

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS  
SPECIAL BOARD MEETING AGENDA  
THURSDAY, MAY 6, 2021  
PORT ADMINISTRATIVE OFFICE – 5:30 P.M.  
MINUTES**

The Special Meeting of the Port of Iberia District Board of Commissioners was called to order by Commissioner Danny J. David, Sr., President, at the Port of Iberia Administrative Office, on Thursday, May 6, 2021, at 5:30 p.m.

In attendance were Commissioners, Danny J. David, Sr., President, Roy A. Pontiff, Vice-President, Simieon d. Theodile, Patrick Broussard, and Mark Dore’.

Commissioners Shane Walet and Elbridge “Smitty” Smith, III were absent.

Also present were Craig Romero, Executive Director, Tracy Boudreaux, Bookkeeper-Secretary, Shari Landry, Receptionist-Secretary, and Ray Allain, Port Attorney, Allain & Allain.

Mrs. Joanna Durke, Administrative Assistant, was present via telephone.

Thus, with a quorum being acknowledged, Commissioner Mark Dore’ recited the opening prayer and the Pledge of Allegiance.

The purpose of the Special Meeting was to Discuss/Approve Payment of Allain & Allain Invoices, Report from Mrs. Carmel Breaux of Norris Insurance Consultants, Inc. regarding the Port of Iberia District’s 2021 Annual Insurance Renewals and Requests for Proposals, Report from Mr. Oneil Malbrough of GIS Engineering, LLC on: Update on “Agreement for Substantial Completion & Occupancy by Tenant” Regarding Acadiane Renovations and Seadrill that will Allow Seadrill to Occupy Certain Areas of Building B, Update on Acadiane Renovations Executing Substantial Completion Certificate with Contingency for Bldg B Bay 5 Repairs & Renovations, Update on Acadiane Renovations Executing Substantial Completion Certificate with Contingency for Bldg B Multipurpose Facilities & Small Warehouse, and Discuss/Consider the Collection of Local Attorney Resumes’.

**I. Discuss/Approve Payment of Allain & Allain Invoices.**

**A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Mark Dore’ to approve and authorize the payment of Invoice Number 9292 dated March 23, 2021 in the amount of \$2,152.50 to Allain & Allain for Professional Services during February 2021.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Shane Walet, Simieon d. Theodile, and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

**A motion was made by Commissioner Mark Dore’, seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 9309 dated May 5, 2021 in the amount of \$593.75 for Acadiana Gulf of Mexico Access Channel - Legal Services during the months of January, March, & April 2021.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Shane Walet, Simieon d. Theodile, and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

**A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 9310 dated May 5, 2021 in the amount of \$1,787.50 to Allain & Allain for AGMAC- Utility Relocation work during July - December 2020 & February – April 2021.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Shane Walet, Simieon d. Theodile, and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore’ to approve and authorize the payment of Invoice Number 9311 dated May 5, 2021 in the amount of \$80.55 to Allain & Allain for Litigation Plaintiff Legal Services (Diversified Materials).**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: Shane Walet, Simieon d. Theodile, and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

## **II. Port Attorney Ray Allain to Address the Board.**

Mr. Ray Allain stated that effective June 30, 2021 he will retire as the Port of Iberia District’s Attorney. Mr. Ray Allain also stated he is prepared to relinquish his seat at the table after June 30, 2021 once the Board of Commissioners have contracted a new attorney.

## **III. Report from Mrs. Carmel Breaux, President, Norris Insurance Consultants, Inc., Regarding the Port of Iberia District’s, 2021 Annual Insurance Renewals and Request for Proposals:**

**{1} (May 12, 2021 Renewal):**

**General Liability, Automobile Liability and Physical Damage, Umbrella Liability, Public Official Errors & Omissions Liability, Crime, Boiler & Machinery, Inland Marine, Equipment Floater and Building & Contents.**

Mrs. Carmel Breaux presented a spreadsheet to the Board on the Port of Iberia Property-Casualty Insurance Renewal of 5/12/2021.

- Mrs. Carmel Breaux stated that the Building & Contents increased due to the addition of Seadrill's Building B which is about \$15,000,000.00.
- Commissioner Roy Pontiff asked if some buildings were eliminated.
- Mrs. Carmel Breaux handed out a separate spreadsheet of buildings & contents which showed the buildings that were eliminated. She stated that if the buildings were in bad shape and could possibly be torn down later by the Port, she took off coverage. Mrs. Carmel also stated that at the start of the new policy these buildings will not be covered.
- Building & Contents Insurance Coverage increased from 142,812.00 for 2020 to 395,589.00 for 2021.
- Mrs. Carmel Breaux stated her recommendation would be to Increase NS Deductible to 5% - AOP \$100K if the Board needed to make a decision tonight.
- Mrs. Carmel Breaux stated that Lloyds of London has not issued a quote yet. She stated this coverage ends on May 12, 2021. Brown & Brown have sent Lloyds of London a request to grant an extension of coverage so they can receive a quote and review it.
- Mrs. Carmel Breaux recommended that the Board give Mr. Craig Romero the authority to make the decision after the Lloyds of London quote is received.
- Mr. Mark Romero of Brown & Brown presented a spreadsheet to the Board. Mr. Mark, Mr. Rob, and Mr. Craig met earlier in the day and discussed this spreadsheet. Lengthy Discussion ensued.
- Mr. Craig Romero stated that Mr. Mark Romero of Brown & Brown suggested having a renewal date of March 1<sup>st</sup> for next year.

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to authorize the Executive Director to make the decision as late as Tuesday to Accept AmRisc Proposal for Property, Travelers for Liability, Indian Harbor for Public Official Liability, and Hiscox for Crime as presented tonight with 5% NS Deductible – AOP \$100K for a Total Premium of \$298,923 or if the Lloyds of London Quote Comes in with Better Rates.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Shane Walet and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

**IV. Report from Mr. Oneil Malbrough of GIS Engineering, LLC on:**

- (a) Update on "Agreement for Substantial Completion & Occupancy by Tenant "Regarding the POI West Yard Building B Multipurpose**

**Facilities & Small Warehouse; and Building B Bay 5 Repairs and Improvements Between the POI District, Seadrill Americas, Inc., Acadiane' Renovations, Ltd., and GIS Engineering, LLC. Regarding ARL and Seadrill that will Allow Seadrill to Occupy Certain Areas of Building B.**

- Commissioner Roy Pontiff questioned why this item was on the agenda. Mr. Oneil Malbrough stated that changes have been made so he is updating the Board.
- Mr. Oneil Malbrough stated that they have gotten Acadiane Renovations, Ltd to sign the Agreement.
- GIS Engineering has issued the certificates for both Bay 5 & Multipurpose to Acadiane Renovations.
- Ray Allain stated that they examined Acadiane Renovations' builders risk insurance policy and it stated that upon occupancy the Builders Risk coverage would be cancelled. Mr. Craig Romero got the Port covered on Building Insurance for Building B. The dates on the Agreement have been changed to match the dates of coverage.
- Austin Hebert of GIS Engineering stated that they are going to request to expand the agenda to ask for approval of a change order that will incorporate more days to get the substantial completion date after the acquired insurance. The job completion date was April 7<sup>th</sup>. Mr. Oneil Malbrough stated they are going to give ARL days at no cost so the contract would be finished on April 23<sup>rd</sup>, this allows the Builders Risk to cover the project until April 23<sup>rd</sup>. Mr. Oneil Malbrough stated it makes more sense to have ARL's Builders Risk Insurance stop at the time the Port's coverage began.
- Port Attorney, Ray Allain, stated that Seadrill needs to decide to either accept or reject the lease. This needs to go before a bankruptcy court for approval. Mr. Ray Allain stated that Seadrill needs to bring any arrearage in rent currently, this is required.
- Commissioner Roy Pontiff questioned that he thought Seadrill had already signed the lease. Mr. Ray Allain stated that they did but when in bankruptcy all leases are suspended by the rule of the bankruptcy court. Mr. Ray Allain stated that they have the right to accept or reject. If they accept the lease, Seadrill must pay all rent that is current. If Seadrill cannot bring the rent that is due, then the Board chooses to give them an alternate payment schedule. Mr. Ray Allain stated that if the Board does give them an alternate payment schedule, this will need to be drafted as an amendment to the Lease Agreement. Seadrill's bankruptcy counsel should then take this to the bankruptcy court and submit for approval.
- Commissioner Mark Dore' questioned how much Seadrill owes the Port once they would take occupancy.
- Roy Pontiff stated that Mr. Craig Romero had Mrs. Joanna Durke invoice Seadrill for June 2021 thru May 2022 in the amount of \$494,671.21.
- Mr. Ray Allain stated that the Lease needs to be submitted to the Bankruptcy court first and then the law says that they will need to bring any current rents due.
- Mr. Craig Romero stated he talked to Mike Turley with Seadrill; Mike Turley told Mr. Craig Romero that this year they set it up to where their vendors get paid on a month-to-month basis.
- Commissioner Roy Pontiff stated that if the Board does not receive the money this year, they will not make budget. This money was included in the budget.
- Port Attorney, Ray Allain, stated that regardless of what the Port decides regarding Seadrill's rent, he stated that the Port needs to contact the bankruptcy attorney and tell him this needs to be presented to the bankruptcy court for approval
- Commissioner Roy Pontiff stated that the Board needs to decide if they want to

- allow Seadrill to pay Seven (7) months or ask for the base rent upfront.
- Commissioner Patrick Broussard suggested to have someone from Seadrill with the correct authority to come talk to the Board about the rental payments.
- Commissioner Roy Pontiff questioned how does this affect the occupancy issue. Mr. Craig Romero stated that Seadrill's insurance was not adequate. There were discussions between Mr. Craig Romero, Mrs. Joanna Durke, Mrs. Carmel Breaux, Mr. Ray Allain, and AON, the insurance carrier, to resolve this issue. The only issue stopping Seadrill from occupying is the rental payments.
- Commissioner Roy Pontiff stated to compromise the Port can accept the Seven (7) month payment but on One (1) check in order to balance the Port's revenue.
- Mr. Craig Romero stated that he will have someone from Houston come to the May Meeting to talk to the Board.

This item has been tabled for further discussion.

**(b) Update on ARL Executing Substantial Completion Certificate with Contingency – Bldg B Bay 5 Repairs & Renovations. SPN H.011928(325g) (Phase Vg of SPN H.011928).**

No action was taken on this agenda item.

**(c) Update on ARL Executing Substantial Completion Certificate with Contingency – Bldg B Multipurpose Facilities & Small Warehouse. SPN H.011928(325e) (Phase Ve of SPN H.011928).**

**A motion was made by Commissioner Simieon d. Theodile, seconded by Commissioner Patrick Broussard to expand the agenda of the Port of Iberia District Board of Commissioners Special Board Meeting on May 6, 2021 to discuss/consider approval of Change Order Number 6 to add an additional 30 days to Bldg B Multipurpose Facilities & Small Warehouse contract at no cost to the Port.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Shane Walet and Elbridge "Smitty" Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

Austin Hebert stated that GIS is requesting approval of Change Order No. 6 to incorporate 30 extra days for Multipurpose Facilities & Small Warehouse at no cost.

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to approve and authorize Change Order Number 6 regarding SPN H.011928 (325e) East & West Yard Expansion & Site Improvements Project Building B Multipurpose Facilities & Small Warehouse as it relates to the addition of 30 contract days; an motion further adds 30 contract days with a revised completion date of May 7, 2021; the contract amount is \$694,560.66; and motion further authorizes the Board President to execute said Change Order Number 6, and forward to LA DOTD for review and approval.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Simieon d. Theodile, Patrick Broussard, and Mark Dore'.**

**Nays: None.**

**Absent at Voting: Shane Walet and Elbridge “Smitty” Smith, III.**

**And the motion was therefore passed on this the 6<sup>th</sup> day of May, 2021.**

**V. Discuss/Consider the Collection of Local Attorney Resumes’.**

- Board President, Danny J. David, Sr. stated to table this agenda item since the full commission is not present. He stated that the commissioners can bring in any local attorney’s resume that they think could be the next Port Attorney.

**VI. ADJOURNMENT**

**On a motion made by Commissioner Patrick Broussard, and seconded by Commissioner Mark Dore’ the meeting was adjourned at 7:05 p.m.**

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**SECRETARY-TREASURER**

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**PRESIDENT**