

**PROCEEDINGS OF A REGULAR MEETING OF  
THE BOARD OF COMMISSIONERS OF  
THE MORGAN CITY HARBOR AND TERMINAL DISTRICT  
July 11, 2022**

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 July 11, 2022 at 5:00 p.m. Joseph Cain, President, convened the meeting with Commissioners, Pete Orlando, Deborah Garber, Ben Adams, Troy Lombardo, Steven Cornes and Matthew Glover in attendance. Adam Mayon and Matthew Tycer were absent. Also present in the meeting were Raymond Wade, Executive Director; Cindy Cutrera, Economic Development Manager; Tori Henry, Office Manager; Michael Knobloch, Knobloch Professional Services; Gerard Bourgeois, Board Attorney; Chief Derrick Sullo, United States Coast Guard ("USCG"); Mayor Lee Dragna and Councilman Louis Tamporello, City of Morgan City; Eric Matte, T. Baker Smith; along with members of the 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 Mr. Orlando and seconded by Mr. Lombardo that the minutes of the Regular Meeting of June 13, 2022 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Glover that the report of receipts and disbursements for the month of June, 2022 be received and accepted and that all invoices presented to the Board for the month of June, 2022 be paid. Mr. Cornes seconded that motion, which carried unanimously.

Ms. Garber presented the 2022/2023 budget that had been previously emailed, faxed or otherwise delivered to the Board. It was moved by Mr. Adams and seconded by Mr. Glover that the 2022/2023 budget be adopted, the expenditures of the funds therein for 2022/2023 be authorized and the following resolution be adopted, which was unanimously approved.

**RESOLUTION**

A resolution providing for the adoption of the 2022/2023 budget for the Morgan City Harbor and Terminal District ("District").

WHEREAS, this Board of Commissioners ("Board") deems it necessary and proper to prepare and adopt a budget with defined goals on revenues and expenses for the fiscal year beginning July 1<sup>st</sup>, 2022 through June 30, 2023;

BE IT RESOLVED, that the Morgan City Harbor and Terminal District does hereby approve the budget presented and adopts it as an Operating Budget of Revenues and Expenditures for the fiscal year beginning July 1, 2022, and ending June 30, 2023;

BE IT FURTHER RESOLVED by the Board that the detailed estimate of Revenues and Expenditures for the fiscal year beginning July 1, 2022, and ending June 30, 2023 presented this evening, be and the same is hereby adopted to serve as an Operating Budget for the Morgan City Harbor and Terminal District, during the same period.

BE IT FURTHER RESOLVED by the Board that the detailed estimate of Revenues and Expenditures for the fiscal year beginning July 1, 2022, and ending June 30, 2023 presented this evening, be and the same is hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classification.

BE IT FURTHER RESOLVED by the Board that any deviations of budgetary amendments require the approval of the Morgan City Harbor and Terminal District Board.

Mayor Dragna reported that he understands the Port has some extra dirt and limestone from the InterMoor site that could be used for parking at Lake End Park, under overpass, to fill in swimming pool and side lot. Mr. Orlando moved that the District enter into an Cooperative Endeavor Agreement with the City of Morgan City for beneficial use of excess material from the InterMoor site, which was seconded by Mr. Adams and carried, with Mrs. Garber abstaining. Councilman Tamporello reiterated thankfulness to the Port for their cooperation.

**RESOLUTION**

A resolution providing for the Morgan City Harbor and Terminal District ("District"), approval of a joint cooperative agreement for the purposes by sharing a portion of the tasks necessary to assure certain

improvements to the wharves and docks within the City and District.

WHEREAS, CITY OF MORGAN CITY, is a municipal corporation of the State of Louisiana, (herein referred to as the "CITY"), and

WHEREAS, pursuant to the provisions of LSA-Const. Article 6 Section 20, Const. Art. 7 Section 14(c), LSA R.S. 34:321 et. seq., and R.S. 33:1321 et. seq. the said District and City have authority to enter into cooperative agreements in order to accomplish their respective statutory duties, functions and/or purposes.

WHEREAS, District and City have determined that it is in the best interest of the public that both parties cooperate with regards to certain improvements at Lake End Park, which is within the boundaries of the District; and

BE IT RESOLVED, that the President, JOSEPH E. CAIN, is hereby authorized and directed to execute on behalf of the District, a Cooperative Agreement with the City of Morgan City substantially in accordance with the terms and conditions of the Cooperative Agreement presented this day.

Tim Connell reported via teleconference that: (i) a rental contract will be awarded in August, utilizing a portion of available funds once the river drops out; (ii) a cubic yard contract will be awarded mid-September for reduced width and depth on Bayou Chene based on revised government estimate; (iii) a new task order has been awarded to the Brice contract; and (iv) an IDIQ contract in the amount of \$5 million will be split between Berwick Harbor, Stouts Pass and Three Rivers and will be issued shortly. Stouts Pass will be done first, followed by Three Rivers and then Berwick Harbor. Mr. Wade noted he would like in front of the shipyards and fuel docks cleaned out in Berwick Harbor.

Chief Derrick Sullo: (i) an 8% decrease in total transits from last year, averaging 76 transits per day through the VTS zone, for a total of 2,281; and (ii) with Stouts Pass posing a marine transportation issue with 17 groundings in the last 17 days and 100 groundings in the last 2 years, the short-term solution will be dredging, but the long-term solution will be to shift the preferred channel to Little Island Pass. Issues with the pipelines will need to be addressed prior to the shift so a monthly conference call has been scheduled with USCG, Port, USACE, GICA and pipelines to keep this issue at the forefront.

Michael Knobloch reported that: (i) we are in a "wait and see" period with our grant applications; and (ii) we have completed our cyber annex for our Facility Security Plan, which we have submitted to the Coast Guard for approval.

Charles Brittingham reported via teleconference that he continues to monitor WRDA 2022, FY2023 President's Budget and Congressional Appropriations and Coast Guard Reauthorization. Mr. Orlando questioned the time frame for funding received and Mr. Brittingham estimated mid-February then USACE has 60 days to put in a workplan.

Eric Matte reported: (i) Patriot Construction is 25% into their contract time on the Youngswood Yard Resurfacing project; (ii) they should have construction documents for the East Dock Project wrapped up by the end of the month and submitted to DOTD for approval; and (iii) they are having Geotech issues that they are working out but have submitted all permit applications for the West Dock Project.

Cindy Cutrera reported that: (i) our MARAD event has gotten a lot of publicity recently in Waterways Journal, American Journal of Transportation, and with IRPT. We were also recognized by the City of Morgan City as a Positive Image award recipient, being nominated by Councilman Tamporello. All presentations have been uploaded to the M-49 page of our website for reference. And, (ii) the Corps is hosting virtual listening sessions about Civil Works policies that we are participating in and have also forwarded that information to Jon McVay because there are several Tribal sessions, which includes Alaskan Natives.

Gerard Bourgeois presented: (i) a resolution for acceptance of an attorney agreement between the District and Bourgeois Law, LLC, which was moved for approval by Mr. Orlando, seconded by Mr. Cornes and carried unanimously;

#### **RESOLUTION**

A Resolution providing for the execution of contract with a law firm for the Morgan City Harbor and Terminal District, designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this Board of Commissioners is authorized by the provisions of LSA-R.S.34:324 to “contract with and employ attorneys, clerks, engineers, deputy commissioners, superintendents, stevedores and other agents and employees and shall fix their compensation and terms of office or employment,” and,

WHEREAS, this Board of Commissioners, after due deliberation deems it necessary to protect the public interest, and that real and genuine necessity exist therefor, to contract for legal services and for Bourgeois Law, LLC. to act as General Counsel in connection with the handling of various legal matters that may affect the District.

BE IT RESOLVED, that the President, Joseph E. Cain, is hereby authorized and directed to execute on behalf of the Morgan City Harbor and Terminal District an attorney agreement with Bourgeois Law, LLC, for the necessary legal services relative to Morgan City Harbor and Terminal District, substantially in accordance with the terms and conditions of the attorney agreement presented this day.

(ii) proposal from ENCOS for NOAA PORTS maintenance and sustainability Costs on Eugene Island MET station and Eugene Island Bar Channel station. It was moved by Glover, seconded by Mr. Orlando and carried unanimously to accept said proposal. (iii) Resolution authorizing replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program due to funding becoming available sooner for the Youngswood Yard Rehabilitation project, which was moved by Mr. Orlando, seconded by Mr. Cornes and carried unanimously.

### **RESOLUTION**

A Resolution authorizing the Morgan City Harbor and Terminal District to enter into a replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and 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 Morgan City Harbor and Terminal District has a need for port improvements; and

WHEREAS, the Morgan City Harbor and Terminal District has reviewed the application for Youngswood Yard Rehabilitation Project and agrees with said agreement; and

WHEREAS, the Morgan City Harbor and Terminal District has applied 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 Morgan City Harbor and Terminal District is fully aware of its obligations under said Statute; and

WHEREAS, the Morgan City Harbor and Terminal 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; and

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Harbor and Terminal District as follows:

Section 1. That Morgan City Harbor and Terminal District acknowledges that an application was submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and prior to commencement of work on the project Morgan City Harbor and Terminal District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Raymond “Mac” Wade, Executive Director, to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Raymond “Mac” Wade, Executive Director, is hereby Authorized Representative for Morgan City Harbor and Terminal District to represent the port with regards to the receipt of funds from the Louisiana Port Construction and Development Priority Program for a port improvement project.

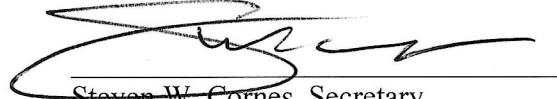
Section 4. That said Authorized Representative shall have the authority to sign and approve all documents that are necessary under the circumstances to accomplish the above project.

And, (iv) Payment Request No. 1 in the amounts of \$77,490.42 has been submitted by Patriot Construction, LLC for the Youngswood Yard Surface Replacement project. A motion was made by Mr. Orlando and seconded by Mr. Lombardo that the funding request be approved, based upon the engineer’s certification, and carried unanimously.

Mr. Bourgeois also reported that the mooring ordinance that gives the Executive Director authority to have vessels moved or removed before a dredge arrives to a particular location will be published in the newspaper and a hearing will be held for public comment on July 28<sup>th</sup> and adoption of said ordinance at our August 8<sup>th</sup> meeting. Mr. Tamporello urged Mr. Wade to attend the next council meeting to present to the council.

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

Attest:



Steven W. Cornes, Secretary