

OFFICIAL PROCEEDINGS  
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT  
REGULAR MEETING – July 14, 2020

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, July 14, 2020, at 12:00 noon in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

After the Pledge of Allegiance was said, Ms. Rachel L. Nunez was administered the Oath of Office by Ms. Joelle Michel, Notary.

Roll was called.

Members present were: Mr. William T. Bergeron, President; Mr. Larry M. Aisola, Jr., Vice President; Ms. Rachel L. Nunez, Secretary; Mr. Harold J. Anderson, Treasurer and Rev. Henry Ballard, Jr., 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. Zeljko Franks, Associated Terminals; Mr. 's Donald Brinkmen, Mark Forsyth and Mark Goodson, CSRS; Mr. Mark Melancon, Intelligent Transportation Systems, Mr. Pat Meyers, Meyers Warehouse and Amanda Coates, Port of New Orleans.

President Bergeron asked if there were any public comments 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. Anderson, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on June 9, 2020.

On motion of Mr. Anderson, seconded by Rev. Ballard, and after asking for any public comment, the Board unanimously approved a new lease with American Sugar Refinery, Inc. for 80,000 square feet of warehouse space along Bonita Drive, Chalmette Terminal, Chalmette, La. Mr. Pat Meyers was recognized and gave a brief account of ASR and Meyers use of the leased area.

On motion of Mr. Anderson, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the Eighth Amendment to Associated Terminals of St. Bernard LLC Master Lease extending the lease term for Berth 2 located at the Violet Terminal, addition of separate rates as stipulated in the amendment. Mr. Bergeron asked that a meeting be scheduled with the St. Bernard Port, Associated Terminals and the Port of New Orleans to discuss the matter of separate rates.

On motion of Mr. Anderson, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved to take from the table Item No. 17 of the June 9, 2020 agenda: Approval to Request to Advertise the 934 acres of hunting property located along the Mississippi River Gulf Outlet, St. Bernard Parish, for lease.

On motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved Request to Advertise the 934 acres of hunting property located along the Mississippi River Gulf Outlet, St. Bernard Parish, for lease. The Board stated that the bid shall include an annual inspection, sublease restriction and the option for the Port to rescind any and all bidders.

On motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved Change Order No. 2 for Boh Bros Construction Co., LLC relating to the Probe Pile Program project. An underrun of \$56,117.00 and addition of one (1) contract day.

On motion of Mr. Anderson, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved Substantial Completion for Boh Bros Construction Co., LLC relating to the Probe Pile Program project.

President Bergeron recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy discussed the Operating and Capital Budgets, Professional Services Summary, Balance Sheet and Lessees' Arrears. The Board discussed the Finance Report. President Bergeron thanked Mr. Heaphy for his report.

President Bergeron recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy informed the Board that the Port was awarded funds in the FY 2020 Port Security Grant Program. Mr. Heaphy thanked Mr. Ted Roche and Mr. Eric Acosta for their help with the security grant application. Mr. Heaphy then recognized Mr. Roche who gave the construction report on current and future projects. The Board discussed the Executive Director's Report. President Bergeron thanked Mr. Heaphy for his report.

On motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved the following resolution to Advertise for Bids for the Chalmette Terminal Transit Shed project:

STATE PROJECT NO H.013882  
PARISH OF St. Bernard

## RESOLUTION

St. Bernard Port, Harbor and Terminal District

WHEREAS, St. Bernard Port, Harbor and Terminal District has submitted an application for funding of the Chalmette Terminal Transit Shed port improvement project under the Port Construction and Development Priority Program; and

WHEREAS, the State's share of the project funds have been made available and the St. Bernard Port, Harbor and Terminal District has available its local matching share of the project funds in an amount of not less than ten (10%) percent; and

WHEREAS, at the request of this St. Bernard Port, Harbor and Terminal District, Kyle Associates LLC has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. H.013882; and

WHEREAS, this St. Bernard Port, Harbor and Terminal District 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 Port Construction and Development Priority Program; and

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by this St. Bernard Port, Harbor and Terminal District, and the titles thereto are valid and indefeasible; and

WHEREAS, this St. Bernard Port, Harbor and Terminal District has obtained all necessary permits required for the construction of this project; and

WHEREAS, St. Bernard Port, Harbor and Terminal District 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 St. Bernard Port, Harbor and Terminal District is St. Bernard Voice, whose mailing address is 234 Mehle Street, Arabi, La. 70032, and whose telephone number is 504-279-7488; and

WHEREAS, this St. Bernard Port, Harbor and Terminal District 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 (St. Bernard Port, Harbor and Terminal District), and furnish engineering services during the progress of the work.

NOW, THEREFORE, BE IT RESOLVED by the St. Bernard Port, Harbor and Terminal District, in Regular session assembled on this 14 day of July, 2020, that the Department of Transportation and Development be and hereby is requested to authorize the St. Bernard Port, Harbor and Terminal District to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of St. Bernard Port, Harbor and Terminal District, 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 St. Bernard Port, Harbor and Terminal District, and the titles thereto are valid and indefeasible and St. Bernard Port, Harbor and Terminal District expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and St. Bernard Port, Harbor and Terminal District 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 St. Bernard Port, Harbor and Terminal District.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that St. Bernard Port, Harbor and Terminal District has available its local matching funds in an amount not less than ten (10%) percent of the total project cost to insure construction of this project.

BE IT RESOLVED that St. Bernard Port, Harbor and Terminal District 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 St. Bernard Port, Harbor and Terminal District 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.

/s/ Rachel L. Nunez, Secretary

/s/ William T. Bergeron, President

On Motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to enter into a professional services contract with CSRS Inc., which was chosen by the Selection Review Committee, relating to the Acquisition and Implementation of New Geographical Information System (GIS) project. Not to exceed \$250,000.

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President Bergeron asked if there was any Old Business, not hearing from anyone, he continued with the meeting.

President Bergeron asked if there was any New Business, not hearing from anyone, he continued with the meeting.

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

/s/ Rachel L. Nunez, Secretary