

OFFICIAL PROCEEDINGS
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT
REGULAR MONTHLY MEETING – August 13, 2019

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, August 13, 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 Suresh Shah and Jens Nielsen, Jr., All South Consulting; Ms. Deborah Keller, D.D.Keller & Partners; Mr. Mark Melancon, Intelligent Transportation Systems; Mr. Jim Simmons, N-Y & Associates; Mr. Ray Lauga, RLI; Ms. Ashley Coker and Mr. James Garner, Sher Garner and Mr. Joseph DiFatta, St. Bernard Sheriff's Office.

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. Bergeron, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on July 9, 2019.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the Seventh Amendment to the Associated Terminals of St. Bernard LLC Master Lease adding Berth 2 located at the Violet Terminal, rent adjusted as stipulated in the amendment.

On motion of Mr. Aisola, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved Change Order No. 1 for Trac-Works, Inc. relating to the Arabi Terminal Railroad Repairs project. An overrun of \$6,622.00 and addition of 15 contract days.

President Ballard recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales discussed the Operating and Capital Budgets, Professional Services Summary, 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 discussed the Port Security Grant Program Award for the Paris Road property, contracts with D.D.Keller & Partners and Lou Love relating to the Reconstruction of the Chalmette Slip project, Ports Association of Louisiana's September meeting being hosted by the St. Bernard Port and the Board and Commissions General Civil Law Training Sessions. 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 Ballard thanked Mr. Heaphy for his report.

On motion of Mr. Aisola, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to Advertise for Bids for the Warehouse 1 Re-sheeting project.

On motion of Ms. Nunez, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved to take from the table Agenda Item #12 of the July 9, 2019 Board Meeting: Approval to re-bid the Renovation of Emergency Equipment and Operations Building project.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board voted four (4) Nays to Approval to re-bid the Renovations of Emergency Equipment and Operations Building project, motion failed.

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 Advertise for Bids for the Renovation of Emergency Equipment and Operation Building; Phase 1- Demolition and Material Mitigation at the Chalmette Terminal.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the following resolution authorizing the Executive Director to sign and approve all documents relating to the Intergovernmental Replacement Agreement between DOTD and the Port relating to the 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 replacement 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

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 Heaphy, Executive Director to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Drew 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 Mr. Bergeron, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved the following resolution for the System Survey and Compliance Questionnaire required by the Legislative Auditors;

RESOLUTION

WHEREAS, it is a requirement of the Legislative Auditor of the State of Louisiana that the book of the St. Bernard Port, Harbor and Terminal District be audited annually, and

WHEREAS, as a required part of the audit, a System Survey and Compliance Questionnaire is to be completed by the administrative staff, and

WHEREAS, this questionnaire when completed must be adopted by the governing body of the District,

NOW, THEREFORE BE IT RESOLVED, that the St. Bernard Port, Harbor and Terminal District move to adopt the Systems Survey and Compliance Questionnaire and present it and a copy of this resolution to our auditors.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas:	4
Nays:	0
Absent:	1
Abstaining:	0

The resolution was declared to be adopted on this 13th day of August, 2019.

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

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved to convene Executive Session at 12:30 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port, 34th Judicial District Court, Case #116-860 and United States District Court Case #2:19-cv-11586-ILRL-DMD.

On motion of Ms. Nunez, seconded by Mr. Bergeron, the Board unanimously approved to reconvene Regular Session at 12:51 p.m.

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

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

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

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