \$2.0 million dollars left to be paid.

**A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Mark Dore' to approve and authorize the payment of Invoice Number 90001067 to Shell Pipeline Company, LP in the amount of \$1,812,666.90 for the period May – June 2021 for work completed regarding AGMAC Phase I Dredging Project – Pipeline Relocation.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**❖ Boardwalk (Texas Gas)**

**(a) Update on Pipeline Relocation.**

Mr. Oneil Malbrough stated that Progressive is scheduled to begin removing the Boardwalk pipeline on July 21, 2021. Mr. Oneil Malbrough reported that with the upward change the Port roughly has a balance of \$778,000.00 to be paid and processed.

**(b) Discuss/Consider Approval of Boardwalk Invoice.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Invoice Number 13929782 to Texas Gas Transmission (Boardwalk) in the amount of \$496,560.50 for work completed regarding AGMAC Phase I Dredging Project – Pipeline Relocation.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**❖ Kinder Morgan (Tennessee Gas)**

**(a) Update on Pipeline Relocation.**

- Kinder Morgan’s pipeline is back in service.
- The old pipeline has been removed and all equipment has been demobilized.

**(b) Update on Oneil Malbrough’s Verification Letter to POI Regarding Tennessee Gas Invoice # 302713AFE2.**

Mr. Oneil Malbrough reported that the Port is still waiting on his verification letter. Tennessee Gas is having difficulties finding the backup that GIS Engineering is needing in order for the Port to get reimbursed by LA DOTD.

**❖ Energy Transfer**

**(a) Update on Pipeline Matting.**



**(b) Update on Final Design & Cost Estimate Based on Recent Soil Boring Data.**

- GIS Engineering's final design and cost estimate are currently in progress based on recent soil boring data.

**(c) Update on Permit Application & Completing Final Design to Jet & Lower Pipeline.**

- GIS Engineering is applying for the permit and completing final design to jet and lower pipeline.
- Mohan Menon of GIS Engineering will be completing a wetland inspection tomorrow (7/21/2021).
- Mr. Oneil Malbrough stated that Energy Transfer stated it would take Three (3) to Four (4) weeks to complete the lowering of the pipeline after the permit is received.

Mr. Oneil Malbrough discussed a piece of pipe from Inlake Pipeline that was discovered by T. Baker Smith while doing the surveys for Shell Pipeline. This pipeline was lowered Ten (10) years ago and when they removed the pipe, they did not remove it all. The piece of pipe is sticking out of the canal. Mr. Oneil Malbrough stated that they got an Emergency Permit from the Corps and LDNR. Inlake Pipeline will be removing this on their own. Mr. Oneil Malbrough stated that Inlake Pipeline will use Rigid Constructors to cut this pipe to remove it.

## **IX. EXPANSION**

**A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Mark Dore' to Expand the Agenda of the Port of Iberia District Board of Commissioners July Monthly Board Meeting to approve and authorize the Executive Director to sign the Emergency Permit for the removal of the abandoned Inlake Pipeline.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Shane Walet to approve and authorize the Executive Director to sign**

**the Emergency Permit for the removal of the abandoned Inlake Pipeline.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

Mr. Oneil Malbrough discussed a 45-day notice the Port received from Columbia Gulf Transmission, LLC stating that they want to dig around their pipeline which is located near Turner Industries. Columbia Gulf Transmission, LLC is wanting permission to dig an area 75 feet wide and 200-feet long in order to find the bad spot in the pipeline that they found from running a ping through the line. Mr. Oneil Malbrough stated that they have a 75-foot right-of-way. Mr. Oneil Malbrough recommended letting Turner Industries know being it is on their property. The location that they will work is a green area that currently has nothing on it.

**(d) Update on Reimbursement Agreement.**

- GIS Engineering has received a Land Access Agreement from the Weeks family for initial survey and environmental assessment.

**{3} Survey and Right-of-Way Update.**

**➤ AGMAC Right-of-Way Acquisition Team Update.**

Mr. Oneil Malbrough stated that as of the week before, there were Four (4) Rights-of-Way left to get signed. Mr. Oneil Malbrough stated that Three (3) have been signed. He also stated that the Port has been getting 285 Feet of Right-of-Way throughout the whole canal. Mr. Oneil stated that in the original drawings of the Right-of-Way the Port was getting 175 Feet in 1960. Mr. Oneil Malbrough stated that if the 175 feet is in fact the right-of-way, then he thinks the Port can move forward with digging the canal.

Port Attorney, Donelson Caffery, stated that they are waiting on last minute details from Avery Island’s attorney and that is the last Right-of-Way.

Mr. Oneil Malbrough stated that hopefully they can go out for bids by August 9, 2021.

GIS Engineering’s estimate that was sent to LA DOTD to dredge is \$16 Million Dollars.

Mr. Oneil Malbrough stated that they just opened up bids for the maintenance dredging in Terrebone Parish. Weeks bid amount was \$9.3 Million and Crosby Constructions bid amount was \$15.5 Million. Mr. Oneil Malbrough discussed the market of dredging stating how the market is tight right now.

**➤ Discuss/Consider Approval of Discovery Land Group Invoice No. Discovery-2021-S181 (11655-452-2).**

**A motion was made by Commissioner Shane Walet, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Discovery Land Group Invoice No. Discovery-2021-S181 (11655-452-2) in the amount of \$3,022.94 for May 2021 AGMAC Right-of-Way team.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**{4} Discuss/Approve GIS Engineering, LLC June Invoice Number 70006254 for AGMAC Phase I Dredging Project.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore’ to approve and authorize the payment of Invoice Number 70006254 to GIS Engineering, LLC in the amount of \$87,983.13 for the period of June 1, 2021 thru June 30, 2021 which includes Permitting, pipeline coordination & construction oversight, ROW’s & Agreements, and Design; as per contract dated August 29, 2019 and Amendment #1 dated May 19, 2020.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

**X. REPORT FROM PORT ATTORNEY – DONELSON T. CAFFERY, III.**

**(a) Obtaining Servitudes (Right-of-Way Agreements) from Landowners for the AGMAC Project and the Board President Signing Agreements.**

Port Attorney, Donelson Caffery, stated that he and Keith Dronet went visit EWA, LLC and William Link and Rudy Sparks, and they signed both of their Right-of-Way Agreements. He also spoke with Christian Brown with Avery Island; they are comfortable but waiting on a couple pieces. Mr. Donelson Caffery stated that they also went meet James Stein, Stevie Stein, and Paul Bourque who were the Three (3) owners of the pond, they got this Right-of-Way signed as well. Mr. Donelson stated that the water from the pond will go into a dewatering structure where the silt will go back into the pond and the water will go into the canal.

Lengthy discussion ensued.

**(b) Discuss/Consider the Approval of Two (2) Landlord Waivers Regarding Bayou Holdco.**

- **24.2 Acre Tract – 4817 Curtis Lane; and**
- **Lot 1B 3.956 Acres – 5201 Curtis Lane.**

Mr. Donelson Caffery asked Mr. Craig Romero to catch him up on Bayou Holdco. Mr. Craig Romero stated that he spoke with Mr. Korey Kimble of Bayou Holdco about the slowdown of business. The owners had to go seek outside financing for additional funds. Mr. Donelson Caffery stated that the lenders are asking effectively that in the contract the Port would have a secured lien for the ability to seize the property for non-payment of rent. The lenders are asking the Port to acknowledge the lien and allow them to jump in front of the Port. Mr. Donelson Caffery discussed paragraph Eight (8) of this agreement that concerned him which is a possession notice. This allows the lenders to send a possession notice to the Port that they are seizing that personal property of Bayou Holdco. The risk is the Port loses the ability to kick them off the property. Port Attorney, Donelson Caffery, stated that he would like more time to review Bayou Holdco's Lease Agreement and have more consideration of this agreement. He stated that as written he feels that this is not a favorable agreement to the Port.

Commissioner Roy Pontiff stated that the Board will reconsider this Agenda item for the August Board Meeting.

**XI. REPORT FROM EXECUTIVE DIRECTOR ON:**

- (a) Update Regarding Chapter 11 Case of Seadrill Limited on the Docket of the United States Bankruptcy Court, Southern District of Texas, Houston Division.**

Mr. Craig Romero discussed a report Mr. Kent Aguillard sent him. Mr. Craig Romero stated that he can send it to the Board for them to review.

Mr. Craig Romero stated that he saw websites that are showing companies that are trying to buy Seadrill out of bankruptcy. This way they get the assets and not the debt.

Mr. Donelson Caffery stated that he will talk to Mr. Kent Aguillard to get caught up on this as well.

- **Discuss/Consider Approval of H. Kent Aguillard, Attorney at Law, Invoice Number 4734 for May and June 2021.**

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Invoice Number 4734 for H. Kent Aguillard, Attorney at Law, in the amount of \$3,885.00 for Professional Services regarding Seadrill Limited Chapter 11 Bankruptcy Case.**

**This motion having been submitted to a vote, the vote thereon was as follows:**

**Yeas: Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Danny J. David, Sr. and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 20<sup>th</sup> day of July, 2021.**

Commissioner Roy Pontiff asked Mrs. Joanna Durke for a status on the job descriptions for Administrative Assistant and Secretary - Receptionist. Mrs. Joanna Durke stated that she will work on getting these done and sent to The Archer Company, LLC.

**(b) Status Report on Proposed Plans for the Upgrade & Additional Footage to the Bulkhead for Prairie Contractors Asphalt Plant Site.**

Mr. Craig Romero reported that there is no update on this Agenda item.

**(c) Executive Director’s Monthly Report.**

There was no update on the above agenda item.

**(d) Announcements:**

**XII. ADJOURNMENT.**

**On a motion made by Commissioner Shane Walet, and seconded by Commissioner Simieon d. Theodile the meeting was adjourned at 7:33 p.m.**