

**PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS  
REGULAR MEETING - TUESDAY, JANUARY 21, 2014  
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 Mark Dore', Board President, at the Port of Iberia Administrative Office, on Tuesday, January 21, 2014, at 5:30 P.M.

In attendance were Commissioners Mark Dore', Board President, Danny J. David, Sr., Secretary-Treasurer, Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Commissioners Mike Resweber, Vice-President and Frank Minvielle were absent.

Also present were Roy Pontiff, Executive Director, Joanna Durke, Administrative Assistant, Holly Breaux, Secretary-Bookkeeper, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Millie Martinez recited the opening prayer and the Pledge of Allegiance.

**I. APPROVAL OF MINUTES**

On a motion by Commissioner Larry Rader, seconded by Commissioner Millie Martinez, the Commission approved the minutes of the Regular meeting held on Tuesday, December 17, 2013.

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the motion was therefore passed on this the 21st day of January 2014.**

**II. PRESENTATION OF APPRECIATION PLAQUE TO 2013 BOARD PRESIDENT COMMISSIONER GENE L. JEFFERIES.**

Commissioner Mark Dore', newly elected Board President for the year 2014, recognized and presented on behalf of the Board, an appreciation plaque to Commissioner Gene L. Jefferies, 2013 Board President.

**III. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:**

- (a) Budget Summary for Six (6) Months Ending December, 2013.**
- (b) Listing of Tenant Lease Billings.**
- (c) Listing of Boat Stall Lease Billings.**
- (d) Approve Payment of Bills & Checks Issued During Interim Period.**
- (e) Computer Summary of Lease Agreement Activity Sheet**
- (f) Status of Invoices Report.**

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Danny J. David, Sr., to approve and authorize the payment of bills for January, 2014, and ratify those paid during the interim period.

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the motion was therefore passed on this the 21st day of January 2014.**

**IV. REPORT FROM MR. MARK ROMERO, BROWN & BROWN OF LOUISIANA, INC., ON:**

**POI'S ANNUAL RENEWAL (APRIL 1, 2014) OF PORT INSURANCE POLICIES (PROPERTY, BOILER & MACHINERY, PROTECTION & INDEMNITY, GENERAL LIABILITY, WORKERS' COMPENSATION, PUBLIC OFFICIALS LIABILITY & EMPLOYMENT PRACTICES LIABILITY, SURETY BOND, & FLOOD) FOR 2014-2015.**

Mr. Mark Romero, Brown & Brown of Louisiana, addressed the Board regarding the Port of Iberia District's Annual Insurance Policy Renewals effective April 1, 2014. Mr. Romero presented to the Board and discussed the Renewal Indication/Market Summary for the period April 1, 2014 thru April 1, 2015. It appears that the rate projections seem to be fairly consistent; however, the uncertainty lies with the Flood Insurance. There will be a limited amount of policies that will be subject to the 25% maximum increase. Based on the flood rates that are determined by the NFIP, there is a possibility that the POI could realize a \$4,500.00 difference in flood premiums.

Mr. Romero indicated that he has been working with the Executive Director and Mr. Gerald Gesser in evaluating Port properties. Based on the assessments made, it will be necessary to make some adjustments. The adjustments will provide limits that will help in the event of a loss in order to maintain FEMA's commitment regarding penalties, as it relates to a hurricane peril.

Mr. Romero will present firm proposals to the Board at their February regular Board meeting.



**V. DISCUSS/CONSIDER FIRST AMENDMENT OF LEASE AGREEMENT BETWEEN LEBLANC MARINE, LLC AND THE PORT OF IBERIA DISTRICT REGARDING TRACT "N" (5.25 Acres Located on the Newly Developed Port Millennium Expansion Phase II Property Site) to ADJUST THE FINAL ACREAGE AND RENTAL CALCULATION & AUTHORIZE THE BOARD PRESIDENT TO EXECUTE THE FIRST AMENDMENT OF LEASE AGREEMENT.**

The Executive Director reported that LeBlanc Marine, LLC currently has a Lease Agreement with the Port of Iberia District on Tract "N" (5.25 acres) located on the Newly developed Millennium Expansion Phase II Property Site, in an effort to expand his existing operations located adjacent to the Millennium Expansion Phase II Property Site.

The Executive Director indicated that in his ongoing negotiations with Danos, a request was made for additional property to expand the Companies' operations. Mr. Ben LeBlanc, LeBlanc Marine, LLC is willing to divide Tract "N" from 11.36 acres to 5.25 acres to accommodate the adjacent tenant Danos. Tract "N-1" would be comprised of 6.11 acres, and Danos would have the ability to utilize the property for its operations.

The Executive Director stated that the First Amendment of Lease Agreement would apply only and be contingent upon successful negotiations with Danos for Tracts "P, Q, & O".

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, to approve and authorize a First Amendment of Lease Agreement between LeBlanc Marine LLC and the Port of Iberia District regarding Tract "N" (5.25 Acres Located on the Newly Developed Port Millennium Expansion Phase II Property Site) to adjust the final acreage and rental calculation and motion further authorizes the Board President to execute the First Amendment of Lease Agreement.**

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the motion was therefore passed on this the 21st day of January 2014.**

**VI. DISCUSS/CONSIDER THE FOLLOWING REGARDING THE PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS CREATING AN ECONOMIC DEVELOPMENT CORPORATION (EDC) THAT ADDITIONALLY QUALIFIES AS A PUBLIC BENEFIT CORPORATION (PBC):**

The Executive Director reported that as a result of the ongoing negotiations with Danos, to possibly locate its company operations to the Port of Iberia District, the Board previously approved at its December 17, 2013 regular Board meeting the creation of an

Economic Development Corporation (EDC) that additionally qualifies as a Public Benefit Corporation (PBC). In addition, at said meeting, the Board approved the following three (3) individuals to serve as members of the Economic Development Corporation: Roy A. Pontiff, Mike Tarantino, and Larry Hensgens. As a result, various Resolutions are being presented for adoption regarding same.

- {1} Resolution Declaring the need for an Economic Development Corporation (EDC) Within the Boundaries of the Port of Iberia District Pursuant to the Louisiana Cooperative Economic Development Law; Accepting the Application of the Port of Iberia Economic Development Corporation; Providing for the Publication of a Notice of Public Hearing; and Otherwise Providing with Respect Thereto.**

The following resolution was offered by Commissioner Millie Martinez and seconded by Commissioner Gene L. Jefferies:

**RESOLUTION**

**A RESOLUTION DECLARING THE NEED FOR AN ECONOMIC DEVELOPMENT CORPORATION WITHIN THE BOUNDARIES OF THE PORT OF IBERIA PURSUANT TO THE LOUISIANA COOPERATIVE ECONOMIC DEVELOPMENT LAW; ACCEPTING THE APPLICATION OF PORT OF IBERIA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, there is a need for economic development within the boundaries of the Port of Iberia District, State of Louisiana (the "*Port*");

**WHEREAS**, Chapter 27, Part I of Title 33 of the Louisiana Revised Statutes of 1950, as amended, (the "*Act*") allows the creation and organization of nonprofit economic development corporations;

**WHEREAS**, the Port desires to accept the application for the proposed Port of Iberia Economic Development Corporation and to set a public hearing on the approval of such corporation.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Port of Iberia District, State of Louisiana, acting as governing authority of said Port, that:

**SECTION 1.** The application for the proposed Port of Iberia Economic Development Corporation is hereby accepted.



**SECTION 2.** A public hearing on the approval of the creation of the Port of Iberia Economic Development Corporation is hereby set for Tuesday, February 25, 2014 at 5:30 P.M. at 4611 South Lewis Street, New Iberia, Louisiana or such other date as may be established by the Executive Director of the Port in order to comply with the provisions of the Act. Based on the results of such hearing, the Port reserves the right to amend the application.

**SECTION 3.** A notice of public hearing in the form of Exhibit A attached hereto shall be published in one issue of *The Daily Iberian* at least ten (10) days prior to the public hearing.

**SECTION 4.** This resolution will take effect immediately following adoption.

The resolution having been submitted to a vote, the vote thereon was as follows:  
Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the Resolution was declared ADOPTED on the 21st day of January, 2014.

**{2} Resolution Giving Notice of the Intention of the Port of Iberia District to Enter into a Lease Agreement by and between the Port of Iberia District and the Port of Iberia Economic Development Corporation; Authorizing Publication of a Notice of Intention to Enter said Lease Agreement; Calling a Public Hearing Regarding said Lease; and Otherwise Providing for Other Matters with Respect Thereto.**

The Executive Director indicated that this Resolution is needed as it relates to the ongoing negotiations with Danos regarding Tracts N-1, O, P, & Q (totaling 39.74 acres).

On the motion of Commissioner Larry Rader seconded by Danny J. David, Sr., the following resolution was adopted:

#### **RESOLUTION**

**A RESOLUTION GIVING NOTICE OF THE INTENTION OF THE PORT OF IBERIA DISTRICT TO ENTER INTO A LEASE AGREEMENT BY AND BETWEEN THE PORT OF IBERIA DISTRICT AND THE PORT OF IBERIA ECONOMIC DEVELOPMENT CORPORATION; AUTHORIZING PUBLICATION OF A NOTICE OF INTENTION TO ENTER SAID LEASE AGREEMENT; CALLING A PUBLIC HEARING REGARDING SAID LEASE; AND OTHERWISE PROVIDING FOR OTHER MATTERS WITH RESPECT THERETO.**

**WHEREAS**, the Board of Commissioners (the "*Board*") of the Port of Iberia District (the "*Port*"), intends to establish the Port of Iberia Economic Development Corporation (the "*Corporation*"), by a resolution to be adopted by the Board on February 25, 2014 (the "*Creation Ordinance*") as an economic development corporation under and pursuant to the provisions of Chapter 27, Part I of Title 33 and Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950, as amended (the "*Act*"), and other constitutional and statutory authority;

**WHEREAS**, Danos & Curole Marine Contractors, L.L.C., ("*Danos*") is a limited liability company organized and existing under the laws of the State of Louisiana;

**WHEREAS**, pursuant to a Cooperative Endeavor Agreement (the "*CEA*") dated January 16, 2014 by and between the Port, the Corporation, Iberia Industrial Development Foundation, and Danos, the Board desires to approve and authorize the execution of a lease agreement (the "*Lease*") leasing the Property O, Property P, Property Q, and Property N-1 (collectively, the "*Property*") to the Corporation for a period of twenty (20) years beginning March 1, 2014, and ending February 28, 2034 for the sum of Twenty Thousand Six Hundred Twenty Nine Dollars and 81/100 (\$20,629.81) annually; which will subsequently sublease the same to Danos to be used for the acquisition, construction, reconstruction, improvement, and equipping of a manufacturing facility on the Property (the "*Project*");

**WHEREAS**, in accordance with La. R.S. 33:4717.2, the Port desires to authorize the publication of notice of its intention to transfer property once a week for two consecutive weeks in *The Daily Iberian*, the official journal of the Port, within the time delays specified by the statute;

**WHEREAS**, in accordance with La. R.S. 33:4717.2, the Lease is on file for public inspection in the office of the Port of Iberia District Offices at 4611 South Lewis Street, New Iberia, Louisiana 70560 during the office's normal business hours;

**WHEREAS**, in accordance with La. R.S. 33:4717.2, the Port desires to set a time for which objections by the public to the contemplated Lease may be made.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Port of Iberia District, State of Louisiana, acting as governing authority of said Port, that:

**SECTION 1.** The foregoing preamble clauses are hereby adopted as set forth in the preamble to this Resolution.

**SECTION 2.** Pursuant to La. R.S. 33:4717.2, the Board hereby gives notice of its intention to enter the Lease by and between the Port and the Corporation, the form of



which is set forth more fully in Exhibit A attached hereto and hereby incorporated in and made a part of this Resolution.

**SECTION 3.** The Board hereby calls for a public hearing on Tuesday, February 25, 2014 at the Port Offices at 4611 South Lewis Street, New Iberia, Louisiana 70560 at Five Thirty O'Clock (5:30) P.M., at which hearing the Port will hear any objections to the proposed Lease.

**SECTION 4.** The Board hereby authorizes the notice of the intent of the Port to enter the Lease and of the public hearing, in substantially the form attached hereto as Exhibit B, shall be published twice in *The Daily Iberian*, the official journal for the Port, on Monday February 3, 2014 and Monday, February 10, 2014 in accordance with La. R.S. 33:4717.2.

**SECTION 5.** The Board Chairman is authorized and empowered to take any and all further action and to sign any and all documents, instruments and writings as may be necessary to carry out the purposes of this resolution and to file, on behalf of the Port, with any governmental board or entity having jurisdiction over the Project, such applications or requests for approval thereof as may be required by law and to do any and all things necessary and incidental to carry out the provisions of this Resolution.

**SECTION 6.** This Resolution does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the Resolution was declared ADOPTED on the 21st day of January, 2014.**

**{3} Resolution Approving the Forms of and Authorizing the Execution and Delivery of a Cooperative Endeavor Agreement by and between the Port of Iberia District, the Port of Iberia Economic Development Corporation, Iberia Industrial Development Foundation, and Danos & Curole Marine Contractors, LLC, its Affiliates, Subsidiaries, and other Related Entities; and Otherwise Providing for Other Matters with Respect Thereto.**

The Executive Director indicated that this Resolution is necessary with regards to the ongoing negotiations as it relates to the POI, POI Economic Development Corporation, IDF, and Danos & Curole Marine Contractors, LLC. The documentation/forms outlines the responsibilities of each of the aforementioned parties as it relates to the development of the Millennium Expansion Phase II Property site, and the investment Danos will make if the lease negotiations are successful.

On the motion of Commissioner Danny J. David, Sr., seconded by Commissioner Millie Martinez, the following resolution was adopted:

**A RESOLUTION APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A COOPERATIVE ENDEAVOR AGREEMENT BY AND BETWEEN THE PORT OF IBERIA DISTRICT, THE PORT OF IBERIA ECONOMIC DEVELOPMENT CORPORATION, IBERIA INDUSTRIAL DEVELOPMENT FOUNDATION, AND DANOS & CUROLE MARINE CONTRACTORS, LLC, ITS AFFILIATES, SUBSIDIARIES, AND OTHER RELATED ENTITIES; AND OTHERWISE PROVIDING FOR OTHER MATTERS WITH RESPECT THERETO.**

**WHEREAS**, the Board of Commissioners of the Port of Iberia District (the "*Port*"), intends to create the Port of Iberia Economic Development Corporation (the "*Corporation*"), by a resolution to be adopted by the Port on February 25, 2014 (the "*Creation Ordinance*") as an economic development corporation under and pursuant to the provisions of Chapter 27 , Part I of Title 33 and Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950, as amended (the "*Act*"), and other constitutional and statutory authority;

**WHEREAS**, Danos & Curole Marine Contractors, L.L.C., ("*Danos*") is a limited liability company organized and existing under the laws of the State of Louisiana;

**WHEREAS**, the Port desires to lease Property O, Property P, Property Q, and Property N-1 to the Corporation (collectively, the "*Property*");

**WHEREAS**, the Corporation desires to enter a lease agreement ("*Lease*") leasing the Property from the Port and to subsequently execute a sublease ("*Sublease*") subleasing the same to Danos to be used for the acquisition, construction, reconstruction, improvement, and equipping of a manufacturing facility on the Property (the "*Project*");

**WHEREAS**, the Port has determined that this Project serves a public purpose, within the meaning of the Constitution, and the Act, and will result in significant economic benefits to the Port, including construction jobs, increased permanent employment, and other ancillary financial and economic development benefits, detailed more fully in Exhibit A, attached hereto;

**WHEREAS**, this Project will provide further intangible benefits to the Port and the surrounding areas in addition to those enumerated herein;

**WHEREAS**, to facilitate the Project and induce the parties to enter into the Cooperative Endeavor Agreement (the "*Agreement*"), Iberia Industrial Development



Foundation ("IDF") desires to provide an ombudsman for the purpose of employee acclimation for the term of one (1) year;

**WHEREAS**, to further induce Danos to locate the manufacturing Project in the Port, the Port desires to appropriate \$600,000.00 of the donation from Iberia Economic Development District I to be used for the development of infrastructure and payment of other expenses related to the Project;

**WHEREAS**, to induce Danos to locate the Project on the Property and thereby facilitate the implementation of the economic development plan established by the Corporation and thereby receive significant economic benefits within the Port's jurisdiction, including construction jobs, increased permanent employment, and other ancillary financial and economic development benefits, the Port desires to enter into the Agreement by and among IDF, the Port, the Corporation, and Danos, in accordance with Section 14(C) of Article VII of the Louisiana Constitution of 1974, as amended, and the Act.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Port of Iberia District, acting as governing authority of said Port, that:

**SECTION 1.** The foregoing preamble clauses are hereby adopted as set forth in the preamble to this Resolution.

**SECTION 2.** The Board hereby authorizes the execution and delivery of the Agreement, the form of which is attached hereto as Exhibit B, with such additions, omissions, or changes as may be recommended by legal counsel to the Port.

**SECTION 3.** The Board hereby authorizes its President to execute the Agreement.

**SECTION 4.** The President of the Board is hereby authorized to do any and all things necessary and incidental to carry out the provisions of this Resolution.

**SECTION 5.** This Resolution does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the Resolution was declared ADOPTED on the 21st day of January, 2014.**

VII. REPORT FROM MR. O'NEIL MALBROUGH & MR. GLENN LEDET, SHAW COASTAL, INC., ON:

(a) LA DOTD Port Construction & Development Priority Program:  
State Project Number 578-23-0018/H.009021(321) Port-Site Bulkhead Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design Project (Public Property).

{1} Status of Dynamic Site Bulkheads 3, 4, and 4A and Chart Energy & Chemical Bulkhead 2.

Mr. O'Neil Malbrough presented a Power Point Presentation on the construction status of the Port-Site Bulkhead Relocation Project Phase IIA Bulkheads 2 thru 4a. The Steel Pipe Fender System on Bulkhead 2 is ready for installation; however, the estimated completion will be based on Chart Energy & Chemical and the POI coordinating the work. With regard to Bulkhead 4a located at the Dynamic Site, all 88 helical anchors have been installed and anchor testing is ongoing. The helical tie-back extension and structural steel installation is also ongoing. Backfilling and compaction and fender system installation are scheduled to begin within the next few weeks.

{2} Discuss/Consider Alternatives for Chart Energy & Chemical Bulkhead 2 Fender System.

Mr. Malbrough presented three (3) options as alternatives to pursue with regards to Chart Energy & Chemical Bulkhead 2 Fender System. As previously discussed, the existing fender system is a timber system. The new proposed fender system is a steel system. The steel fender system is structurally superior to the existing fender system and this system has been constructed and used in multiple Port facilities such as Port Fourchon. Chart has expressed concern with regards to the design of the proposed steel fender system. Chart's current loadout method is "end-loading" the barge. This could conflict with the proposed steel fender design system. Discussion ensued with regards to the options presented. It was the consensus that Option 2 would preferably be the most feasible alternative. Option 2 entails altering the current proposed design and adding vertical steel beams or pipe between the upper and lower fenders. This design would be similar to the intent of the existing timber fender system at Chart's facility. Option 2 would require the POI to provide additional design work and an additive change order to the construction contract for the Bulkhead Relocation Project. Coastal Bridge, LLC (construction contractor) has already provided a proposed additional cost of \$52,691.93 for the alternative design. Lengthy discussion ensued.

**A motion was made by Commissioner Larry Rader, seconded by Commissioner Danny J. David, Sr., to approve Option 2 as the alternative presented in Mr. Glenn Ledet's email dated January 16, 2014 regarding the Chart Energy & Chemical Bulkhead 2 Fender System; which said Option entails altering the current proposed design and adding vertical steel beams or pipe between the upper and lower fenders; and motion further stipulates that Option 2 will require the POI to provide additional design work and an additive change order to the construction contract for the Bulkhead Relocation Project; and furthermore acknowledges that**



Coastal Bridge, LLC (construction contractor) has already provided a proposed additional cost of \$52,691.93 for the alternative design.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

**{3} Discuss/Approve Contractor's Application for Pmt. No. 7.**

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Millie Martinez, to approve and authorize Contractor's Application for Payment Number 7 in the amount of \$1,096,886.76, to Coastal Bridge Company, LLC for the period December 1, 2013 thru December 31, 2013 in accordance with the Contract dated February 6, 2013, regarding the LA DOTD Port Construction & Development Priority Program: State Project Number 578-23-0018/h.009021(321) Port-Site Bulkhead Relocation Phase II A- Bulkheads 2 thru 4a(for the AGMAC Bulkhead Relocation & Design Project (Public Property)); and motion further stipulates that the Payment Request be forwarded to the LA Department of Transportation & Development for review and approval.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

**{4} Discuss/Approve CB&I Invoice.**

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, to approve and authorize payment of Invoice Number 1649164-R8-00541 in the amount of \$5,462.50, to Shaw Coastal, Inc., for the period November 29, 2013 thru December 27, 2013 (reimbursable to POI by DOTD), regarding the AGMAC Bulkhead Relocation Project Phase IIA (for engineering during construction and resident project representation on Bulkheads 2,3,4,&4A) in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 18 dated December 20, 2011.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

**(b) LA DOTD Port Construction & Development Priority Program:  
State Project Number 578-23-0018/H.009021(322) Port-Site Bulkhead  
Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design  
Project (Public Property).**

**{1} Update on the Advertisement for Bids for the Public Bulkheads  
(#12 POI Public Dock) and the Engineer's Certificate Project is  
Ready to Advertise.**

Mr. Malbrough reported that recently CB&I met with the Port tenants All Points Equipment and Central Gulf, to review the Project and the Consent to Construction and Right of Entry Agreements. The draft electronic versions have been sent to the tenants as well, and CB&I are awaiting any comments or questions, etcetera.

**{2} Discuss/Approve CB&I Invoice.**

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Danny J. David, Sr., to approve and authorize payment of Invoice Number 779144-R8-00501 in the amount of \$5,961.50, to Shaw Coastal, Inc., for the period December 1, 2013 thru December 27, 2013 (Design of Bulkhead 12 - Public Dock)(100% reimbursable to POI by DOTD), regarding AGMAC Project Management in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 11 (Project Management) dated December 18, 2012.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

**(c) Report on Port Millennium Expansion Phase II Project.**

**{1} Status of Project: Punch List Items and Clear Lien Certificate.**

Mr. Malbrough reported that the 45 day lien period expired on January 4, 2014, and a Clear Lien Certificate has been acquired by the contractor Beverly Construction. The only outstanding work is approximately six (6) remaining items to be completed on the Punch List. This is scheduled to be finished within 2-3 weeks, and the final project acceptance and final pay application (retainage) will be addressed at the February regular Board meeting. The final CB&I invoice will also be presented at that time.

The Executive Director asked Mr. Malbrough if Mr. Ledet could inspect the road "Dead End" barricades and provide a report to the Executive Director.



- {2} Update on "Letter of No Objection" Regarding Sterling Sugars L.L.C. Request to Iberia Parish Government & Iberia Parish Council Requesting the Abandonment of Carl Bauer Road (North Side of Slip C-8 Expansion).**
- {3} Update on Port of Iberia District Making a Request to the Iberia Parish Government & Iberia Parish Council to Abandon Carl Bauer Road (South Side of Slip C-8 Expansion).**

Mr. Malbrough reported that the abandonment of Carl Bauer Road has been advertised in The Daily Iberian, and Iberia Parish Council is to take up the matter at their January 22, 2014 Council meeting. The Executive Director spoke to the Planning and Zoning Director and there were no issues from the Public Notice period which expired on January 16, 2014.

**(d) Status of the AGMAC Project.**

Mr. Malbrough reported that the Conference Committee staff members are working on developing language from the U.S. House and Senate Chairmen regarding the AGMAC Project. The Executive Director is planning to travel to Washington, DC in the near future to meet with our U.S. Delegation. The Executive Director indicated that it is essential to have language in the Conference Bill.

**VIII. EXPANSION OF AGENDA**

**A motion was made by Commissioner Millie Martinez, seconded by Commissioner Larry Rader to expand the Port of Iberia District Board of Commissioners regular monthly Board meeting of Tuesday, January 21, 2014 to discuss/consider the hourly rate of Mr. Murphy Foster of the firm of Breazeale Sachse and Wilson to be approved by the Attorney General, as provided by law, with Mr. Foster acting as special "Co-Counsel" on behalf of the Port of Iberia District Board of Commissioners to assist and represent the Port regarding Coastal Bridge Company, LLC and the construction of: Port-Site Bulkhead Relocations Phase II-A, Bulkheads 2 thru 4a (Phase I of State Project No. 578-23-0018/H.009021) Project.**

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

**Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.**

**Nays: None.**

**Absent at Voting: Mike Resweber and Frank Minvielle.**

**And the motion was therefore passed on this the 21st day of January 2014.**

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader to adopt the following:**

**RESOLUTION  
PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS**

A meeting of the Board of Commissioners of the **PORT OF IBERIA DISTRICT** was held on the 21st day of January, 2014 at New Iberia, Louisiana.

Upon motion duly made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, and approved unanimously by the Board, the following resolution was adopted:

WHEREAS, the PORT OF IBERIA ("PORT") has contracted with COASTAL BRIDGE CO. L.L.C. for the construction of: PORT-SITE BULKHEAD RELOCATIONS PHASE II-A, BULKHEADS 2 THRU 4a (PHASE I OF STATE PROJECT NO. 578-23-0018/H.009021) ("The PROJECT") on July 11, 2012; and,

WHEREAS, in the course of the construction of the project, a dispute has arisen concerning the ability of the contractor to perform certain portions of the work due to high water, leading the contractor to submit requests for additional payments, however, the PORT's engineer maintains that the requests for additional payment are not justified or appropriate; and,

WHEREAS, the contractor has advised that it intends to pursue its claims for additional compensation if the PORT does not approve its requested change orders, and the PORT believes that it may result in litigation concerning such claims; and,

WHEREAS, the Port of Iberia District's Port Attorney, Raymond E. Allain, had recommended that the PORT retain an attorney and law firm which have knowledge and experience in construction law to represent the PORT in the case;

WHEREAS, at the Regular Monthly Board Meeting held on Tuesday, December 17, 2013, the Port of Iberia District Board of Commissioners authorized the engagement of special "Co-Counsel" on behalf of the Port of Iberia District Board of Commissioners to assist and represent the PORT in the matter and specifically, Murphy Foster of the firm of Breazeale Sachse and Wilson at a rate per hour to be approved by the Attorney General, as provided by law;

NOW THEREFORE, be it resolved that the Port of Iberia District Board of Commissioners does hereby authorize the rate of \$225.00 per hour for legal services to be provided by Mr. Murphy Foster of the firm Breazeale Sachse and Wilson, to assist and represent the Port in the aforementioned matter, as approved by the Attorney General, as provided by law.

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



**Yeas:** Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

**Nays:** None.

**Absent at Voting:** Mike Resweber and Frank Minvielle.

And the Resolution was declared ADOPTED on the 21st day of January, 2014.

**IX. REPORT FROM EXECUTIVE DIRECTOR ON:**

- (a) **Discuss/Consider First Amendment of Lease Agreement Between LBC Port, LLC & the Port of Iberia District Regarding Tract "K" (15.61 acres), Tract "L" (14.37 acres), and Tract "M" (18.77 acres) Located on the POI Millennium Expansion Phase II Property Site, to Adjust the Final Acreage and Rental Calculation & Authorize the Board President to Execute the First Amendment of Lease Agreement.**

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Millie Martinez, to approve and authorize the Board President to execute a First Amendment of Lease Agreement between LBC Port, LLC & the Port of Iberia District regarding Tract "K" (15.61 acres), Tract "L" (14.37 acres), and Tract "M" (18.77 acres) Located on the POI Millennium Expansion Phase II Property Site, in which the First Amendment adjusts the final acreage and rent calculation accordingly.

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

**Yeas:** Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

**Nays:** None.

**Absent at Voting:** Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

- {1} **Update on the Preparation and Submission of an Application to the LA DOTD Port Construction & Development Priority Program for Assistance in the Implementation of a Port Improvement Project; for the Construction of a Fabrication Building, Bulkhead, Fencing, Concrete Apron and Access Roads.**

The Executive Director reported that the Application has been submitted to the LA DOTD Port Construction & Development Priority Program. The LA DOTD submitted questions to the POI and the POI responded. The LA DOTD is currently reviewing the Application.

- (b) **Discuss/Consider Third Amendment of Lease Agreement Between LeBlanc Marine, LLC and the Port of Iberia District Regarding Tract "A" (7.265 acres), Tract "B" (5.442 acres), Lot 3 (.986 acres), Lot 4 (.734 acres), Lot 5 (.707 acres), Lot 6 (1.352 acres) and Lot 7 (1.582 acres), at the Port of Iberia to Adjust the Final Acreage and Rental**

**Calculation & Authorize the Board President to Execute the Third Amendment of Lease Agreement.**

The Executive Director reported that negotiations are ongoing regarding the Third Amendment of Lease Agreement between LeBlanc Marine, LLC and the POI District regarding Tract "A" (7.265 acres), Tract "B" (5.442 acres), Lot 3 (.986 acres), Lot 4 (.734 acres), Lot 5 (.707 acres), Lot 6 (1.352 acres) and Lot 7 (1.582 acres), at the Port of Iberia to adjust the final acreage and rental calculation.

**(c) Update on National Oilwell Varco, L.P. First Refusal Agreement Regarding Tract "R" (2.88 acres) and Tract "S" (10.92 acres) Located on the POI Millennium Expansion Phase II Property Site.**

**\*\*\*Facility Manager's Assessment (Environmental & Financial Analysis), and Capital Appropriation Process.**

- {1} Discuss/Consider Lease Agreement Between National Oilwell Varco, L.P. and the Port of Iberia District Regarding Tract "R" (2.88 acres) and Tract "S" (10.92 acres) Located on the POI Millennium Expansion Phase II Property Site and Authorize the Board President to Execute the Lease Agreement.**
- {2} Discuss/Consider a Resolution Authorizing the Preparation and Submission of an Application to the LA DOTD Port Construction & Development Priority Program for Assistance in the Implementation of a Port Improvement Project; for the Construction of Buildings and a Bulkhead.**
- {3} Discuss/Consider Engaging PENSICO as the Project Engineer to Effect the Preparation of the Application to the LA DOTD Port Construction & Development Priority Program.**

The Executive Director reported that National Oilwell Varco, L.P. would like their Lease Agreement to include the improvements that will be constructed on the property site instead of having a Lease Agreement to lease the property and a separate Lease Agreement to construct the improvements. In this case, before a Lease Agreement can be executed, an application has to be forwarded to the LA DOTD Port Construction & Development Priority Program, and also an engineer has to be engaged to proceed with the preparation and submission of the application. The Executive Director indicated that PENSICO is willing to prepare and submit the application at no cost to the Port. The goal is to submit the Application by March 1, 2014. It is anticipated that the improvements will cost approximately \$5 - \$6 Million. The Executive Director indicated that he received a telephone call from a Geotechnical firm who would like to commence with the soil borings on the property site in an effort to determine the capacity of the soil needed for the foundation specifications, etcetera. National Oilwell Varco, L.P. will bear the cost of the work performed.

**A motion was made by Commissioner Millie Martinez, seconded by Commissioner Gene Jefferies, to approve and authorize PENSICO to effect the preparation and submission of an Application to the LA DOTD Port Construction**



& Development Priority Program for assistance in the implementation of a Port Improvement Project, for the construction of Buildings and a Bulkhead regarding National Oilwell Varco, L.P. for Tracts "R" (2.88 acres) and Tract "S" (10.92 acres), located on the POI Millennium Expansion Phase II Property Site.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

Nays: None.

Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

- (d) Status of the Repairs being Performed by Frank's Casing Crew & Rental Tools, Inc. Regarding the Damaged Power & Fiber Lines of the Port's Security Camera's Located at Frank's Casing Crew & Rental Tools, Inc.

The Executive Director had nothing to report on this Agenda item.

- (e) Announcements.

\*\*\*PAL Annual Conference - February 17-19, 2014 - New Orleans, LA.

\*\*\*Discuss/Consider Rescheduling the February 18, 2014 Reg. Board Mtg.

\*\*\*Commission Financial Disclosure.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Millie Martinez, to reschedule the Port of Iberia District Board of Commissioners regular monthly February Board meeting from Tuesday, February 18, 2014 to Tuesday, February 25, 2014 due to the PAL Annual Conference being held in New Orleans, LA.

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

Yeas: Mark Dore', Danny J. David, Sr., Larry G. Rader, Millie Martinez, and Gene L. Jefferies.

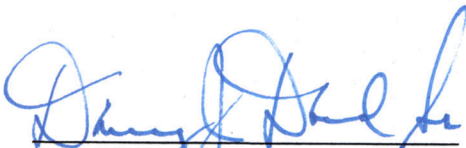
Nays: None.


Absent at Voting: Mike Resweber and Frank Minvielle.

And the motion was therefore passed on this the 21st day of January 2014.

#### X. ADJOURNMENT.

On a motion made by Commissioner Larry Rader, seconded by Commissioner Gene Jefferies, the meeting was adjourned at 6:30 p.m.

  
SECRETARY-TREASURER

  
PRESIDENT