

**THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS  
MINUTES OF THE REGULAR BOARD MEETING  
THURSDAY, JULY 23, 2020**

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**A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS, PROPERLY NOTICED AND AUTHORIZED IN ACCORDANCE WITH SECTION 4 OF PROCLAMATION 30 JBE 2020 AND SECTION 2(C) OF PROCLAMATION 84 JBE 2020, CONVENED REMOTELY VIA ZOOM VIDEOCONFERENCE AT 1:51 P.M. ON THURSDAY, JULY 23, 2020.**

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**COMMISSIONERS  
PRESENT:**

Darryl D. Berger, Chairman  
William H. Langenstein, III, Vice-Chairman  
Charles H. Ponstein, Secretary-Treasurer  
Tara C. Hernandez, Member  
Arnold B. Baker, Member  
Joseph T. Toomy, Member  
Walter J. Leger, Jr. Member (*sworn in at conclusion of meeting*)

**STAFF:**

B. Christian, President and Chief Executive Officer  
M. Ganon, Vice President, Public Affairs  
A. Fant, Vice President, Planning and Facilities  
B. Landry, Vice President, Commercial  
R. Wendel, Chief Financial Officer  
J. Escudier, Executive Counsel  
M. Scelson, General Counsel  
A. Evett, Director, Engineering  
C. Coats, Director, Real Estate  
R. Aragon Dolese, Director, Marketing and Communications  
J. Guidry, Director, Maintenance  
M. Verderame, Director, Records  
E. Pansano, Director, Internal Audit  
T. Carter, Director, Procurement  
J. Crist, Deputy Director, Terminal Operations  
R. Bylsma, Construction Manager  
M. Gresham, Director, External Affairs  
D. Cordell, Chief Information Officer  
J. Sholar, Director, Human Resources  
P. Beard, Port General Agent  
J. Mansour, Director, Commercial  
J. Ragusa, Public Affairs  
T. Smith, Administrative Assistant  
A. Taylor, Procurement  
C. Nguyen, Engineering  
M. Sulser, Engineering Manager  
E. Bordelon, Executive Assistant  
M. Singley, Board Secretariat  
J. Woodward, Sustainable Development

Chief R. Hecker, Harbor Police Department  
Capt. M. Montroll, Harbor Police Department  
C. Falgoust, Procurement  
S. Gautier, Director, Cruise  
J. Swartout, Commercial  
E. Lonielloe, Engineering

**GUESTS:**

M. Stolzman, NOPB  
C. Kocur, NOPB  
J. Oldham, NOPB  
L. Traweek, *New Orleans City Business*  
R. Desselles  
Verena  
Weresj  
B. Adams  
L. Jennings  
D. Kearney  
Jeremy

**I. Roll Call & Determination of Quorum**

Following a roll call of Board members, Chairman Berger confirmed a quorum and called the meeting to order at 1:51 p.m.

**II. Approval of Meeting Minutes for June 2020**

Chairman Berger called for a motion to approve the public meeting minutes for June 2020, as previously circulated.

Commissioner Baker moved to accept the minutes and Commissioner Toomy seconded the motion. **MOTION CARRIED UNANIMOUSLY**

**III. Briefing & Action Items:**

**A. Acceptance of the Consolidated Financial Statements for June 2020.**

Mr. Wendel presented the consolidated financial statements for June 2020, a copy of which is made a part of these minutes. Mr. Landry provided an overview of cargo volumes and noted that, while the volumes are still below projections, they are expected to slowly return to normal by the end of the summer. Breakbulk numbers are also down and there was nothing new to report on cruise revenues. Mr. Wendel presented the operating revenues and fiscal year-to-date figures for gross revenues, labor costs, operating costs, and operating incomes for the Board, as well as on a consolidated basis with the New Orleans Public Belt Railroad Corporation (“NOPB”).

Commissioner Baker moved to accept the financial statements and Commissioner Ponstein seconded. **MOTION CARRIED UNANIMOUSLY**

**B. Consider Approval of a Resolution Confirming to Auditors the Board's Compliance with Applicable Laws and Accounting Principles as Set Out in the Louisiana Legislative Auditor's Compliance Questionnaire.**

Mr. Wendel presented and recommended approval of the resolution. The Louisiana Legislative Auditor requires the governing body of all quasi-public entities to certify the Louisiana Compliance Questionnaire as part of the fiscal audit. The independent fiscal auditor for Fiscal Year 2020 is Carr, Riggs & Ingram, LLC. Mr. Wendel noted that there were no exceptions to report and recommended approval of the resolution.

Commissioner Hernandez moved to approve the resolution and Commissioner Toomy seconded. **MOTION CARRIED UNANIMOUSLY**

**C. Consider Approval of a Resolution Awarding a Contract to Industrial & Crane Services, Inc., in the Amount of \$930,000 for the Nashville Avenue Terminal Complex Crane No. 5 Decommissioning Project.**

Mr. Evett presented and recommended approval of the resolution. The scope of work included in this contract consists of furnishing all labor, materials and equipment for salvaging select equipment and parts from Crane No. 5, delivering said equipment to the Board's warehouse, and decommissioning Crane No. 5. Two (2) bids were received and Industrial & Crane Services, Inc. was the lowest responsive and responsible bidder. The anticipated contract time to perform the work is 28 calendar days and funds are allocated in the Board's Capital Investment Plan.

Commissioner Ponstein inquired about the name of the engineering firm that provided the pre-bid estimate, and Mr. Evett confirmed that the Board's consultant Boos Navarre, LLC, supplied the estimate.

Commissioner Toomy moved to approve the resolution and Commissioner Hernandez seconded. **MOTION CARRIED UNANIMOUSLY**

**D. Consider Approval of a Resolution Awarding a Contract to PCL Civil Constructors, Inc., in the Amount of \$2,750,000 for the St. Claude Avenue Bridge Rehabilitation of 1st Link Joints Project.**

Mr. Evett presented and recommended approval of the resolution. The scope of work included in this contract consists of furnishing all labor, equipment, and materials to repair various bridge components in connection with the St. Claude Avenue Bridge Rehabilitation Project (the "Project"). To reduce the impact on maritime traffic, the work is scheduled to coincide with a planned 60-calendar day IHNC lock closure in August. The work will require closure of one (1) vehicular travel lane in each direction throughout the duration of the rehabilitation project and, occasionally, closure of both vehicular travel lanes. Two (2) bids were received in response to the Board's invitation to bid, and PCL Civil Constructors,

Inc. was the lowest responsive and responsible bidder. The anticipated contract time to perform the work is 100 calendar days. Funds for this contract are allocated in the Board's Capital Investment Plan.

Mr. Ponstein asked if the Board has worked with PCL Civil Constructors, Inc. previously and Mr. Evett confirmed they had not.

Commissioner Hernandez asked if the other bidder was a Louisiana company, and what the difference was between the bid submissions. Mr. Evett responded that the other responsive bidder was Boh Bros. Construction, LLC with a bid of \$3,244,000 compared to PCL Civil Constructors, Inc. with a bid of \$2,750,000.

Mr. Ponstein inquired about the lane closures and expected disturbances during the Project. Mr. Evett confirmed that the anticipated Project duration is 100 calendar days, and that work will be coordinated to minimize impacts to vehicular traffic as much as possible.

Commissioner Ponstein moved to approve the resolution and Commissioner Baker seconded. **MOTION CARRIED UNANIMOUSLY**

**E. Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Amendment in the Amount of \$934,505 to the Contract with Centric Gulf Coast, Inc., for Electrical Modifications and Paving at the Nashville Avenue Terminal Complex.**

Mr. Evett presented and recommended approval of the resolution. At its July 2019 meeting, the Board awarded a contract to Centric Gulf Coast, Inc., in the amount of \$4,273,240 to perform the first phase of construction for the crane rail extension project at the Napoleon/Nashville Avenue Container Terminal. The work includes electrical upgrades, paving modifications and installations for the new cranes on order. Due to above-average river stage, under-wharf electrical work has been substantially delayed. Subsequently, this proposed contract change order will reconfigure work to mitigate and reduce the duration of operational outages for the cranes, as well as further reduce risk of additional delays from future high river.

This change order also includes reallocation of electrical scope from the main crane rail extension contract to this contract. Accordingly, a change order to the contract with Orion Industrial Construction LLC, that includes a credit to the Board in the amount of \$846,000 for the re-allocated scope, will be executed concurrently with this change order. Funds for this change order are allocated in the Board's Capital Investment Plan.

Commissioner Langenstein asked for confirmation that the net additional cost would be approximately \$90,000 and Mr. Evett confirmed.

Commissioner Langenstein moved to approve the resolution and Commissioner Baker seconded. **MOTION CARRIED UNANIMOUSLY**

**F. Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Lease Agreement with The Kearney Companies, Inc. for Property Located at 3501 France Road, New Orleans, Louisiana.**

Ms. Coats presented and recommended approval of the resolution. She stated that The Kearney Companies, Inc. currently leases 6.91 acres of land and a 31,200 square foot transit shed located at 3501 France Road, New Orleans, Louisiana. The current lease expires on July 31, 2020 and the lessee would like to enter into a new lease agreement for this area. The proposed lease is for an initial term of three (3) years, with one 3-year option to extend. The lease will generate approximately \$110,000 in annual revenue for the Board during the first year with annual Land Value CPI-U rent adjustments factoring in for subsequent years. As this property has been identified as eligible for redevelopment in the Board's Port Inner Harbor Economic Revitalization ("PIER") Plan, per the terms of the new lease, the Board would have the right to relocate the tenant or terminate the lease, should the need arise.

Chairman Berger emphasized the importance of the relocation clause. Commissioner Langenstein asked who would be responsible for the costs in the event the tenant did need to be relocated. Ms. Coats stated that, if the Board can provide a comparable alternate site, the Board has the right to terminate the lease.

Commissioner Toomy moved to approve the resolution and Commissioner Langenstein seconded. **MOTION CARRIED UNANIMOUSLY**

**G. Briefing on Proposed Updates to the Board's Bylaws**

In accordance with Article XIII(ii) of the Board's Bylaws, which requires that, prior to proposing any changes to the Bylaws, written notice of such proposal be given at the prior meeting of the Board, Mr. Escudier presented a summary of proposed amendments, noting the planned CPI-U increase for the President and Chief Executive Officer's spending authority, along with various other authority and procedural updates. Staff intend to submit the amendments, as proposed, for Board approval at the August 2020 Board Meeting.

**IV. Report by the President and Chief Executive Officer**

Ms. Christian first congratulated the Communications Team on securing 15 awards through the American Association of Port Authorities' *2020 Communications Awards*. All of the 15 entries submitted by the team earned some level of recognition and Ms. Christian thanked the staff for their hard work throughout the year.

Ms. Christian also mentioned that earlier this month, Governor John Bel Edwards officially announced the Louisiana Smart Port Initiative involving Louisiana Economic Development, The Water Institute of the Gulf, and Port NOLA. The initiative will streamline operations and increase safety and efficiency through data sharing of port users and customers. Ms. Christian thanked everyone involved in this collaborative initiative.

## **V. Administration of Oath of Office to Mr. Walter J. Leger, Jr.**

Chairman Berger noted that in accordance with the Board's governing statutes, Mr. Baker's 5-year term as a commissioner expired on April 9, 2020. He then announced that Mr. Walter J. Leger, Jr., has been appointed to the Board of Commissioners of the Port of New Orleans to succeed Mr. Baker in the Position D seat for Orleans Parish.

Chairman Berger, joined by the other Board members, remarked on Mr. Baker's many contributions, noting his irreplaceable and energetic leadership style. All the Commissioners, as well as Ms. Christian, thoroughly thanked departing Commissioner Baker for his tenure and contributions to the Board, including his focus on diversifying procurement and his enduring sense of humor. Mr. Baker expressed his gratitude and appreciation for the opportunity to serve on the Board.

Mr. Escudier administered the Oath of Office to Mr. Leger. Afterwards, Chairman Berger welcomed Mr. Leger to the Board and noted that he was looking forward to working with him. All Commissioners welcomed Mr. Leger, noting his many professional achievements. Mr. Leger shared a brief speech, thanking his family for raising him with such strong connections to the Mississippi River and maritime industry, and expressing pride and enthusiasm for the opportunity to serve on the Board and to contribute to its mission.

## **VI. Adjournment**

There being no further business to come before the Board, Chairman Berger called for a motion to adjourn. Commissioner Ponstein so moved and Commissioner Hernandez seconded. **MOTION CARRIED UNANIMOUSLY** and Chairman Berger adjourned the meeting at 2:42 p.m.