PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**March 11, 2019**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session at the District’s office at 7327 Highway 182, Morgan City, Louisiana on March 11, 2019 at 5:00 p.m. Joseph Cain, President, convened the meeting with Commissioners Deborah Garber, Tim Matthews, Sr., Ben Adams, Lee Dragna, Pete Orlando, Troy Lombardo and Steven Cornes in attendance. Adam Mayon was absent. Also present at the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Jennifer Reasoner and Gerard Bourgeois, Board Attorneys; LCDR Elizabeth Newton, United States Coast Guard (“USCG”); Michael Knobloch, Knobloch Professional; Clay Breaud, GSE/Providence Engineering; Councilman Louis Tamporello, City of Morgan City; Greg Lindscomb, Continental Land & Fur; Micaela Coner, Coastal Protection and Restoration Authority; Hilary Thibodaux, APTIM; along with members of the media and general public.

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

It was moved by Mrs. Garber and seconded by Mr. Lombardo that the minutes of the Regular Meeting of February 11, 2019 be approved and adopted, with said motion carrying unanimously.

It was moved by Mrs. Garber that the report of receipts and disbursements for the month of February 2019 be received and accepted and that all invoices presented to the Board for the month of February 2019 be paid. Mr. Cornes seconded that motion, which carried unanimously.

Elizabeth Newton reported that: (i) we are still under high water conditions at 7.9’ and still rising; and (ii) there are restrictions between the bridges and night operations that will remain until water levels fall.

Tim Connell reported via teleconference that: (i) they are currently completing the Bayou Chene maintenance dredging solicitation and the contract is expected to be awarded in early April; (ii) in the upper Bar and Bay Channel, the river is not giving anyone any breaks. Fortunately, we had delayed the maintenance dredging, because if not, it would have filled back up. The $15 million obligated to the contract and $1.6 million to extend the options will not satisfy the significantly increased quantities seen on the latest surveys. Dredging from Crew Boat Cut down should begin in late March, early April. (iii) The latest prediction for water depths is 8.1; (iv) Brice is still scheduled to begin in June and Mr. Wade noted that Jon McVay confirmed they are still on schedule, with the vessel to arrive in April; and (v) There is excessive shoaling in Berwick Bay, with almost +3 in some locations. Ms. Newton noted that as the shoaling moves, the buoys are moved as needed weekly. They also have restrictions in place, as well as assist tug recommendations.

Micaela Coner of Coastal Protection Restoration Authority (CPRA) provided the commissioners a presentation on Increase Atchafalaya Flow to Terrebonne project. Concerns were raised regarding the additional dredging costs and effects to businesses considering the benefits. Ms. Coner agreed to come back in a few months with additional inofrmaton.

Mike Knobloch reported that: (i) the President released his budget today of $4.7 trillion and he expects that FY19 Port Security Grant funding should be announced within the next few months of $100 million; and (ii) Scout completed our facility assessment and is developing our facility security plan, with a completion date of April 10th.

Clay Breaud reported that: (i) we received bids on Phase I – Railroad Maintenance on February 27th, with the low bidder being Trac-Work, Inc. of $119,000. Based on Mr. Breaud’s recommendation, it was moved by Mr. Dragna, seconded by Mr. Cornes to award the low bidder, Trac-Work, Inc., the contract and Notice to Proceed, and following resolutions for award of contract and certifying compliance be adopted; which carried unanimously.

R E S O L U T I O N

A resolution awarding and authorizing the signing of the Construction Contract for the “State Project No. H.013795(321) Port Improvements, Morgan City Rail and Dock Rehabilitation, Railroad Track Repair and Maintenance, (Phase 1 of H.01375), St. Mary Parish, Louisiana”, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Morgan City Harbor and Terminal District has received construction bids on Wednesday, February 27, 2019 at 11:00 a.m., on the “State Project No. H.013795(321) Port Improvements Morgan City Rail and Dock Rehabilitation, Railroad Track Repair and Maintenance, (Phase 1 of H.01375), St. Mary Parish, Louisiana”, a port improvements project under the Louisiana Port Construction and Development Priority Program; and

WHEREAS, Providence Engineering and Design, LLC, Consulting Engineer, has recommended that award of contract be made to the lowest qualified bidder, Trac-work, Inc., of Thibodaux, Louisiana, 70301.

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Harbor and Terminal District, regular session, assembled on this 11th day of March, 2019, acting pursuant to the recommendation of Providence Engineering and Design, LLC, Consulting Engineer, that the Base Bid in the amount of $119,000.00 by Trac-Work, Inc. of Thibodaux, Louisiana, 70301, be accepted and a contract be awarded to them.

BE IT FURTHER RESOLVED that Joseph E. Cain, President, and Raymond M. Wade, Executive Director be and are hereby authorized and directed individually to do any and all acts and things on behalf and in the name of the District that they deem necessary, proper, or that may be required in regards to the award, notice to proceed and contract.

RESOLUTION CERTIFYING COMPLIANCE WITH THE PUBLIC BID LAWS

STATE PROJECT NO. H.013795(321)

PARISH OF ST. MARY

Whereas, the Morgan City Harbor and Terminal District has solicited bids for State Project No. H.013795 (321) in accordance with the current bid laws of the state of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

Whereas, the Morgan City Harbor and Terminal District has submitted to DOTD Certification of proof of publication, one(1) copy of the bid proposals and bid bonds as submitted by each of the three (3) lowest bidders, a legible copy of the bid tabulation of all bids received, and certified to be correct by Providence Engineering and Design, LLC., the Engineer, and an authorized official of the Sponsor, a copy of the engineer’s recommendation, contract documents, Notice of Award of Contract, and a copy of the recordation data in the Clerk of Court’s Office.

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Harbor and Terminal District at a Special Meeting, assembled on this 11th day of March, 2019, does hereby certify that the bidding procedures comply with Louisiana Revised Statutes 38:2211, et. seq.

BE IT FURTHER RESOLVED that Joseph E. Cain, President, and Raymond M. Wade, Executive Director be and are hereby authorized and directed individually to do any and all acts and things on behalf and in the name of the District that they deem necessary, proper, or that may be required in regards to the certification of said bidding.

(ii) 95% of the plans are complete for Phase II – Aggregate loading/unloading area, with plans to be approved by the Drainage District for the drainage ditch. Mr. Dragna noted that if Mr. Breaud gets the plans to him and T. Baker Smith by tomorrow morning, he can have them approved at the Drainage District meeting tomorrow night; and (iii) they have begun surveying for Phase III – East Dock Expansion.

Cindy Cutrera reported that: (i) Mac has participated in several conference calls with USCG and USACE on the high water and has forwarded all of the information to commissioners and stakeholders, as well as posting on our website and Facebook page; (ii) We will be hosting a National Weather Service SKYWARN class on March 25th; and (iii) the Mississippi River Commission high water inspection trip with be on April 11th and the public meeting will be held on April 12th in Baton Rouge.

Gerard Bourgeois presented: (i) Ordinance No. 57 for adoption of the 2019 millage by the district, with no change from last year. It was moved by Mrs. Garber, seconded by Mr. Lombardo and after roll was called, Ordinance No. 57, providing a rate of 4.48 mills, was adopted and motion carried unanimously.

**ORDINANCE NO. 57**

An Ordinance levying and imposing a tax on all the property subject to taxation in the Morgan City Harbor and Terminal District, State of Louisiana, for the year 2019 for the purpose of paying the administrative, operative and maintenance expenses of the Board in said District.

**SECTION 1, BE IT ORDAINED**, by the Board of Commissioners of the Morgan City Harbor and Terminal District, a political subdivision of the State of Louisiana, acting as the governing authority of said Harbor and Terminal District; in regular session convened, that under and by virtue of the Authority of the Louisiana Revised Statutes of 1950 LSA-R.S. 34:329, as amended and Art. 7, Sec. 23 of the Louisiana Constitution of 1974, that the following millage(s) are hereby levied on the 2019 tax roll on all property subject to taxation by the Morgan City Harbor and Terminal District:

**MILLAGE**

**administrative, operative, and maintenance expenses 4.48 mills**

(Tax for: e.g. General Alimony, Library, Maintenance)

**SECTION 2, BE IT FURTHER ORDAINED** that the proper administrative officials of the Parish of St. Mary, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2019, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

**SECTION 3, BE IT FURTHER ORDAINED** that all Ordinance or parts of Ordinance in conflict herewith be and the same are hereby repealed, and this Ordinance shall take effect upon its adoption, the public welfare so demanding.

(ii) an emergency shutdown switch project for the VTS room, which has an engineering estimate of $132,000, has been sent out to five (5) qualified vendors and due back March 12th. Mr. Adams moved to award said work, not to exceed $132,000, which was seconded by Cornes and carried unanimously. (iii) a lease between the District and Brice Civil Constructors, Inc. for the lease of approximately 1290 square feet of office space located at 800 Youngs Road, Morgan City, Louisiana, together with parking and access areas was presented, which Mr. Dragna moved that Mr. Wade be authorized to execute said lease, which was seconded by Mr. Cornes and carried unanimously.

**RESOLUTION**

BE IT RESOLVED the Board of Commissioners of the Morgan City Harbor and Terminal District, the governing authority of said District, that Raymond M. Wade, Executive Director, be and is hereby authorized to sign a lease agreement with Brice Civil Constructors, Inc. for the lease of approximately 1290 square feet of office space located at 800 Youngs Road, Morgan City, Louisiana together with parking and access areas.

BE IT FURTHER RESOLVED that Raymond M. Wade, Executive Director, be authorized and directed to do any and all acts and things necessary, proper, or that may be required to carry out and accomplish the transactions contemplated with regard to said lease and/or supplemental agreement with Brice Civil Constructors, Inc.

Mr. Bourgeois also reported that a few minutes ago he received responses from Crosby Marine Transportation, LLC to our interrogtories. Mr. Wade noted that we also received the Coast Guard report today stating it was Crosby’s fault.

Dutch Vandenardweg thanked the Board for their dedication to the Port community.

Hilary Thibodaux of Aptim Engineering, representing Terrebonne Parish, noted he would like to address the Board next month about the long distance sediment pipeline to Terrebonne.

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

Attest:

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Timothy Matthews, Sr., Secretary