**PROCEEDINGS OF A REGULAR MEETING OF**

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**September 8, 2014**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session at the District’s office at 800 Youngs Road, Morgan City, Louisiana on July 14, 2014 at 5:00 p.m. Vice President Duane Lodrigue convened the meeting with Commissioners Deborah Garber, Thomas Ackel, R. Scott Melancon, Tim Matthews, Sr., Joseph Foret, Gary Duhon and Joseph Cain in attendance. Also present at the meeting were Raymond Wade, Executive Director; Tori Henry, Administrative Assistant; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois, Board Attorney; Mayor Frank “Boo” Grizzaffi; Jonathan Hird Maarten Kluijver and Nicholas Cox, Moffatt & Nichol; Michael Lowe, U.S. Army Corps of Engineers, New Orleans District (“Corps”); Commander Felton Gilmore and BM1 Clayton Franklin, United States Coast Guard (“USCG”); Michael Knobloch, Knobloch Professional Services; Walt Adams, Project Manager; Clay Breaud, Providence Engineering; along with members of the media and general public.

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

It was moved by Mr. Ackel and seconded by Mr. Matthews that the minutes of the Regular Meeting of August 11, 2014 be approved and adopted. Motion carried unanimously.

It was moved by Mrs. Garber that the report of receipts and disbursements for the month of August, 2014 be received and accepted and that all invoices presented to the Board for the month of August, 2014 be paid. Mr. Duhon seconded that motion, which carried unanimously.

Commander Gilmore reported that there were 5,829 transits for the month of August, averaging 188 per day.

BMI Franklin reported that Crew Boat Cut will be established the week of September 29.

Michael Lowe reported that: (i) the dredge in Berwick Bay Harbor arrived over Labor Day weekend after completing Berwick Lock Forebay and is now dredging the Morgan City riverfront; (ii) a pre construction conference was held on August 18 for the Atchafalaya Bar Channel. Dredge G.D. Morgan should arrive on site on September 17.

Jonathan Hird reported that: (i) they are looking for supplemental funding alternatives for dredging needs as its contingent on some very important data needed either from demonstrations or side casting dredging. A meeting will be set in the near future with the Corps to help find ways to spend the funds more efficiently. (ii) Coordination is ongoing with Coast Guard for the exact location of the two sites of the NOAA data collection platforms. The contractor will offer a presentation to the Commission next month.

Mike Knobloch reported that: (i) we are a recipient of the FY14 Port Security Grant and were awarded $154,170; and (ii) we are in the process of a desk review with the FY 10 Port Security Grant.

Clay Breaud reported that: (i) on September 5, an application was submitted to Coastal Zoning for installation of four cluster piles at the west side of the dock, giving the capability to tie up larger vessels.

Walt Adams reported that: (i) phase I site work has begun, which was awarded to Acadian Renovations for $287,000 and a notice to proceed issued on September 2; (ii) Phase II construction documents were completed and submitted to Facilities and Planning on September 4. Since the State Bond Commission postponed approving all Priority 2 funds to the October meeting, the plans will be reviewed and ready to release after approval of State funds. Once we receive that approval, we will be able to finalize the project documents and schedule within 30 days. (iii) The master project budget is fixed at $9,866,667, a sum of the state’s contribution of $7,100,000, the Ports contribution of $2,366,667 and an additional $400,000 which was allotted by the Port to increase the footprint and size of both floors. $957,493.01 has been expended to date for real estate, planning and design, preconstruction, geotechnical services and project management, all of which will be applied towards the Port’s match. (iv) Detailed planning and engineering of the special equipment and systems required within the Emergency Operations Center component of the facility is ongoing. Procurement of those highly specialized audio/visual, communications and security systems will occur separately from the construction bid packages under the same rigorous bidding requirements mandated within the terms of the CEA and the Port’s policy. The technical level and extent systems and equipment to be installed in the EOC will be defined by the minimum industry standards for compliance and functionality. The basic infrastructure of EOC is designed for maximum flexibility; reconfiguration and access to those systems in order to keep pace with emerging technologies in the future.

Cindy Cutrera reported that: (i) she attended a meeting at Waterborne Commerce in New Orleans with Senator Landrieu’s office and some of the Coastal Energy Ports. Waterborne Commerce is now in the process of mapping Port Fourchon, Port Terrebonne and Port of Iberia so that they will be included in the tonnage rankings in the future. No other metrics were mentioned but their next step is focusing on educating the marine industry as to how critical it is to submit vessel operating reports. (ii) We now have foreign tonnage being transferred at our dock; (iii) she thanked KWBJ and the Daily Review for their coverage on Purina Mills; (iv) we hosted a number of officials from Terrebonne, St. Mary Parish, CPRA and Moffatt & Nichol who provided an update to the group on the Increase Atchafalaya River to Terrebonne Diversion project. (v) She will attend a CPRA Restore Act meeting in Houma to discuss funding being used for environmental and economic restoration. In Mississippi, funds were actually used for Port development so we will investigate requirements for this type of projects. She and Mac will also attend a regional development meeting with SLEC and various industry representations. (vi) Patrick Broussard of Senator Vitter’s office, who has been instrumental in carrying our message back to the Senator, is moving back to his old job and brought his replacement, Leonard Rainey, to visit; (vii) Mississippi River Commission low water inspection trip was on August 21, with about 40 Parish and City officials, as well as industry members boarding a bus to Krotz Springs to load the MV Mississippi. They spent the day with a number of Corps officials and rode the vessel back to Morgan City to attend the reception along with several of our commissioners, St. Mary and Terrebonne officials and representatives from State and Federal agencies. Friday morning Mac addressed the Mississippi River Commission at the public meeting in Houma.

Mr. Wade reported that: (i) he was impressed that 40 individuals would take time away from their real job to ride the M/V Mississippi and share their concerns with the Corps; (ii) he, along with Mr. Ackel, attended General DeLuca’s farewell ceremony and General Wehr’s Change of Command in Vicksburg; (iii) He has received lots of positive feedback from the state, Washington, New Orleans and Vicksburg about the video and the newspaper articles both KWBJ and Daily Review published about Import/Export at the Port of Morgan City. We will have had 4 ship arrivals within less than a month’s time, which is a good start.

Gerard Bourgeois presented: (i) a parking servitude agreement, which goes along with the Government Emergency Operations Center, for construction of 150 parking spaces on the Auditorium grounds. The additional parking is consistent with the City’s master plan for the design of the Morgan City Municipal Auditorium. He noted that as long as the tenants are able to use the parking lot during working hours, this cost will count towards our State match. An ordinance was also presented for the City to adopt, which allows the District to use the auditorium twice a year and the West Concourse once per quarter. Mayor Grizzaffi reported a public hearing will be held at the next council meeting with the hopes of adopting the ordinance. He recognized the importance of the Port to the City and its relationship with Coast Guard and other entities. Mr. Melancon moved to accept said agreement and adopt the following resolution, which was seconded by Mr. Foret and carried unanimously while Mrs. Garber abstained from voting.

**RESOLUTION**

A resolution providing for the Morgan City Harbor and Terminal District (“District”), approval of a servitude agreement for parking with the City of Morgan City (“the City”).

WHEREAS, the 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 the CITY have previously determined that it is in the best interest of the public that both parties cooperate with regards to the building of a government emergency operations center (“GOEC”), and the improvement of the resiliency of the area within the boundaries of the District and in that regard, the CITY has, provided an approximate 22,687 sq. foot parcel of land bearing the municipal address of 7335 Hwy 182, Morgan City for the DISTRICT’s GOEC and the DISTRICT has committed to provide parking and other improvements to the CITY’s Municipal Auditorium complex.

WHEREAS, DISTRICT and the CITY have previously expressed their mutual agreement to cooperate in regards to the GOEC project by entrance into a cooperative endeavor agreement executed by the parties on June 26, 2014.

WHEREAS, in order for the DISTRICT to secure funding for parking improvements it must enter into servitude for parking with the CITY in regards to that area the District intends on improving for parking.

BE IT RESOLVED that the Board of Commissioners of the District does hereby approve a parking servitude with the City requiring approximately 150 spots to be added by the District to the City’s Municipal Auditorium Complex for use by the District’s GOEC tenants during normal working hours and non-exclusive use after working hours; which parking servitude includes land shown in the Exhibit “A” attached to said agreement.

BE IT RESOLVED, that the President, JERRY A. GAUTHIER, is hereby authorized and directed to execute on behalf of the District, a servitude for parking with the City of Morgan City substantially in accordance with the terms and conditions of the servitude presented this day.

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

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Thomas Ackel, Secretary