PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**October 14, 2020**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session via teleconference and in person on October 14, 2020 at 5:00 p.m. Raymond Wade, Executive Director, convened the meeting with Commissioners Joseph Cain, Deborah Garber, Tim Matthews, Sr., Ben Adams, Pete Orlando and Steven Cornes in attendance. Lee Dragna and Adam Mayon were absent. Also present in the meeting were Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois and Jennifer S. Reasoner, Board Attorneys; Michael Knobloch, Knobloch Professional Services; Terral Martin, Providence Engineering and Environmental; O’Neil Malborough, GIS Engineering; Councilman Louis Tamporello, City of Morgan City; along with members of the general public.

The meeting was called to order and the presence of a quorum was noted. Raymond Wade led the invocation and the Pledge of Allegiance was recited.

It was moved by Ms. Garber and seconded by Mr. Orlando that the minutes of the Regular Meeting of September 14, 2020 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Orlando that the report of receipts and disbursements for the month of September, 2020 be received and accepted and that all invoices presented to the Board for the month of September, 2020 be paid. Mr. Matthews seconded that motion, which carried unanimously.

Raymond Wade reported on behalf of Tim Connell that: (i) The Corps sent in the Brice dredge to our dock due to Hurricane Delta but they have since resumed dredging. Mr. Wade thanked the Coast Guard for the excellent job they did opening the waterways quickly after Hurricane Delta; (ii) Dredge *Ingenuity* was in the last dredging phase in Berwick Harbor but was shut down when it lost a thruster bearing. Once returned to service, it will complete Berwick Harbor and then move to 20 Grande, Tidewater Point and finally Wax Lake Outlet. So far, the dredge has moved over 500,000 yards of material and has opened up to a 250’ width between Washburn Marine and the train bridge; and (iii) the contract for Crew Boat Cut to Eugene Island has been awarded to Great Lakes and is expected to arrive in mid-November

Michael Knobloch reported that: (i) we were notified that we were not a recipient of any funding under the US BUILD grant; and (ii) we are still waiting to hear if we are a recipient of the PORT Infrastructure Development grant; however, they did request more information, for the 1st time ever.

Raymond Wade reported on behalf of Charles Brittingham that we are constantly chasing funding even though no supplemental funding or emergency packages have been approved, so we are operating under a continuing resolution.

On the Youngswood Yard Rehabilitation Project, Terral Martin reported that the clear lien certificate was recorded on September 29th and that the final retainage payment request of $27,762.60 was ready for approval. Mr. Orlando moved to authorize said payment, which was seconded by Mr. Cornes and carried unanimously.

O’Neil Malborough of GIS Engineering reported that November 1st is the deadline for a capital outlay request for the booster pump on a spud barge and 26,000 linear feet of plastic pipe at a cost of $3,840,000. Mr. Pat Cloutier questioned the amount of material that can be pumped through the pipe. Mr. Orlando moved to authorize said resolution, which was seconded by Mr. Cain and carried unanimously.

**Resolution**

WHEREAS, the Atchafalaya River and Bayous Chene, Boeuf, and Black Project is not and has not been funded adequately;

WHEREAS, between U.S. Army Corps of Engineers 2004 and 2012 Operations & Maintenance funding averaged approx. $18,000,000 per year;

WHEREAS, in the 2012 Atchafalaya River and Bayous Chene, Boeuf, and Black Dredged Material Management Plan: Preliminary Assessment, the Corps estimated an average annual cost of $39 million to maintain the Congressional Authorized 20' deep by 400' wide Atchafalaya River and Bayous Chene, Boeuf and Black Channel (Channel), which was economically justifiable at a benefit-to-cost ratio of 1.7;

WHEREAS, said Assessment provides that not maintaining authorized channel dimensions would cause McDermott and other channel businesses to relocate and McDermott did permanently move its operations to Altamira, Mexico;

WHEREAS, the current dredging strategy even at its highest funding did not provide the authorized 20' by 400' wide authorized Channel for more than 100 days per cycle;

WHEREAS, the Federal appropriations for our Channel dropped to $7.7 million in 2013 and was down to $6.2 million by 2017;

WHEREAS, through a Value Engineering Study started by the U.S. Army Corps of Engineers and the District in 2002, the Corps and the District have systematically evaluated each proposal for reducing the annual maintenance cost of the Channel;

WHEREAS, said Study indicated that agitation dredging on a continuing basis offered the best chance of maintaining the Atchafalaya Bar Channel at the lowest cost;

WHEREAS, the Corps provided for agitation dredging in the Bar Channel in 2002 and 2016, with strong evidence that this dredging method would maintain the Bar Channel;

WHEREAS, not keeping the Channel to its authorized width and depth has resulted in the loss of any import/export business for the District, loss to industry in additional costs, as well as the inability for industry to bid on any projects that draft more than 15' of water.

WHEREAS, it is obvious to the Board and the public that the unpredictability of the depth of the Channel and the concern about its long-term suitability are factors that provide a reason for companies to look for alternative sites outside of the Port of Morgan City;

WHEREAS, the District has determined that the most viable way to reduce the cost of maintenance of the Bar Channel and thus the overall cost of maintaining the entire Channel is to make sure that a special purpose dredge, capable of moving 11,000 cubic yards of material in the Atchafalaya Bar Channel per hour, is based in the Morgan City area for continuous use in the Bar Channel;

WHEREAS, the Corps has in fact awarded a contract to Brice Civil Constructors to provide said special purpose dredge for the Atchafalaya Bar Channel;

WHEREAS, this unique and special purpose dredge will allow for import and export business and other commerce to resume using the Atchafalaya River at great benefit to the Port and the State of Louisiana, as evidenced by numerous economic studies;

WHEREAS, due to unforeseen circumstances caused by historical rainfall and months of the Atchafalaya River and local waterways being above flood stage, the Channel is experiencing record-levels of shoaling along several parts of the Channel as well as loss of depth due to Tropical Storm Barry, all causing cost-overruns on existing dredging contracts;

WHEREAS, all Federal Fiscal Year 2018 and 2019 funds other than $14,000,000 committed to Brice Civil Constructors, Inc. to perform agitation dredging in the Bar Channel, including a $1.25 million contribution made by the Port, have been exhausted.

WHERAS, there are areas as shallow as 10’ deep and as narrow as 100’ wide in the Channel and the Corps has estimated an additional $35,000,000 is needed to restore the Channel to its federally authorized dimensions.

WHEREAS, maintaining navigability of channels in the Atchafalaya River, Bayou Boeuf, Bayou Black, and Bayou Chene is crucial for sustained operation, growth and development in this region of the State as well as the import/export of agricultural products;

WHEREAS the strategic importance of the Atchafalaya, due to its 3-entrances to the Mississippi River, should be protected to eliminate a single point of failure if there were an emergency situation on the Mississippi and it being an alternative to other ports if hurricanes or other disasters render them temporarily unusable for oil/gas industry and international trade vessels.

WHEREAS, the Non-Federal share for dredging as per MOA between the Port and the Corps is expected to be $1,250,000 each year going forward;

WHEREAS, an additional $3,750,000 over three years would assure that this new Corps dredging program gets off to a successful start; and

WHEREAS, relying on said economic studies, the District believes that the State’s economic benefit will be much greater than said additional $3,750,000 over three years.

THEREFORE, BE IT RESOLVED that staff of the Morgan City Harbor and Terminal District (“District”) is hereby authorized and empowered to make all such necessary filings with the State of Louisiana, Division of Administration seeking funding of $3,750,000 from Capital Outlay to assist the District with maintenance dredging of Atchafalaya River navigational channels.

BE IT FURTHER RESOLVED, Raymond M. Wade, Executive Director, be authorized and directed to do any and all acts and things necessary, proper, or that may be required to carry out and accomplish the transaction contemplated with regards to said Capital Outlay application and project.

Cindy Cutrera reported: (i) the governor extended Phase III until November 6th; (ii) again this month, we have been consumed hurricanes, daily National Weather Service and Navigation Restoration calls, auditors in the office, monitoring capital outlay bills, and weekly calls with Charles Brittingham. (iii) Colonel Murphy, Mark Wingate and Tim Connell toured the Brice Dredge, along with Bayou Boeuf Locks, and Bayou Chene project; and (iv) Congressman Garrett Graves visited the Port and was provided updates on channel conditions. WRDA 2020 was discussed and we asked him to include the Old River Structure, Atchafalaya Basin and Atchafalaya River in the study. Mr. Wade noted Congressman Graves “gets it”.

Mr. Bourgeois reported that we have received all the parts for the damaged NOAA station and are ready to proceed with installation. Mr. Cornes moved to accept Berry Brothers bid and to proceed with the rehabilitation, at a cost of $80,000, which was seconded by Mr. Matthews and carried unanimously.

Councilman Tamporello, on behalf of the City of Morgan City, offered his sincere condolences to Mr. Cain and his family on the loss of Darby Washburn. He noted Mr. Washburn was one of the city’s riverfront landowners who was always fighting for water depth. The Board then observed a moment of silence on his behalf.

With no further business to come before the Board, the meeting was adjourned.

Attest:

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Timothy Matthews, Sr., Secretary