

**PROCEEDINGS OF A REGULAR MEETING OF
THE BOARD OF COMMISSIONERS OF
THE MORGAN CITY HARBOR AND TERMINAL DISTRICT
October 11, 2021**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session at the District’s office at 7327 Highway 182, Morgan City, Louisiana on October 11, 2021 at 5:00 p.m. Joseph Cain, President, convened the meeting with Commissioners, Peter Orlando, Deborah Garber, Adam Mayon, Troy Lombardo, Steven Cornes, Matthew Glover and Matthew Tycker in attendance. Ben Adams was absent. Also present in the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Michael Knobloch, Knobloch Professional Services; Gerard Bourgeois, Board Attorney; Lieutenant Hayley Gipson, United States Coast Guard (“USCG”); Eric Matte and Jerry Hauske, T. Baker Smith; Councilman Louis Tamporello, City of Morgan City; Jon McVay and Josh Matherne; 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 Mr. Cornes and seconded by Mr. Tycker that the minutes of the Regular Meeting of September 14, 2021 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Lombardo that the report of receipts and disbursements for the month of September, 2021 be received and accepted and that all invoices presented to the Board for the month of September, 2021 be paid. Mr. Glover seconded that motion, which carried unanimously.

Tim Connell reported via teleconference that: (i) there are three (3) dredges working at this time, including Dredge Alaska, Dredge Newport and Dredge *Arulaq*, with a fourth to arrive at the end of November; (ii) construction at the Bayou Boeuf Locks continues, with an expected completion in December.

Lieutenant Hayley Gipson thanked Tim Connell for lining up the survey for Stouts Pass and Little Island Pass. She noted that Little Island Pass is the predominately route mariners have traveled in the last three months and Mr. Connell reported they are going through the formalization process as a route through that area. She also reported that: (i) Bayou Chene is back to 400’ width; (ii) MARS will be receiving two more loads of the Golden Ray; (iii) there was a 10% increase in traffic this month, with a total of 2,679 transits, averaging 89.3 per day through the VTS zone.

Michael Knobloch reported that: (i) we were notified that we will be receiving reimbursement for the State of Louisiana in the amount of \$618,962 for the rail spur rehab and drainage canal projects; (ii) we are working with South Central Planning to apply for an EDA grant, as well as awaiting to see if we received PIDP and/or RAISE funds to use as matches for the East Dock Expansion of \$5 million and West Dock Expansion of \$26 million; (iii) we will be applying to the Louisiana Covid Relief for Ports for expenses and losses incurred due to COVID, which is due early November. Mr. Cain noted that the bottom line is the Port of Morgan City is growing.

Charles Brittingham reported via teleconference that Congress has punted the vote on funding bills to December and are operating on a continuing resolution.

Eric Matte reported that: (i) in August they completed their investigation on the Youngswood Yard Rehabilitation and are proposing an agreement with T. Baker Smith to provide Engineering Design, Bidding and Construction Phase Services for Youngswood Yard Rehabilitation project in the amount of \$92,500 and \$60,000 estimated for project representative. Mr. Orlando moved to authorize said agreement subject to legal approval, which was seconded by Mr. Cornes and carried unanimously. He also proposed (ii) an agreement with T. Baker Smith to provide supplemental Engineering Design Services for East Dock Expansion project in the amount of \$106,000. Mr. Orlando moved to authorize said agreement, subject to legal review, which was seconded by Mr. Tycker and carried unanimously; and (iii) an agreement with T. Baker Smith to provide Surveying, Environmental Permitting, and Engineering Design Services for the Western Dock Development project in the amount of \$960,000. Mr. Orlando moved to authorize said agreement, subject to legal review, which was seconded by Mr. Mayon and carried unanimously.

Cindy Cutrera reported that: (i) the Hurricane Ida USCG Incident Command Center has been relocated to Houma to be closer to damaged areas; but, USCG Grand Isle is still being housed at our Youngs Road facility; (ii) they have had some conversations with Mr. Brittingham on dredging funding and the Corps has submitted \$44,576,000, with \$25 million being for Bayou Chene and additional funding for contracts for Bar Channel, Crew Boat Cut and Atchafalaya Bay areas. We are soliciting support letters from local companies justifying the need for the dredging funding in Atchafalaya Bar Channel; (iii) we will be having a stakeholder zoom with CPRA giving an update on Increase Atchafalaya to Terrebonne project on November 10th and encouraged all commissioners to participate;

(iv) the MARAD round table for the upcoming Atchafalaya/Red River ribbon cutting has been postponed until April 13-14, 2022 due to dredging concerns and hotel availability due to Hurricane Ida. Mr. Wade noted we lost 10 days of dredging due to the Hurricane Ida; (v) Mr. Wade has been busy presenting Port updates to all of the local councils, KWBJ, Kiwanis, as well as a presentation for American Society of Civil Engineers on the specialty-built dredge and has received lots of questions and comments; (vi) she participated in a webinar on offshore supply chain and forwarded the information to our stakeholders on how they can apply and be approved for this supply chain; and (vii) we submitted a public comment supporting carbon caption storage after the Climate Initiative Task Force and will send it to commissioners, along with her monthly report.

Gerard Bourgeois presented (i) a renewal of the contract between the District and Lazer Claims Investigation and Security Services, LLC for facility security officer duties prescribed in the District's Facility Security Plan for its 800 Youngs Road facility, which was moved for approval by Mr. Mayon, seconded by Mr. Tycer and carried unanimously.

RESOLUTION

A resolution providing for the execution of a consulting agreement for the Morgan City Harbor and Terminal District ("District"), designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this Board of Commissioners ("Board") is authorized by the provisions of LSA-R.S. 34:324 to "contract with the employ attorneys, clerks, engineers, deputy commissioners, superintendents, stevedores and other agents and employees and shall fix their compensation and terms of office or employments," and,

WHEREAS, this Board, after due deliberation deems it necessary that a real and genuine necessity exist therefor, to contract with Lazer Claims Investigation and Security Services, L.L.C. for services related to the Facility Security Plan for the Morgan City Harbor and Terminal District, particularly as its Facility Security Officer and related services.

BE IT RESOLVED, that the President, Joseph E. Cain, is hereby authorized and directed to execute on behalf of the District, an agreement with Lazer Claims Investigation and Security Services, L.L.C. for the necessary facility security officer service relative to the District, substantially in accordance with the terms and conditions of the agreement presented this day.

(ii) An updated contract for services between the District and Knobloch Professional Services, LLC for an initial one-year term, with four additional six-month terms in the annual amount of \$91,000. Mr. Cornes moved to authorize Mr. Cain to execute said contract and the following resolution be approved, which was seconded by Mr. Mayon and carried unanimously.

RESOLUTION

A resolution providing for the execution of a consulting agreement for the Morgan City Harbor and Terminal District ("District"), designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this Board of Commissioners ("Board") is authorized by the provisions of LSA-R.S. 34:324 to "contract with the employ attorneys, clerks, engineers, deputy commissioners, superintendents, stevedores and other agents and employees and shall fix their compensation and terms of office or employments," and,

WHEREAS, this Board, after due deliberation deems it necessary that a real and genuine necessity exist therefor, to contract with Knobloch Professional Services, L.L.C. in connection with various matters related to administering and implementing the Port Security Grants awarded to the Morgan City Harbor and Terminal District and other services related to the advancement of the District.

BE IT RESOLVED, that the President, Joseph E. Cain, is hereby authorized and directed to execute on behalf of the District, a consulting agreement with Knobloch Professional Services, L.L.C. for the necessary service relative to the District, substantially in accordance with the terms and conditions of the consulting agreement presented this day.

(iii) A renewal of the contract between District and L.R. Services, LLC for provision of as-needed marine captain services. Mr. Tycer moved to authorize Mr. Cain to execute said contract and adopt the following resolution, which motion was seconded by Mr. Mayon and carried unanimously.

RESOLUTION

A resolution providing for the execution of a consulting agreement for the Morgan City Harbor and Terminal District ("District"), designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this Board of Commissioners ("Board") is authorized by the provisions of LSA-R.S. 34:324 to "contract with the employ attorneys, clerks, engineers, deputy commissioners, superintendents, stevedores and other agents and employees and shall fix their compensation and terms of office or employments," and,

WHEREAS, this Board, after due deliberation deems it necessary that a real and genuine necessity exist therefor, to contract with L.R. Services, LLC in connection with various services related to acting as its marine vessel captain.

BE IT RESOLVED, that the President, Joseph E. Cain, be and is hereby authorized and directed to execute on behalf of the District, a consulting agreement with L.R. Services, LLC for necessary service relative to the District, substantially in accordance with the terms and conditions of the consulting agreement presented this day.

BE IT RESOLVED, that the Executive Director, Raymond M. Wade, be and is authorized and directed to do all acts and things necessary, proper, or that may be required to direct the day to day efforts of work to be provided under said consulting agreement.

Mr. Bourgeois also reported that: (i) Carl Blum will be submitting his bid package for the warehouse sprinkler system this week and will be forwarded for comments at that time. Mr. Glover moved to authorize Mr. Wade to advertise said project, which was seconded by Mr. Tycer and carried unanimously. (ii) Last month, the Board discussed a possible lawsuit against Providence Engineering and Patriot Construction for failures of the Youngswood Yard project and there were no new developments regarding. Mr. Orlando moved the following resolution, which was seconded by Mr. Cornes and carried unanimously.

RESOLUTION

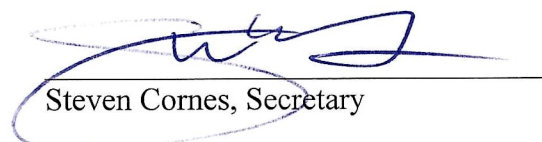
BE IT RESOLVED that Bourgeois Law, LLC be hereby and is hereby authorized and directed to prepare and file on behalf of the Morgan City Harbor and Terminal District ("District"), a petition for damages against Providence Engineering and Environmental Group, LLC (f/k/a Providence Engineering and Design, LLC and a/k/a GSE, LLC.) and Patriot Construction and Industrial, LLC and/or its and their related entities for damage caused to one of the Morgan City Harbor and Terminal District's properties in Morgan City, La.

BE IT FURTHER RESOLVED that Raymond M. Wade as Executive Director, be and is hereby authorized and directed to do any and all acts and things on behalf and in the name of the District that he deems necessary, proper, or that may be required to carry out to accomplish the intent of the transaction.

(iii) he received Right of Entries from the Corps and will bring up next month; (iv) Phase I for the Hillman property was received and we have scheduled the closing for Wednesday; and T. Baker Smith is working on a necessary survey before the related H&B property purchase; and (v) we will be submitting a capital outlay application for Berwick Bay dredge disposal assistance, including purchase of pipe and booster pump prior to the November 1st deadline.

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

Attest:


Steven Cornes, Secretary