

OFFICIAL PROCEEDINGS
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT
REGULAR MONTHLY MEETING – APRIL 9, 2019

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, April 9, 2019, at 12:00 p.m. in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

After the Pledge of Allegiance, roll was called.

Members present were: Rev. Henry Ballard, Jr., President; Mr. William T. Bergeron, Vice President; Mr. Larry M. Aisola, Jr., Secretary and Ms. Rachel Nunez, Treasurer. Absent was Mr. Harold J. Anderson, Commissioner.

Also present were Mr. Drew Heaphy, Executive Director; Ms. Denise Kraesig, Executive Assistant; Mr. Ross Gonzales, Director of Administration; Mr. Ted Roche, Director of Operations; Mr. Sal Cusimano, Research and Administrative Assistant; Mr. Ricky Melerine, Project Manager Assistant; Mr.'s Biff Burk and Suresh Shah, Burk-Kleinpeter, Inc.; Ms. Deborah Keller, Deborah D. Keller & Partners; Mr. Jim Simmons, N-Y & Associates; Mr.'s Jim Garner and Joshua Force and Ms. Ashley Coker, Sher Garner and Ms. Jan Evans, Volkert.

President Ballard requested a Moment of Silence in remembrance of Mr. Elton J. LeBlanc, Commissioner 1981-2018.

President Ballard asked if there were any public comment in accordance with R.S. 42:14 (D). Not hearing from anyone, he continued with the meeting.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on March 14, 2019.

President Ballard informed the Board that Request for Proposals were received in the Port office on Friday February 28, 2019, at 2:00 p.m. for the Warehouse 1 – Structural repairs, Arabi Terminal project. The RFP's were as follows:

<u>Contractor</u>	<u>Quote</u>
All Service Machine Shop	\$101,522.52
Carollo Metal	No Quote
Clymer Construction	\$105,876.00
Southern Services	No Quote

On motion of Mr. Bergeron, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved to award the RFP to All Service Machine Shop in the amount of \$101,522.52.

President Ballard recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales discussed the Operating Budget, Professional Services, Capital Budget, Balance Sheet and Lessees' Arrears. The Board discussed the Finance Report. President Ballard thanked Mr. Gonzales for his report.

President Ballard recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy informed the Board that the FY 2019-2020 Budget Hearing will take place before the May 14, 2019 board meeting. He also discussed the 2nd Floor Build-Out being substantially complete, a Request for Qualifications for a CMAR relating to the Rehabilitation of Chalmette Slip Sections A & F project and board members' Personal Disclosures being due on or before May 15, 2019. Mr. Heaphy then recognized Ms. Evans and Ms. Keller who discussed the benefits of having a Construction Management at Risk (CMAR) for the Chalmette Slip project. Mr. Roche was then recognized to give the construction report on current and future projects. The Board discussed the Executive Director's Report. President Ballard thanked Mr. Heaphy for his report.

On motion of Mr. Aisola, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved authorization for the executive director to enter into a Cooperative Endeavor Agreement (CEA) with St. Bernard Parish Government allowing the SBPG to locate a Point of Distribution (POD) on Port property in the event that a hurricane has made landfall in or around the Parish.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved authorization for the executive director to sign a Temporary Work Area Servitude and Temporary Nonexclusive Road Servitude between the Arlene and Joseph Meraux Charitable Foundation and the Lake Borgne Basin Levee District for property leased to the Port by the Meraux Foundation.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the following resolution authorizing an agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program relating to State Project No. H.013882 Chalmette Terminal Transit Shed project:

STATE PROJECT NO H.013882
PARISH OF ST. BERNARD

RESOLUTION

St. Bernard Port, Harbor and Terminal District

A Resolution authorizing the St. Bernard Port, Harbor and Terminal District to enter into an agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith.

WHEREAS, the St. Bernard Port, Harbor and Terminal District has a need for port improvements; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District has reviewed the application for Chalmette Terminal Transit Shed and agrees with said agreement; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District has applied for State matching funds pursuant to Chapter 47 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, to implement a project to improve its port operation and St. Bernard Port, Harbor and Terminal District is fully aware of its obligations under said Statute; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute; and

WHEREAS, currently, no funds have been made available by the State for construction of the project; and

WHEREAS, the Sponsor desires to utilize its own funds for the construction of this Project and to be reimbursed by the Port Construction and Development Priority Program once funding becomes available, in accordance with R.S. 34:3457.

NOW, THEREFORE, BE IT RESOLVED by the St. Bernard Port, Harbor and Terminal District as follows:

Section 1. That St. Bernard Port, Harbor and Terminal District acknowledges that an application was submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and prior to commencement of work on the project St. Bernard Port, Harbor and Terminal District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Drew M. Heaphy, Executive Director to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Drew M. Heaphy, Executive Director is hereby Authorized Representative for St. Bernard Port, Harbor and Terminal District to represent the port with regards to the receipt of funds from the Louisiana Port Construction and Development Priority Program for a port improvement project.

Section 4. That said Authorized Representative shall have the authority to sign and approve all documents that are necessary under the circumstances to accomplish the above project.

/s/ Larry M. Aisola, Jr., Secretary

/s/ Henry Ballard, Jr., President

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved to enter Executive Session at 12:27 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port, 34th Judicial District Court, Case #116-860.

On motion of Ms. Nunez, seconded by Mr. Aisola, the Board unanimously agreed to reconvene Regular Session at 12:45 p.m.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously agreed to add to the agenda, authorization for the Executive Director to enter into a Mediation Settlement Agreement between the St. Bernard Port, Harbor and Terminal District and the Violet Dock Port, LLC relating to the expropriation of the Violet Dock Port, 34th Judicial District Court, Case #116-860 litigation.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to enter into a Mediation Settlement Agreement between the St. Bernard Port, Harbor and Terminal District and the Violet Dock Port, LLC relating to the expropriation of the Violet Dock Port, 34th Judicial District Court, Case #116-860 litigation.

On motion of Ms. Nunez, seconded by Mr. Aisola, the meeting was adjourned.

/s/ Larry M. Aisola, Jr., Secretary