PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**January 8, 2018**

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 January 8, 2018 at 5:00 p.m. Duane Lodrigue, President, convened the meeting with Commissioners, Gary Duhon, Thomas Ackel, Joseph Cain, Tim Matthews, Sr. and Lee Dragna in attendance. Deborah Garber, Ben Adams and Adam Mayon were absent. Also present at the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois and Jennifer Reasoner, Board Attorneys; Commander Heather Mattern, United States Coast Guard (“USCG”); Clay Breaud, GSE/Providence Engineering; Councilman Tamporella, City of Morgan City; Mike Lowe and Brenton Jenkins, GIS; Bill Hidalgo and Roger Beaudean representing Brice Civil Constructors; Craig Noel, American Integration Contractors; John Chautin, Congressman Higgin’s office; Parish President David Hanagriff, along with members of the media and general public.

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

It was moved by Mr. Dragna and seconded by Mr. Cain that the minutes of the Regular Meeting of December 11, 2017 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Ackel that the report of receipts and disbursements for the month of December 2017 be received and accepted and that all invoices presented to the Board for the month of December 2017 be paid. Mr. Matthews seconded that motion, which carried unanimously.

Commander Mattern reported no new issues on the water, but due to their computer system being shut down she will have to send the VTS transit numbers at a later time.

Tim Connell reported via telephone conference that: (i) the Dredge *Borinquen* has 12 more working days in the sand plug at Mile Marker (MM) 151-148 but is again broken down; (ii) we did receive an additional $2 million from the Continuing Resolution (CR) 2018 funding and will move up to MM142 for shoaling and MM144 for sand; (iii) the technical analysis of the BRICE proposal is complete and they are moving forward contractually to get an agitation dredge to work in the Bar Channel, with a target contract date at the end of March or beginning of April.

John Chautin of Congressman Higgins’ office reported that the Congressman wanted to reassure the Board that he is not forgetting about the Port and understands that we are taking on everyone else’s silt and sediment. He hopes to give us good news on funding sooner rather than later.

Craig Noel of American Integration Contractors reported to the board that an update on the Video System installation, Special Systems installation and Emergency Radio Cabling installation. He also noted that the Port of Morgan City Regional Collaboration Network (PMCRCN) was a national finalist in the SSI Integrated Installation of the Year award.

Clay Breaud has received three quotes for the repairs and modifications to the heating and cooling system at 800 Youngs Road building, with the last one being received as late as Friday afternoon, ranging from the lowest being $79,000 and highest $126,000. As a result, he and Mac will review the problem again, rank priorities and report back to the Board with recommendations.

Mike Lowe reported that they will be meeting with Secretary Harris of DNR on January 11th, requesting an exemption from the State’s beneficial use requirements; which has been given to the Corps.

Cindy Cutrera reported that: (i) she and/or Mac participated in several meetings including One Acadiana Transportation Infrastructure Committee meeting panel, CPRA meeting, AVOCA and Corps meeting about beneficial use on AVOCA, conference call with General Kaiser in response to Mac’s response to the MRC low water hearing letter. (ii) We received a report on tonnage late Friday, which was prepared back in 2017 but never sent to us, showing our tonnage has dropped significantly because of a number of factors, including lack of funding for dredging. We will have comments to go back to the General and Charles Brittingham suggested another conference call with the General to discuss the findings. (iii) We have begun implementing the procedural changes recommended by the auditors and thanked Mrs. Garber for taking on additional tasks to further segregate accounting duties.

Mr. Dragna noted that a discussion was held at last month’s meeting about Port funding being contributed to the Corps, which he was told was voted on by the Board. Mr. Bourgeois noted that because of the numerous discussions about this funding, he believed it was voted on but after the meeting realized it had not come to a vote. Mr. Dragna reiterated that we are all here for the same purpose as everyone else, to have the River dredged and maintained so that industry can return to the area and the Port has made leaps and bounds in the right direction.

Jennifer Reasoner presented: (i) Baker Hughes Point lease and related renewal of sublease with Santos family. Baker Hughes requested that we authorize the continuance of this lease through May, 2018 and that Baker Hughes was trying to get options to extend all the sublease through 2041. Mr. Duhon moved to authorize Mr. Lodrigue to execute said lease, which was seconded by Mr. Dragna and carried unanimously.

**RESOLUTION**

BE IT RESOLVED by the Morgan City Harbor and Terminal District (“District”), the governing authority of said District, that Duane E. Lodrigue, President, and/or Raymond M. Wade, Executive Director; be and are hereby authorized, individually, to sign an act entitled “Second Amendment to Contract of Lease” between Santos Holdings, L.L.C.(successor in interest to Virgilio Santos, et al), and the Morgan City Harbor and Terminal District amending the eleventh term of the lease with Santos Holdings, L.L.C. to end on May 31, 2018 instead of May 31, 2021, which amendment shall be accepted by Baker Hughes Oilfield Operations, Inc. and on such other terms as provided therein. Duane E. Lodrigue is hereby authorized and empowered to do all such others things as may be necessary in the premises, pertaining to said amendment of contract of lease with the Santos Holdings, L.L.C.

(ii) Contract renewal with Bean Consulting, L.L.C. on same general terms, which expired at the end of December. Mr. Dragna moved to authorize Mr. Lodrigue to execute said contract, which was seconded by Mr. Cain 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 BEAN CONSULTING, L.L.C. in connection with various matters related to the evaluation of options for better managing of the Atchafalaya River Channel with an emphasis on the use of navigable depth for the District.

BE IT RESOLVED, that the President, Duane E. Lodrigue, be and is hereby authorized and directed to execute on behalf of the District, a consulting agreement with BEAN CONSULTING, 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.

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

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Thomas Ackel, Secretary