

**BOARD OF COMMISSIONERS
REGULAR MEETING – TUESDAY, DECEMBER 19, 2017
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 Roy A. Pontiff, Board Vice-President, at the Port of Iberia Administrative Office, on Tuesday, December 19, 2017, at 5:30 P.M.

In attendance were Commissioners Roy A. Pontiff, Vice-President, Elbridge "Smitty" Smith, III, Secretary-Treasurer, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader

Commissioners Gene L. Jefferies, President and Mark Dore' were absent.

Also present were Craig F. Romero, Executive Director, Joanna D. Durke, Administrative Assistant, Tracy Domingue, Secretary-Bookkeeper and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Elbridge "Smitty" Smith, III recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES – Regular Meeting, November 21, 2017.

On a motion by Commissioner Danny J. David, Sr., seconded by Commissioner Simieon d. Theodile, the Commission approved the minutes of the Regular Meeting held on November 21, 2017.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary for Five (5) Months Ending November 2017.
- (b) Listing of Tenant Lease Billings.
- (c) Listing of Boat Stall Lease Billings.
- (d) Approve Payment of Bills & Checks Issued During Interim Period.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Elbridge "Smitty" Smith, III to approve and authorize the payment of bills for November 2017, and ratify those paid during the interim period.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

(e) Computer Summary of Lease Agreement Activity Sheet.

There was no activity to report regarding the Computer Summary of Lease Agreement Activity Sheet.

III. ELECTION OF 2018 OFFICERS – PRESIDENT, VICE-PRESIDENT, SECRETARY-TREASURER.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, to open the nominations for Board President of the Port of Iberia District Board of Commissioners for the year 2018.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Elbridge "Smitty" Smith, III, to nominate Commissioner Roy A. Pontiff, to serve as President of the Port of Iberia District Board of Commissioners for the year 2018.

There being no further nominations for President, a motion was made by Commissioner Larry Rader, seconded by Commissioner Elbridge "Smitty" Smith, III, and unanimously carried, that the nominations for President be closed, and further that Commissioner Roy A. Pontiff, be elected President of the Port of Iberia District Board of Commissioners for the year 2018 by acclamation.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Elbridge "Smitty" Smith, III, to open the nominations for Vice-President of the Port of Iberia District Board of Commissioners for the year 2018.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Simieon d. Theodile, to nominate Commissioner Elbridge "Smitty" Smith, III, to serve as Vice-President of the Port of Iberia District Board of Commissioners for the year 2018.

There being no further nominations for Vice-President, a motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, and unanimously carried, that the nominations for Vice-President be closed, and further that Commissioner Elbridge "Smitty" Smith, III, be elected Vice-President of the Port of Iberia District Board of Commissioners for the year 2018 by acclamation.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Larry G. Rader, to open the nominations for Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2018.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, to nominate Commissioner Simieon d. Theodile to serve as Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2018.

There being no further nominations for Secretary-Treasurer, a motion was made by Commissioner Larry Rader, seconded by Commissioner Danny J. David, Sr., and unanimously carried, that the nominations for Secretary-Treasurer be closed, and further that Commissioner Simieon d. Theodile, be elected Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2018 by acclamation.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

IV. MR. ROY A. PONTIFF TO ADDRESS THE BOARD REGARDING THE IBERIA PARISH LEVEE, HURRICANE, AND CONSERVATION DISTRICT.

Mr. Roy A. Pontiff stated that he was the representative for the Port of Iberia on the Iberia Parish Levee, Hurricane, and Conservation District. For the second time a proposition has been placed before the voters to request a funding source to fund the Levee District operations and eventual construction of a levee and comprehensive

drainage system. Mr. Roy Pontiff stated that the millage failed and as a result of that, the Levee Board has no dedicated funding source. With that being said, Mr. Roy Pontiff stated that there was no business they needed to conduct as a Board. At the last Levee Board meeting held on December 5, 2017, several members expressed their desire to resign from the Board. At the January 2018 meeting, the Levee Board will accept the result of the election. A final audit of the public funds will be done before the Board members resign. Mr. Roy Pontiff requested that during the Audit for the Levee Board, the Auditors will make a recommendation on how to distribute the balance of funds in the account. He is anticipating funds to be returned to the Port of Iberia. It is noted that the Levee Board will remain in place since it's a State Agency. Mr. Pontiff, however, plans to officially resign once the Audit is complete (anticipated February 2018).

V. MR. GERALD GESSER, GESSER GROUP, APC TO ADDRESS THE BOARD ON:

- (a) Former AWS Building Tract "H" (15.14 acres).
{1} Update on Project.**

A letter dated December 14, 2017 from Mr. Gerald Gesser, Gesser Group, APC regarding the former AWS Building Facility Repairs (Tract "H" 15.14 acres) was presented to the Board for review.

*****Discuss/Approve Dixie Electric, Inc. Invoices.**

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 008174 & 008175 in the amount of \$12,116.74 to Dixie Electric, Inc. for repair work to the former AWS building located on Tract "H" – 15.14 acres at the Port Millennium Expansion Phase I Property Site.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Elbridge "Smitty" Smith, III, to approve and authorize the payment of Invoice Number 008183 in the amount of \$811.50 to Dixie Electric, Inc. for repair work to the former AWS building located on Tract "H" – 15.14 acres at the Port Millennium Expansion Phase I Property Site.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore’.
And the motion was therefore passed on this the 19th day of December, 2017.

*****Discuss/Approve Ace/Gaffey Invoice.**

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 00745247 in the amount of \$1,961.21 to Ace/Gaffey for repair work to the former AWS building located on Tract “H” – 15.14 acres at the Port Millennium Expansion Phase I Property Site.

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

Yeas: Roy A. Pontiff, Elbridge “Smitty” Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore’.
And the motion was therefore passed on this the 19th day of December, 2017.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Elbridge “Smitty” Smith, III, to approve and authorize the payment of Invoice Number 00748913 in the amount of \$600.00 to Ace/Gaffey for repair work to the former AWS building located on Tract “H” – 15.14 acres at the Port Millennium Expansion Phase I Property Site; and motion further acknowledges that the repair work has been inspected and certified.

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

Yeas: Roy A. Pontiff, Elbridge “Smitty” Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore’.
And the motion was therefore passed on this the 19th day of December, 2017.

*****Discuss/Approve H.I.S. Fire & Safety Invoice.**

A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Danny J. David, Sr., to approve and authorize the payment of Invoice Number 55844 in the amount of \$1,003.00 to H.I.S. Fire & Safety for repair work to the former AWS building located on Tract “H” – 15.14 acres at the Port Millennium Expansion Phase I Property Site.

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

Yeas: Roy A. Pontiff, Elbridge “Smitty” Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore’.
And the motion was therefore passed on this the 19th day of December, 2017.

*****Discuss/Approve Gesser Group, APC Invoice.**

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 01-POI-AWS REPAIRS in the amount of \$950.00 to Gesser Group, APC for architectural services to coordinate repair work to the former AWS building located on Tract "H" – 15.14 acres at the Port Millennium Expansion Phase I Property Site.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

VI. REPORT FROM MR. JOHN CHARPENTIER, BERARD, HABETZ AND ASSOCIATES, INC., ON:

(a) Update on Intersection Improvements to the Corner of David Berard Road/Weeks Island Road.

{1} Discuss/Approve Contractor Pay App No. 4 (Retainage).

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Contractor Pay Application No. 4 (Retainage) in the amount of \$31,207.98 to Glenn Lege Construction for the Intersection Improvements to the Corner of David Berard Road/Weeks Island Road for work accomplished from June 1, 2017 thru October 31, 2017 in accordance with contract dated January 17, 2017.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

{2} Clear Lien Certificate Provided.

Mr. John Charpentier, Berard, Habetz and Associates, Inc, reported that the project is closed, and a copy of the Clear Lien Certificate was presented to the Board as well.

{3} Discuss/Approve Berard, Habetz, & Associates, Inc. Invoice.

A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Danny J. David, Sr., to approve and authorize the payment of Invoice Number 217505 in the amount of \$150.00 to Berard, Habetz & Associates,

Inc. for additional services rendered from October 23, 2017 thru November 5, 2017 regarding Intersection Improvements to the Corner of David J. Berard Road/Weeks Island Road; in accordance with the contract dated July 19, 2016.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

(b) Master Services Agreement – Professional Services Rendered – Slip C-14 Extension.

{1} Discuss/Approve Berard, Habetz, & Associates, Inc. Invoice.

A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Danny J. David, Sr., to approve and authorize the payment of Invoice Number 217515 in the amount of \$635.00 to Berard, Habetz & Associates, Inc. for Professional services rendered from October 23, 2017 thru October 29, 2017; in accordance w/ "Master Services Agreement" approved by the Board January 20, 2015.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

VII. REPORT FROM MR. ONEIL MALBROUGH OF GIS ENGINEERING, LLC ON:

(a) LA DOTD Port Construction & Development Priority Program:

Phase III of State Project Number 578-23-0018 / H.009021 (323) Port-Site Bulkhead Relocation Phase II A – Bulkhead 12B (POI Public Dock – Port Canal) for the AGMAC Bulkhead Relocation & Design Project (Public Property).

{1} Update on Construction of Bulkhead 12B.

***Damage to Bulkhead 12B November 23, 2017.

Mr. Brenton Jenkins, GIS Engineering, LLC, reported that Larry Doiron, LLC has completed the welding and painting of the pipe fender mounting brackets. They also performed touchup activities such as removing concrete residue from the cap and repainting structural steel members. Mr. Brenton Jenkins reported that a barge struck the bulkhead over the Thanksgiving holidays, on November 23, 2017, which damaged the pipe and timber fenders. The damages are being addressed by the contractor and the pipe fenders will be filled with concrete. As of December 1, 2017, the contractor was

96% complete with the project. Executive Director Craig Romero stated that the barge company that damaged the bulkhead was Marquette Transportation Company. The towing company did acknowledge the damage and stated that they would make sure that they rectify any damage that they are responsible for. The towing company was delivering limestone at the time of the incidence. It is noted that the Board was presented with a copy of a thread of emails, including pictures of the damages sustained by the bulkhead for their review.

{2} Discuss/Approve Contractor Pay App No. 12.

A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Elbridge "Smitty" Smith, III, to approve and authorize the payment of Contractor Pay Application No. 12 in the amount of \$182,303.53 to Larry Doiron, LLC. for the LA DOTD Port Construction & Development Priority Program: Phase III of State Project Number 578-23-0018 / H.009021 (323) Port-Site Bulkhead Relocation Phase II A – Bulkhead 12B (POI Public Dock – Port Canal) for the AGMAC Bulkhead Relocation & Design Project (Public Property) for work accomplished from November 1, 2017 thru November 30, 2017 which includes the installation of deformed reinforcing steel, anchor performance and load tests, the installation of structural steel, granular material, saw cutting the existing bulkhead, and Class A(M) Concrete in accordance with contract dated November 15, 2016; 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: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

{3} Discuss/Approve Substantial Completion Contingent Upon Completion of Fender Repairs and Concrete Fill.

Mr. Brenton Jenkins, GIS Engineering, LLC, reported that GIS Engineering inspected the bulkhead for substantial completion on Friday, December 1, 2017. The Punch List items that have been identified as incomplete are in the packets submitted to the Board. Not included in the punch list is the fender repair from the barge collision and concrete fill.

According to Mr. Jenkins, GIS Engineering, LLC, he requested that a motion be made from the POI Board to accept Substantial Completion of Bulkhead 12B contingent upon the fender repairs and concrete fill being completed. Furthermore, the effective date of

Substantial Completion would be the day that the contractor finishes the repairs and concrete fill. Once those items and the Punch List items have been completed, GIS will schedule a final inspection with representatives from the Port, Larry Doiron, GIS, and the LA DOTD for final acceptance. It is noted that backup documentation was presented to the Board regarding this Agenda item.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Danny J. David, Sr., to approve and accept Substantial Completion for Port- Site Bulkhead Relocation Phase II A – Bulkhead 12B (POI Public Dock – Port Canal) for the AGMAC Bulkhead Relocation & Design Project (Public Property) in accordance with the contract dated November 15, 2016 contingent upon once the fender repairs and concrete fill have been completed as well as the Punch List Items; and motion further acknowledges that the 45-day Clear Lien Period will commence once the Substantial Completion has been recorded with the Iberia Parish Clerk of Court's Office.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

{4} Discuss/Approve GIS Engineering, LLC Invoice.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 70000756 in the amount of \$18,762.50 to GIS Engineering, LLC for the period November 1, 2017 thru November 30, 2017 which includes construction administration and oversight, site visits, submittal, RFI, and contractor payment application processing, and resident project representation; in accordance with the contract dated March 1, 2016.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

{5} Port of Iberia/Doiron Motion for Attorney's Fees.

Port Attorney Ray Allain stated that after court proceedings, Larry Doiron, LLC challenged the decision on the selection of the apparent low bidder and was successful in court, the Judge ordered that the Port of Iberia District had improperly disqualified

Larry Doiron, LLC. The bid was awarded to Larry Doiron, LLC. Under the law, the losing party has to pay the court cost so the Port of Iberia District was cast with the cost. There is a statute that gives a party who successfully challenges the action of an entity in a bid situation to recover attorney's fees. In this particular case, the Judge did not award the attorney's fees and more than the appeal delay period has passed since the Judgement has been signed. Mr. Ray Allain stated that he doesn't feel Larry Doiron, LLC is entitled to attorney's fees. A letter was written to the Port threatening to file a motion to ask for attorney's fees and Mr. Ray Allain has alerted the Port's special council, Mr. Murphy J. Foster, III, Breazeale, Sachse & Wilson, L.L.P and he has stated that he doesn't feel Larry Doiron, LLC will be successful. It is noted that backup documentation was presented to the Board regarding this Agenda item.

(b) Port-Site Bulkhead Relocation Project Phase II B – Private Bulkheads {1, 6, & 7} (Private Property).

{1} Update on Construction of Bulkheads 1, 6, 7.

Mr. Brenton Jenkins, GIS Engineering, LLC, presented a Power Point Presentation and reported that the existing sheets at Bulkhead 6 have been refurbished at Sealevel Construction, Inc. yard and are being installed. The tieback rods are being installed. Sheetpiles at Bulkhead 7 have been installed, cut to grade, and the whalers and timber fenders are being mounted. The contractor backfilled the area in-between the bulkheads and removed the old sheet piles and has sent them to their yard to be refurbished. Bulkhead 1 has been completed and Bulkheads 6 and 7 are in progress. As of December 1, 2017, the contractor is about 80% complete with the project.

{2} Discuss/Approve Contractor Pay App No. 5.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Elbridge "Smitty" Smith, III, to approve and authorize the payment of Contractor Pay Application No. 5 in the amount of \$208,402.59 to Sealevel Construction, Inc. for the Port-Site Bulkhead Relocation Project Phase II B – Private Bulkheads {1, 6, 7, 11, 13, and 14} (Private Property) for November 1, 2017 thru November 30, 2017 regarding Bulkheads 1, 6, & 7 which includes installation of granular material, installation of sheet piling at Bulkheads 6 and 7, and fabrication, welding and painting of structural steel, in accordance with contract dated May 16, 2017; 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: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

{3} Discuss/Approve Change Order No. 1.

Mr. Brenton Jenkins, GIS Engineering, LLC, reported that at Bulkheads 6 and 7 they are pulling the existing bulkhead sheets and reusing them for the tieback wall 60' back from the bulkhead. The existing steel sheet piles removed from Bulkhead 7 were all sufficient length and in good shape. However, the existing steel sheet piles removed from Bulkhead 6 were spliced inconsistently in methodology, width, and at intermittent lengths of steel sheet piles. Additionally, some of the sheets were too short to be utilized in the tieback wall. Sealevel Construction, Inc. created a tieback wall layout for this bulkhead and determined that they would need 10 additional pairs of sheet piling. Additionally, at Bulkhead 1, additional grouted riprap where the steel wing walls tie-in with the timber bulkhead to mitigate erosion will need to be added. Change Order Number 1 is for the welding and splicing of steel sheet pile removed from the existing bulkhead at Bulkhead 6, the purchase and installation of additional steel sheet pile wall to complete the tieback wall at Bulkhead 6, the installation of riprap and grout at Bulkhead 1, and 15 extra days on the contract duration. The change order includes an additional \$58,336.00 with a revised contract value of \$2,326,725.20 and new contract completion date of March 5, 2018. GIS, the contractor, and Mrs. Joanna Durke had a conference call with the LA DOTD on December 5, 2017 to propose this Change Order to them and they had no issue with it. Discussion ensued.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Simieon d. Theodile, to approve and authorize Change Order #1 regarding Port-Site Bulkhead Relocation Project Phase II B – Private Bulkheads {1, 6, & 7} (Private Property) as it relates to an addition of \$58,336.00 for the welding and splicing of steel sheet pile removed from the existing bulkhead at Bulkhead 6, the purchase and installation of additional steel sheet pile wall to complete tieback wall at Bulkhead 6, and the installation of riprap and grout at Bulkhead 1 to mitigate erosion; motion further acknowledges the addition of Fifteen (15) contract days to complete this work; and motion further stipulates the Change Order reflects the “revised” total contract working days to 165 days; and the motion further authorizes the Board President to execute said Change Order Number 1 in accordance with the contract dated May 16, 2017; and motion further stipulates that the total revised contract amount is \$2,326,725.20; and motion further stipulates that Change Order Number 1 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: Roy A. Pontiff, Elbridge “Smitty” Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore’.

And the motion was therefore passed on this the 19th day of December, 2017.

{4} Discuss/Approve GIS Engineering, LLC Invoice.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 70000754 in the amount of \$30,516.54 to GIS Engineering, LLC for the period November 1, 2017 thru November 30, 2017 which includes subcontractor coordination, review and processing of submittals, RFIs, Pay App 5, and site resident project representation; in accordance with the contract dated February 16, 2016; Amendment #1 dated April 2016; Amendment #2 dated August 2016; and Amendment #3 dated November 15, 2016.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

(c) Port-Site Bulkhead Relocation Project Phase II B – (Phase II) – Private Bulkhead 11B (Private Property).

{1} Discuss/Approve Award of Contract to Lowest Responsive Responsible Bidder.

*****Attorney General Opinion Letter.**

Mr. Brenton Jenkins, GIS Engineering, LLC, reported that the bid opening was held on Wednesday, November 8, 2017 and Coastal Construction and Engineering, LLC, Berry Bros General Contractors, and Sealevel Construction, Inc. were the three (3) lowest bidders, respectively. After review of the bids, GIS provided a letter dated November 15, 2017 of findings/recommendation to the Port of Iberia District to obtain a legal opinion on the award of the contract. The Attorney General submitted an opinion on Friday, December 1, 2017 to award the contract to Coastal Construction and Engineering, LLC. GIS Engineering, LLC has prepared the contract documents as such and they are ready for execution if the Board agrees with the Attorney General's opinion. It is noted that a copy of the letter dated November 20, 2017 to the Attorney General Jeff Landry was also presented as backup documentation.

{2} Discuss/Adopt Resolution to Award.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Larry Rader, to adopt the following:

RESOLUTION – AWARD PROJECT

STATE PROJECT NO. 737-99-0669/H.006846 (323)
PARISH OF IBERIA

RESOLUTION

WHEREAS, the Port of Iberia District Board of Commissioners has received bids on Wednesday, November 8, 2017 at 11:00 A.M. on the Port Improvements, Port Site Bulkhead Relocation Phase II-B (Phase III) - Private Bulkhead 11B port improvements project under the Capital Outlay Acts; and

WHEREAS, GIS Engineering, LLC has recommended that award of contract be made to the lowest qualified bidder; Coastal Construction and Engineering, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 19th day of December, 2017, acting pursuant to the recommendation GIS Engineering, LLC that the Base Bid in the Amount of \$750,000.00 by Coastal Construction and Engineering, LLC. be accepted and a contract be awarded to them.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the Resolution was therefore adopted on this the 19th day of December, 2017.

{3} Discuss/Approve GIS Engineering, LLC Invoice.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Simieon d. Theodile, to approve and authorize the payment of Invoice Number 70000755 in the amount of \$3,810.46 to GIS Engineering, LLC for the period November 1, 2017 thru November 30, 2017 which includes project coordination and advertising of Bulkhead 11B ; in accordance with the contract dated February 16, 2016; Amendment #1 dated April 2016; Amendment #2 dated August 2016; and Amendment #3 dated November 15, 2016.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

- (d) **Status of the Louisiana Port Construction & Development Priority Program SPN H.011928 “East & West Yard Expansion & Site Improvements Project.”**

There was no update on the above agenda item.

- (e) **Update on the 2018-2019 Port Priority Application.**
{1} Discuss/Ratify Port Priority Application for Millennium Expansion Phase III (December 1, 2017).

Mr. Oneil Malbrough, GIS Engineering, LLC, reported that GIS Engineering, LLC was able to get the Application on the property next to the Bernard property and the property that the Port already owns. This application was submitted in time. Some questions came back and the Port had until December 19, 2017 to return the answers. The questions were fairly significant. An extension has been granted until Friday, December 22, 2017 to answer the questions. The total amount that was requested was \$15 Million. The project that the tenant proposes is closer to \$30 Million. Executive Director Craig Romero and the tenant are talking about how much the Port Application will be revised to include the purchase of the property, the dredging, and possibly some bulkheading. A Letter of Intent will be prepared by Mr. David Branch, Caliche New Iberia, for submission to the LA DOTD. Commissioner Roy A. Pontiff stated that typically the Board passes a Resolution prior to submitting the application but because of the deadline, Mr. Craig Romero took position to get the application in so the Port would be in line for money so he is asking the Board to make a decision to pass the Resolution and support the application.

- {2} Ratify the Adoption of a Resolution Authorizing the Preparation & Submission of an Application to the Louisiana Port Construction & Development Priority Program for the Assistance of a Port Improvement Project.**

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

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

A Resolution ratifying the authorization for the Port of Iberia District to prepare and submit an application to the Louisiana Port Construction & 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 Port of Iberia District has a need for port improvements; and

WHEREAS, the Port of Iberia District desires to apply 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 the Port of Iberia District is fully aware of its obligations under said Statute; and

WHEREAS, the Port of Iberia 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,

NOW THEREFORE, BE IT RESOLVED by the Port of Iberia District as follows:

Section 1. That the Port of Iberia District acknowledges that a formal application has been prepared and submitted (December 1, 2017) to the Louisiana Port Construction & Development Priority Program.

Section 2. That at the appropriate time and upon approval of funding assistance and prior to commencement of work on the project, the Port of Iberia District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute.

Section 3. That O'Neil Malbrough, R.E.M., of GIS Engineering, LLC, Sr. Vice-President, is hereby designated Authorized Representative for the Port of Iberia District to affect the preparation of an application to the Louisiana Port Construction & Development Priority Program for funding assistance of a port improvement project.

Section 4. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the Port of Iberia District.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the Resolution was therefore adopted on this the 19th day of December, 2017.

Mr. Oneil Malbrough stated that in the application it includes acquisition and the dredging of the project and potentially any improvements that the tenant request. Mr. Roy A. Pontiff questioned Mr. Oneil Malbrough regarding rail extension. Mr. Oneil

Malbrough stated that included in the application is the storage of 60 rail cars. There is a tank battery that needs to be sized. The Port and the tenant have not decided what each will be paying for yet. Mr. Ray Allain stated that one of the things he needs to do while working on the Bernard property is to determine the delineation of the channel so that the Port could use the information to develop a Navigation Servitude and also to describe the property the Port is acquiring appropriately. Research regarding the ownership of the land on both sides of the channel is not all owned by Bernard or the Port, there are three private owners. One of the private owners purchased some of the channel. A determination cannot be made of what the Port will acquire and who the Port will acquire it from until the channel is delineated. Mr. Marc Berard made a drawing but it was just a drawing, not a survey. Mr. Ray Allain asked if the Commission was authorizing GIS Engineering, LLC to do the engineering for the project and if it was possible for him to ask GIS Engineering, LLC to work a channel delineation so he would be able to have what he needs to do the legal part of the work to determine what the Port would have to do to get the Navigation Servitude and acquire the property. Mr. Roy A. Pontiff stated that it would seem appropriate, since GIS Engineering, LLC put the application together, that GIS Engineering, LLC would be used for the project to design and do what is necessary for the project. Mr. Oneil Malbrough stated the Millennium Expansion Phase II Feasibility Study will be incorporated in the project. A contract will be prepared by GIS Engineering, LLC and submitted to the Board at the January 2018 Port of Iberia District Board Meeting.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Elbridge "Smitty" Smith, III, to authorize the Executive Director to engage GIS Engineering, LLC as the engineer to perform the work for the Millennium Expansion Phase III Project.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

(f) AGMAC Project General Engineering and Consulting Services:

{1} Update on Status of AGMAC Project.

There was no action taken on the above agenda item.

{2} Discuss/Consider Amendment Number 3 to GIS Engineering, LLC General Engineering & Consulting Services Contract.

Mr. Oneil Malbrough, GIS Engineering, LLC, stated that this contract has typically been renewed every year for about \$50,000 per year and in 2016 and 2017 the amount has

exceeded the budgeted amount. GIS Engineering, LLC is requesting to add another \$50,000 for the year 2018 and also add the overage from 2017 resulting in an amount of \$75,794.50, bringing the contract total to \$222,932.00 for Amendment Number 3.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Danny J. David, Sr., to approve and authorize the Board President to execute Amendment Number 3 to the GIS Engineering, LLC AGMAC General Engineering & Consulting Services Contract (dated January 20, 2016) in the amount of \$75,794.50 bringing the total upset limit to \$222,932.00 which includes for Professional Services on a Time & Material basis on an "as needed" basis by the Port of Iberia or its designee for the period January 1, 2018 thru December 31, 2018.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

(g) Shark Island/Chevron Canal Dike Removal.

{1} Update on Shark Island/Chevron Canal Dike Removal Permit.

Mr. Oneil Malbrough, GIS Engineering, LLC, stated that the project is now complete and a package was delivered to the Port of Iberia District on December 12, 2017 with the permits.

{2} Discuss/Approve GIS Engineering, LLC Invoice.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Elbridge "Smitty" Smith, III, to approve and authorize the payment of Invoice Number 70000757 in the amount of \$685.00 to GIS Engineering, LLC for the period November 1, 2017 thru November 30, 2017 which includes activities for Shark Island/Chevron Canal Dike Removal which include coordination with USACE and LDNR to obtain an Emergency Permit, submittal of a Coastal Use Permit, and coordination with the contractor and resident project representation.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

VIII. REPORT FROM PORT ATTORNEY ON:

(a) AWS Lease Agreement & Collection of Unpaid Rental.

Port Attorney Ray Allain stated that Mr. Kreig Breaux is in the process of discussing and negotiating with the AWS attorney in Texas a potential settlement of the claim.

(b) LBC Port Judgment/Collection of Money due the Port of Iberia.

Port Attorney Ray Allain stated that a judgement debtor rule was scheduled, unfortunately the Sheriff was unable to make service. Mr. Kreig Breaux suggested using a private process server. Mr. Ray Allain authorized Mr. Kreig Breaux, at a reasonable cost, to obtain someone to locate and serve personally the gentleman who owns LBC Port. Mr. Craig Romero stated that the owner of LBC Port was located at a facility in Coteau and has since relocated to the old Bruce Foods facility in Coteau and has entered into an agreement with Mr. Mike Marais. Mr. Craig Romero stated he would call Mr. Ray Allain to discuss.

IX. EXPANSION OF AGENDA

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Danny J. David, Sr., to expand the Port of Iberia District Board of Commissioners regular monthly Board meeting of Tuesday, December 19, 2017, to discuss/consider hiring to fill the Secretary/Receptionist position.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Elbridge "Smitty" Smith, III, to authorize and approve the Executive Director to hire a Secretary – Receptionist for the Port Administrative Office at a salary of \$28,723.00 as depicted on the 2013 Port's Compensation and Pay Classification Study, Step "A" Secretary-Receptionist.

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

Yeas: Roy A. Pontiff, Elbridge "Smitty" Smith, III, Simieon d. Theodile, Danny J. David, Sr., and Larry Rader.

Nays: None.

Absent at Voting: Gene L. Jefferies and Mark Dore'.

And the motion was therefore passed on this the 19th day of December, 2017.

X. REPORT FROM EXECUTIVE DIRECTOR ON:

(a) Update on Executive Director's Negotiations with Mr. R. Hamilton "Hammy" Davis, Coldwell Banker Pelican Real Estate, Regarding a Prospect for the AWS Property Site (Tract "H") (15.14 Acres).

{1} Update on Lease Commission Agreement to be Executed by the Executive Director Between Coldwell Banker Pelican Real Estate and the Port of Iberia District (Contingent upon Legal Review & Approval by the Port Attorney).

There was no update on the above agenda item.

(b) Update on the potential for the Economic Development Project at the Port of Iberia regarding the installation of an 8" gas line at Louisiana CAT.

{1} Discuss/Consider Cooperative Endeavor Agreement Between Atmos Energy Corporation and the POI.

Mr. Craig Romero stated he spoke to the representative for LA CAT and Mr. Craig Romero also stated he would go to Baton Rouge and get a couple of things in order to make this project happen. LA CAT is ready with their money.

(c) Update on Letter of Intent Between the Port of Iberia District and Goldman Sachs Regarding the Purchase of Approximately 106.72 Acres of Available Property located at 6005 Port Road (former Dynamic Ind. West Yard Site).

{1} Executive Director Negotiations with Prospective Tenants Regarding Available Property located at the former Dynamic Industries West Yard; Contingent Upon the Receipt of the Necessary Approvals.

There was no update on the above agenda item.

(d) Update on Henry Bernard Property Located Behind the POI Administrative Office.

Mr. Craig Romero stated Mr. Ray Allain is working on the legal edification of exactly what is there and what Mr. Henry Bernard owns and doesn't own.

(e) Executive Director's Monthly Report.

- Mr. Craig Romero stated that Crosby Construction has done a walkthrough and has occupied the building.

- There is another tenant at the Port, not on Port property, a company called Redguard.

- Dynamic Industries has signed the Shell Franklin project which involves 75 modules to be fabricated at the Port of Iberia to be shipped on the Ohio river to Pennsylvania. This project will not start until April 2018.


(f) Announcements.

XI. ADJOURNMENT.

On a motion made by Commissioner Danny J. David, Sr., and seconded by Commissioner Elbridge "Smitty" Smith, III, the meeting was adjourned at 7:03 p.m.



SECRETARY-TREASURER



PRESIDENT