

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
TUESDAY, SEPTEMBER 21, 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 Danny J. David, Sr., Board President, at the Port of Iberia Administrative Office, on Tuesday, September 21, 2021, at 5:30 P.M.

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

There were no Commissioners absent.

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

Thus, with a quorum being acknowledged, Commissioner Roy A. Pontiff recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES – Regular Meeting Tuesday, August 24, 2021

On a motion by Commissioner Roy A. Pontiff, and seconded by Commissioner Simieon d. Theodile, the Commission approved the minutes of the Regular Meeting held on Tuesday, August 24, 2021.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

II. Mr. Ray Fremin, Jr. and Mr. Ben Langlinais, Iberia Parish Levee, Hurricane, and Conservation District to Address the Board.

Mr. Ray Fremin, Jr. and Mr. Ben Langlinais of the Iberia Parish Levee, Hurricane, and Conservation District addressed the Board.

Mr. Ray Fremin stated that November 13, 2021 is the new election day. There will be Four (4) Constitutional Amendments. Amendment Three (3) is for funding for the Levee District. The Amendment has to pass statewide and then pass within the district to get funding. This applies to Five (5) Districts in the state of Louisiana.

The Levee District has Five (5) members on its Board but needs Nine (9) members to have a full Board present. Commissioner Roy Pontiff stated that he was a member at one time until the Levee Board dissolved.

Commissioner Mark Dore stated that the Port has always supported the Levee District, and asked what will be done different now. Mr. Ray Fremin stated that before it was strictly for Iberia; whereas, this time it has to do with the whole State of Louisiana.

Mr. Ray Fremin stated that there is a lot of components of the system that can be done without a levee, it is the biggest drainage project for Iberia Parish. Levee Districts' do more than just provide hurricane protection. The project total is \$500 Million with 50 years of maintenance. Congress created the Southwest Study but did not give the Levee District any funding to do it. The Corps then did the same study and came up with the solution to raise houses in between St. Mary and Iberia Parish.

Lengthy Discussion ensued and there was no action taken.

Mr. Oneil Malbrough discussed the flood/wind damage from Hurricane Ida in Houma, LA.

Mr. Danny David thanked Mr. Ray Fremin and Mr. Ben Langlinais for coming to the meeting and stated that the Port will do what it can.

III. Mr. Roland Maturin, Harbor Dredging, to Address the Board Regarding Leasing Lots 23-26 (0.827 acres) at the Port of Iberia.

Mr. Roland Maturin with Harbor Dredging addressed the Board regarding leasing property from the Port.

Mr. Roland stated that they have been putting equipment in Houston, TX but Louisiana is starting to have more business so they would like to establish a place of business at the Port of Iberia. They plan to put pipe, cutterhead dredges, One (1) tug boat, and maybe a connex box. They have employees who live around here and they have been asking for a place in Louisiana where they can work on the dredges when they were not busy.

Mrs. Joanna Durke stated that the requested lots are 23-26, where the former Big Friendly was located.

Commissioner Roy Pontiff asked Mr. Roland Maturin what kind of terms he would want to

have. Mr. Roland stated that he would like to renew once a year since he thinks they will outgrow this property. He would like to have an option that he could have a bigger piece of property. Mr. Roy Pontiff stated that they can do a One (1) year primary with several yearly options, even if he would decide the first year that he would want something bigger.

Commissioner Patrick Broussard asked if the property was fenced. Mr. Craig Romero said that it is not. Mr. Roland Maturin stated that he might want to fence it in if it would be possible. Mr. Craig Romero stated that it could be done.

Commissioner Roy Pontiff asked if they will prepare the lease and bring it back to the Board at the next Board meeting. Mrs. Joanna Durke stated that Mr. Roland Maturin had a question. Mr. Roland Maturin asked how soon they could move in to the property. Mr. Craig Romero stated that they would need to list the Port of Iberia as an additional insured on their insurance policy.

Commissioner Roy Pontiff stated that the October meeting is on October 19th, he asked if Mr. Roland Maturin would be able to wait till then. Mr. Roland Maturin stated that he would like to begin moving things tomorrow, August 22nd.

Mr. Oneil Malbrough stated that GIS pushed the AGMAC Phase I Dredging bids back two weeks so they will be requesting to have a Special Meeting to approve the bids the first Tuesday of October and they can take this Lease Agreement to the Special Meeting. Commissioner Roy Pontiff stated that the lease is already drawn up, it is a standard Lease Agreement and the Port can move now to authorize the Board President to sign the Lease Agreement since they are wanting to move quick.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to approve and authorize the Board President to execute a Lease Agreement between the Port of Iberia District Board of Commissioners and Harbor Dredging, Inc. for Lots 23-26 (0.827 acres) at the Port of Iberia contingent upon Legal Review and approval.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

IV. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary for Two (2) Months Ending August 2021.**

Mrs. Joanna Durke stated that the Port is Two (2) months into the 2021-2022 Fiscal Year and the Port should be at 16.88%. Revenues are at 20.38% and Expenditures are at 10.56%.

- **Discuss Clarification of the Budget Amendment approved at the August 24th Regular Monthly Board Meeting which added Maintenance Outside Services back as a Budgetary Line Item to Accommodate for only One (1) Month (July 2021) Paying the Temporary Service for the Temporary Employee.**

Mrs. Joanna Durke presented the newly adopted budget with the Budget Amendment to Maintenance Outside Services which the Board approved at the August Monthly Board Meeting.

Ms. Tracy Boudreaux explained this to the Board. Ms. Tracy Boudreaux stated that they took the total salary of Maintenance/Dock Supervisor and divided by 12 to get the monthly salary which came out to \$3,467.00. Then they put this amount into Maintenance Outside Services to cover the month of July. Also in July, the Port paid a staffing invoice for the last week of June which was \$936.00 and the \$277.00 was the overhead for that invoice.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to accept the Budget Amendment to add Maintenance Outside Services back as a Budgetary Line Item with the budget of \$4,680.00 to accommodate for One (1) Month for paying the temporary service for the temporary employee for the month of July 2021; and Motion further amends the Maintenance/Dock Supervisor Budgetary Line Item from \$41,604.00 to \$38,137.00 to adjust for the One (1) month of salary being taken out.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

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

Commissioner Mark Dore' asked if the Port had to disconnect any water meters lately. Mr. Craig Romero stated that the water meter that Seamar/Aries was using has been turned off. Mr. Craig Romero stated that a guy with Aries Marine called him about the water line

being broken but Mr. Craig Romero told him that the Port turned it off until someone decides they will pay the bill.

(c) Listing of Tenant Lease Billings for 2021.

- **Update on Treva Crosby, Crosby Construction Services, Regarding its Lease Agreement Payment Schedule.**

Mrs. Joanna Durke stated that she spoke with Mr. Kevin Bordelon today & their office in Cut-Off, LA sustained damage from the storm, so the phone numbers are not going through. Mr. Kevin Bordelon will send Mrs. Joanna Durke's email to someone since most of them are working remotely. Mr. Kevin Bordelon will get back with Mrs. Joanna Durke for a status update.

- **Update on Diversified Materials Letter dated 7-19-2021 regarding its Lease Agreement Payment Schedule.**

Mrs. Joanna Durke stated that Diversified Materials paid \$33,140.03 on 9/21/2021, which includes all delinquencies. Diversified Materials is now paid up until December 2021 when he will be invoiced for the following year. Mr. Craig Romero stated that he spoke with Mr. Matt Durand and told him that there are other people interested in the yard and asked if he would consider giving it up. Mr. Matt Durand told Mr. Craig Romero that he will find a way to keep the property. Mrs. Joanna Durke stated that they will need to draft a new Lease Agreement since there is none currently in place with Diversified Materials.

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

Mrs. Joanna Durke stated that the boat stalls have all been collected.

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

A motion was made by Commissioner Shane Walet, seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of bills for September 2021, and ratify those paid during the interim period.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

III. 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 Across David Berard Road.**

Mr. Gerald Gesser stated that he has received drawings from Mrs. Joanna Durke and Mr. Francis Fortier. Mr. Gerald Gesser stated that he has contacted 811 to determine the location of any and all utility and/or pipeline locations along the North side of David Berard Rd. so that the sign can be correctly installed. Mr. Gerald Gesser stated that it will be installed on the second lot from Weeks Island Rd. This should be installed within the next week.

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

Mr. Gerald Gesser stated that there are Three (3) Entergy bills that do not seem to be correct. Mr. Gerald Gesser stated that Mr. Ted Johnson is looking into this.

- {3} **Status Report on Electrical Meters for 2 Security Cameras (David Berard Road and C. P. Voorhies Road).**

- {4} **Status Report on Former HIS/Superior Fencing Installation (from Clearance of Trees, Etc.).**

Mr. Gerald Gesser stated that this contract has been issued and work should begin shortly. This is for the fence behind the former HIS building that runs towards the canal.

- {5} **Discuss/Consider Francis Fortier's Invoice Number 21-21 (Fencing Survey for former HIS/Current RAM).**

A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Roy A. Pontiff to accept and approve the payment of Invoice No. 21-21 from Francis Fortier PLS, in the amount of \$1,690.00, for the completion of the fencing survey for the former HIS/Current RAM facility.

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

{6} Discuss/Consider Modular Construction's Invoice No. 4430-21 (Installation/Labor/Equipment to Install Rain Gauge at Port Marina).

Commissioner Roy Pontiff expressed concern about the measurements and that the gauge read 12. He asked for clarification purposes.

Mr. Gerald Gesser stated that this means the water level is 12 foot above sea level.

Mr. Gerald Gesser stated that they took the existing water gauge and matched the numbers on the previous water gauge to the new one.

Mr. Oneil Malbrough stated that the channel is NAVD 83, which is the North American Vertical Datum of 83 minus 16. Mr. Oneil Malbrough suggested to put a tide gauge at NAVD so during or before a storm the Port could know what the water is and monitor the water level. If the water is at 1.5 ft. and the channel is at 16 ft.; Seadrill could bring a boat in that is 17 ft.

Lengthy Discussion ensued.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to accept and approve the payment of Invoice No. 4430-21 from Modular Construction Co., Inc. in the amount of \$875.00 for Labor, Material, and Equipment to install the rain gauge at the Port of Iberia Marina.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

{7} Discuss/Consider Sir Speedy's Invoice No. 116702 (Print/Materials for Rain Gauge for Port Marina).

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Mark Dore' to accept and approve the payment of Invoice No. 116702 from Sir Speedy in the amount of \$240.00 for the Setup & Printing of a 12x16 White

Composite Aluminum Flood Marker for the Port Marina.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

{8} Discuss Overhead Door Company's Invoice No. 134778 (Past Due Invoice for All Points End of Lease Items).

Mr. Gerald Gesser stated that the outstanding amount is \$14,905.00 based on the purchase order that All Points issued to Overhead Door. Mr. Gerald Gesser stated that Mr. Craig Romero asked him to send this information to Mr. Don Caffery for him to review. Mr. Craig Romero stated he would like Mr. Don Caffery to review and evaluate, the Port will have to take legal action to get All Points to pay for this.

{9} Discuss/Consider Gesser Group's Inv # 15-POI-SRP.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Invoice No. 15-POI-SRP to Gesser Group, APC in the amount of \$4,902.50 for small repairs projects requested by Executive Director.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

(c) Hurricane Laura & Delta Storm Damages

{1} Status Report on Hurricane Laura Flood Damage.

Mr. Gerald Gesser stated that the Port has received \$434,440.81 for Hurricane Laura flood damage. To this date the Port has spent \$19,950.00 for repairs at the former Diamond/Ram Facility and former All Points Facility. As of now the Port has approved the spending of \$31,228.53 received for damages at the former HIS building, and \$5,050.00 left over from the former Diamond towards the repairs of the former HIS building. The Port has \$378,212.28 left in available flood insurance funds.

- **Update on Modular Construction Company, Inc. Renovations from Hurricane Laura Damages to the former HIS Building and the Ram Building 5-A/6-B.**

Mr. Gerald Gesser reported that this work has begun on September 20, 2021 and is moving forward.

- **Update on Ram Design Considering Leasing Lot 9 (former H.I.S. Building/Property Site) as it Relates to Fencing from the Canal behind the Former H.I.S. Property Site to Lewis Street in order to Separate the former H.I.S Building from the former Diamond Offshore and current Ram Property Site.**

Mr. Gerald Gesser reported that they are still waiting on Ram Design to see if they want to lease that piece of property (Lot 9). Mr. Craig Romero stated that they haven't responded, there is a lack of communication between the workers in Dubai and the local guy Mr. Nick Derouen. Mr. Craig Romero stated that Mr. Nick Derouen said that if they get work, they will need that property.

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

Mr. Gerald Gesser stated that the Limestone Yards have been approved. The funding will not be received until they approve the balance of the work. Mr. Gerald Gesser stated that once they receive direction on the funding, they will get with GIS Engineering to develop a procedure to install the new limestone.

Mr. Gerald Gesser stated that the pressure washing of Seadrill's floors is still under consideration.

All Hurricane Delta claims are complete at this time, and this will be the last update on this claim.

{3} Discuss/Consider Gesser Group's Inv # 13-POI-HLSD.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 13-POI-HLSD to Gesser Group, APC in the amount of \$3,792.50 for the period August 12, 2021 thru August 24, 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: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

**(d) Seadrill
{1} Report from Air Ameri-Air on Indoor Air Quality Assessment.**

Mr. Gerald Gesser stated that they had an air quality company come and test the air at Seadrill. Seadrill thought they had mold & mildew causing illnesses. Mr. Gerald Gesser stated that the standard is around 3,000 particles and it came in at about 6,000. Mr. Gerald Gesser stated that the air inside the building was cleaner than the air on the outside.

**(e) Special Projects
{1} Status Report on Location of Property Lines of Seadrill and Aquadrill both located at the POI West Yard.**

Mr. Gerald Gesser stated that the lease specifies the amount of land that is being leased by the tenants. Mr. Gerald Gesser stated that now the property lines need to be defined. Mr. Gerald Gesser stated that he received information from Mrs. Joanna Durke, GIS Engineering, and also Francis Fortier. He is correlating this information so Francis Fortier can do a final boundary layout for the Seadrill and Aquadrill leases.

{2} Status Report on POI Maintenance Equipment Storage Building.

Mr. Gerald Gesser stated that Mr. Craig Romero has asked to meet with him and get together a Scope of Work and a Budget to present to the Board at the October Board Meeting.

{3} Status Report on the Rehabilitation of Building "F" at the POI West Yard.

Mr. Gerald Gesser stated that as soon as they have more definite information from the proposed tenant, they will move forward on this.

Mr. Craig Romero stated that he showed the proposed tenant the before and after of Seadrill's building. The proposed tenant would like electrical cranes, some paint, and to change the bottom purlins. Mr. Craig Romero stated that the proposed tenant is Wilco Marsh Buggies. Mr. Craig Romero stated he will report back to the Board after he hears back from them. Commissioner Roy Pontiff expressed concerns about charging the standard rate of return on improvements. Mr. Craig Romero stated that yes, the Port will charge the 6% for the improvements.

**V. 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.**

Capital Outlay;

- All of Capital Outlay has been reimbursed besides the Shell Pipeline invoice which is not approved for payment yet.

Port Priority;

- Shells for the parking lot have not been reimbursed.
- Everything is current with the exception of last month’s invoices; these are in line to be processed for reimbursement.

- **Update/Clarification on Funding Amount on State Project Number H.011928 Port Improvements Port of Iberia East & West Yard Expansion & Site Improvements (Letter dated July 19, 2021 from LA DOTD)**

Mr. Oneil Malbrough stated that the amount of \$3,358,411.00 as depicted in the July 19, 2021 letter (States Funding Amount F.Y. 21-22) is incorrect. Mr. Oneil Malbrough stated that after Building B is complete the Port would have spent \$10,048,334.43. The Port has \$4,951,665.57 left in Port Priority to spend on the East & West Yard Expansion project for buildings C, D, E, & F. Commissioner Roy Pontiff expressed concern about the line stating “Louisiana’s funding shares have been totally satisfied”. Mr. Oneil Malbrough stated that this means the Port has the money that can be spent, this does not mean it has been spent. Mr. Oneil Malbrough stated that he & Mrs. Joanna Durke spoke to Ms. Molly Bourgoyne of LA DOTD and she said not to worry about the \$3,358,411, the Port has \$4,951,665.57.

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

- {1} Building B – POI West Yard SPN H.011928(325g)
Bay 5 Repairs and Renovations
(Phase Vg of SPN H.011928).**

Mr. Austin Hebert of GIS Engineering reported that Acadiane’ Renovations has completed all of the punch list items. They will schedule the final walk through and present final acceptance at the October Board Meeting.

- (a) Discuss/Consider Change Order No. 4 (Balancing).**

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to approve and authorize Change Order Number 4 regarding SPN H.011928 (325g) East & West Yard Expansion & Site Improvements Project Building B Bay 5 Repairs and Renovations Phase Vg of SPN H.011928(325g) as it relates to a credit of \$7,844.39 for the revision of contract quantities for excavation, disposal, & backfilling of non-contaminated overburden, and Class A-1 concrete, the addition of demo abandoned lift station, demo concrete column pad, replace rusted header 8” Cee’s, and installation of 6” of #610 limestone in pits; the revised contract amount is \$887,437.54; and motion further authorizes the Board President to execute said Change Order Number 4, and forward to the LA DOTD for review and approval.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

{2} Building B – POI West Yard SPN H.011928(325e)

Building B Multipurpose Facilities & Small Warehouse

(Phase Ve of SPN H.011928).

(a) Discuss/Consider Rescinding the Acceptance Resolution with Contingency Adopted at the Board’s Regular Monthly Meeting of August 24, 2021.

Mr. Austin Hebert of GIS Engineering stated that due to a delay, they are asking the Board to rescind the motion made at the August Monthly Board meeting. Mrs. Joanna Durke stated that usually on a Substantial Completion when the 45-day clear lien period begins, you can do a contingency. For this project, it was accepting the project and the State does not do acceptance with contingency even though there is a Clear Lien Certificate.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Mark Dore’ to rescind the motion previously made to Adopt an Acceptance Resolution with Contingency at the Port of Iberia District Board of Commissioners Regular Monthly Board Meeting on August 24, 2021, related to Building B Multipurpose Facilities & Small Warehouse SPN H.011928(325e).

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

- (b) Discuss/Consider Rescinding the Approval of Acadiane' Renovations Application for Payment No. 7 with Contingency (Retainage), approved at the Board's Regular Monthly Meeting of August 24, 2021.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to rescind the motion previously made to approve Acadiane' Renovations application for Payment No. 7 with Contingency (Retainage) at the Port of Iberia District Board of Commissioners Regular Monthly Board Meeting on August 24, 2021, related to Building B Multipurpose Facilities & Small Warehouse SPN H.011928(325e).

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

- {3} **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.**

- Frisco Industrial has completed the installation of the ventilation system in Building B-2 and has addressed their punch list items.

- (b) **Discuss/Consider Contractor Request for Payment Number 9 to Frisco Industrial Contractor's, LLC**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Simieon d. Theodile to approve and authorize Application for Payment Number 9 to Frisco Industrial Contractors, LLC in the amount of \$18,050.00 for East & West Yard Expansion & Site Improvements Building B Steel Repairs & Installation (Bays 1-4) Project Phase Vc of SPN H.011928 (325c) for the period June 30, 2021 thru September 10, 2021; in accordance with contract dated August 28, 2020.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

- (c) **Discuss/Consider Adopting a Resolution for the LA DOTD Regarding Substantial Completion of the Project.**

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to accept and approve Substantial Completion of the Project regarding Frisco Industrial Contractors, LLC East & West Yard Expansion & Site Improvements Building B Steel Repairs & Installation (Bays 1-4) SPN H.011928 (325c) Phase Vc; in accordance with the contract dated August 28, 2020; and motion further acknowledges that the 45-day Clear Lien Period will commence once the Substantial Completion has been recorded with the Iberia Parish Clerk of Court's Office.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

- {4} **Building B – POI West Yard SPN H.011928(325h)
Crane Controls Safety Upgrade
(Phase Vh of SPN H.011928).**
(a) **Update on Status of Project.**

- The anticipated construction start date is scheduled for this week.
- GIS Engineering has received the contracts from Louisiana Crane & their Builders Risk Insurance Policy.
- GIS Engineering is waiting on Louisiana Crane's Builders Risk Insurance Policy that Austin, Ann, and Don Caffery were reviewing before they will be able to issue the Notice to Proceed.

VI. 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.**

Mr. 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.

- Pre-Construction meeting with Rigid Constructors was held on August 5, 2021.
- Project began on August 6, 2021.
- Rigid Constructors is still in the process of ordering materials. The anticipated start date is scheduled for November once all material has been received and delivered to the project site.

(c) AGMAC Project General Engineering and Consulting Services:

{1} Update on Status of AGMAC Project.

Mr. Oneil Malbrough stated that GIS Engineering needs a letter from the Port sent to the Louisiana Department of Facility Planning and Control authorizing GIS Engineering to file the Capital Outlay 2022-2023 request.

Mr. Oneil Malbrough stated that they will have this ready for the Board to approve at the October 2021 meeting so it is ready for submittal before November 1, 2021.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Simieon d. Theodile to approve and authorize GIS Engineering, LLC to prepare and submit the Port of Iberia District's Capital Outlay Requests for Fiscal Year 2022 – 2023.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

(d) AGMAC Phase I Dredging Project:

{1} Project Update.

- Pre-bid conference was held on Wednesday, August 25, 2021.
- GIS held a site visit with the interested contractors on Friday, September 10, 2021.

Commissioner Simieon d. Theodile expressed interest in doing a tour when they go again. Mr. Austin Hebert stated that for the pre-construction meeting they can go do another tour.

{2} Bid Opening Rescheduled to Wednesday, September 29, 2021.

Mr. Austin Hebert of GIS Engineering reported that the Bid Opening has been rescheduled to Wednesday, September 29, 2021 at 2:00 P.M. due to multiple requests from the contractors during the bidding process.

Mr. Oneil Malbrough discussed having a Special Board Meeting to award the project the following week after the Bid Opening. The Board agreed to have a Special Board Meeting on October 5, 2021 at 12:00 P.M.

{3} AGMAC Dredging Project – Pipeline Coordination.

❖ Shell Pipeline (Zydeco Pipeline)

(a) Update on Pipeline Relocation.

- Pipeline lowering is complete and the pipeline is back in service.
- The Port and GIS Engineering have received and verified pay requests 1 thru 10 for a total of \$5,633,003.70 (Budget: \$6,740,770.00). Project cost estimated to be \$1.1 Million under budget.

(b) Discuss/Consider Approval of Shell Pipeline Company, LP (Zydeco Pipeline) Invoice No. 90001369.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 90001369 to Shell Pipeline Company, LP in the amount of \$415,547.76 for the period July 29, 2021 thru September 7, 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: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

❖ Boardwalk (Texas Gas)

(a) Update on Pipeline Relocation.

- Project is complete.
- GIS Engineering is currently waiting on upcoming invoicing. The anticipated submittal date is early October.
- Project is estimated to be completed on budget.

❖ **Kinder Morgan (Tennessee Gas)**

(a) Update on Pipeline Relocation.

- Project is complete.
- GIS Engineering is currently waiting on upcoming invoicing. Anticipated submittal date is early October.
- Project is currently estimated to be completed under budget at \$1,500,000.00.

❖ **Energy Transfer**

(a) Update on Pipeline Matting.

- Energy Transfer has completed the Issued for Construction drawings for pipeline lowering.

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

- GIS Engineering has submitted the permit documents to the required permit agencies and is awaiting approval. (USACE and DNR Public Notices are on September 23, 2021 with both permits expected to be obtained by Nov. 1, 2021 with construction to begin soon thereafter.) Expected Construction duration is to last 30 days.
- Mr. Don Caffery stated that he spoke with the land owner of this property and they are wrapping up all the Right-of-Ways and he does not think we will have any issues with this pipeline.

ATMOS

- Atmos Natural Gas transmission line is scheduled to be removed from Rodere Canal by the end of October and rerouted around the construction limits.
- Atmos is the responsible party for the cost associated with the removal and rerouting.

INLAKE PIPELINE

- Dauterive Contractors is scheduled to remove the abandoned pipeline stubs in Commercial Canal by mid-October.

Commissioner Shane Walet expressed concern asking if the Port will be getting invoiced for the pipeline removal of these two lines.

Mr. Oneil Malbrough stated that the Port will not be invoiced for neither the Atmos or Inlake Pipeline removals.

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

- {4} Survey and Right-of-Way Update.**
 - **AGMAC Right-of-Way Acquisition Team Update**

Mr. Oneil Malbrough stated that Mr. Don Caffery will discuss the Right-of-Ways under his item.

- **Discuss/Consider Approval of Discovery Land Group Invoice No. Discovery-2021-S240(11655-452-5).**

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Simieon d. Theodile to approve and authorize the payment of Discovery Land Group Invoice No. Discovery-2021-S240 (11655-452-5) in the amount of \$1,328.36 for August 2021 AGMAC Right-of-Way team.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

VII. REPORT FROM PORT ATTORNEY – Donelson T. Caffery, III.

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

Mr. Don Caffery stated that the Right-of-Ways are complete. He will get with Mr. Danny David to get them all signed.

Mr. Don Caffery stated that the Stein's Pond Right-of-Way has been signed. Mr. Don Caffery stated that with the business evaluation that was completed by Stubb & Hightower, LLC, they looked at other invoices and other disposal area and came up with a price the Port could pay. The payment to James Stein is about \$.76 cents per cubic yard for a total of about \$200,000.00.

Mr. Don Caffery stated that the Board can wait till the October 5, 2021 Special Board Meeting to discuss/take action on this item. Commissioner Roy Pontiff stated that they will take this to the Special Board Meeting.

Commissioner Patrick Broussard expressed concern if the \$.76 cents per cubic yard is agreed upon or is it a set amount of dollars. Mr. Don Caffery stated that they were trying to come under \$1.00 per cubic yard.

- (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. Don Caffery stated that they are still negotiating. The issue here is not so much the Landlord Waivers. Mr. Don Caffery stated that he will try to get this done by October 5th for the Special Board Meeting or by the October Regular Monthly Board meeting. He did not feel like the Port had the ability to evict the tenant in the event of a bankruptcy or if the rent would not be getting paid. The lenders for Bayou Holdco have agreed to this. Mr. Don Caffery stated that he will bring back the final language to the Board once the details are worked out.

- (c) **Update Regarding Chapter 11 Case of Seadrill Limited on the Docket of the United States Bankruptcy Court, Southern District of Texas, Houston Division.**
 - **Discuss/Consider Approval/Authorization for the Board President to Execute the Ballot for Accepting or Rejecting the Debtors' Joint Plan of Reorganization and Opt out of Releases.**

Mr. Don Caffery stated that he would like to have this on the October 5th Special Board Meeting Agenda. He stated that he wants to look into the lease payment which was previously an annual payment and then became a monthly payment. Mr. Don Caffery stated that Seadrill recently informed us that they are filing a Supplemental Disclosure that has to be filed before September 23, 2021. Mr. Don Caffery stated that this can be discussed at the Special Meeting on October 5, 2021, but the timeline is tight. There is a ballot due on October 7, 2021 to vote to approve or disapprove of this plan.

This agenda item will be taken up at the October 5, 2021 Special Board Meeting.

- (d) **Discuss/Approve Donelson T. Caffery III, APLC Invoice No. 1038 relative to the AGMAC Project.**

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 1038 for Donelson T. Caffery, III, APLC in the amount of \$5,006.25 for Professional Services relative to the AGMAC Project for the period of August 3, 2021 – August 26, 2021.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

- (e) Discuss/Approve H. Kent Aguillard, Attorney at Law Invoice No. 4793.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore' to approve and authorize the payment of Invoice Number 4793 for H. Kent Aguillard, Attorney at Law, in the amount of \$900.00 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: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 21st day of September, 2021.

VIII. REPORT FROM EXECUTIVE DIRECTOR ON:

- (a) Update on Environmental Phase I for Bayou Holdco (Plant 2) & Demolition Process.

Mr. Craig Romero stated that there is no more structure besides where the racks are. Mr. Craig Romero stated that he spoke with Mr. John Koury of Kourco Environmental, Mr. John Koury told him that there is nothing in there that the Port needs to worry about. Mr. Craig Romero stated that Mr. John Koury reassured him that everything is good over there.

- (d) Executive Director's Monthly Report.
***Status of Job Descriptions and The Archer Company.

Mrs. Joanna Durke stated that she sent another email to The Archer Company and is awaiting a response.

- (e) Announcements:

Executive Director, Mr. Craig Romero presented a framed copy of the AGMAC Dredging Advertisement for Bid to Commissioner Roy A. Pontiff as a gift.

IX. ADJOURNMENT.

On a motion made by Commissioner Roy A. Pontiff, and seconded by Commissioner Mark Dore' the meeting was adjourned at 7:22 p.m.

SECRETARY-TREASURER

PRESIDENT