<table>
<thead>
<tr>
<th>COMMITTEE</th>
<th>Darryl D. Berger, Committee Chairman</th>
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<tr>
<td>MEMBERS</td>
<td>Tara C. Hernandez, Member</td>
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<td>PRESENT:</td>
<td>William H. Langensteini, Member</td>
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<td>Arnold B. Baker, Member</td>
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<td>Charles H. Ponstein, Member</td>
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<td>Jack C. Jensen, Jr., Member</td>
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| ABSENT:        | Joseph F. Toomy, Member              |

| STAFF:         | B. Christian, President and Chief Executive Officer |
|                | B. Landry, Vice President, Commercial            |
|                | A. Fant, Vice President, Planning and Facilities |
|                | M. Ganon, Vice President, Public Affairs         |
|                | R. Wendel, Chief Financial Officer               |
|                | M. Gresham, Director, External Affairs           |
|                | A. Evett, Director, Engineering                   |
|                | M. Verderame, Director, Records                   |
|                | E. Pansano, Director, Internal Audit             |
|                | M. Scelson, General Counsel                       |
|                | J. Crist, Deputy Director, Terminal Operations & Real Estate |
|                | J. Ragusa, Manager, Communications               |
|                | A. Aragon Dolese, Director, Communications       |
|                | A. Pellegrin, Director, Sustainable Development  |
|                | J. Sholar, Director, Human Resources             |
|                | G. Palermo, Port General Agent                   |
|                | L. Swatasky, Director, Finance                   |
|                | T. Carter, Director, Procurement                 |

| GUESTS:        | M. Stolzman, NOPB                              |
|                | T. Haver, NOPB                                 |
|                | C. Kocur, NOPB                                 |
|                | A. Moore, NOPB                                 |
|                | M. Smith, NOPB                                 |
|                | B. Hammond, Carr, Riggs & Ingram, LLC          |
|                | J. Dawes, Gallagher Benefits Services          |
|                | L. Traweek, *New Orleans City Business*        |
I. **Determination of Quorum and Call to Order**

Committee Chair Berger determined the existence of a quorum and called the meeting to order at 1:35 p.m.

II. **Briefing and Discussion Items:**

A. **Recommend to the Board at its Regular Monthly Meeting the Acceptance of the Consolidated Financial Statements for September 2019.**

Mr. Wendel distributed the September 2019 financial reports to the Committee, a copy of which is made a part of these minutes. He provided an overview of the Board of Commissioners of the Port of New Orleans’ (“Port’s”) and the New Orleans Public Belt Railroad Corporation’s (“NOPB’s”) expenses, revenues, and budgets on both a monthly and fiscal year-to-date basis.

Mr. Landry provided an overview of the Port’s volume report to the Committee. He noted there was an increase in container business for the month and stated the year to date percentage increase is the same as this time last year. He anticipates an increase in breakbulk volumes next month due to the new Asia service. He stated breakbulk volumes remain steady compared to this time last year. He noted the Port is continuing to see a downturn in steel and aluminum imports.

Mr. Landry stated cruise passenger revenue remains on target, as well as cruise parking revenue. He noted there was a slight decrease in passengers, from last September as there was one less vessel call this September.

Mr. Stolzman provided an overview of business line volumes for NOPB. He stated Class I switching volume has increased, and local switching volume has decreased, which he attributes to fewer oil trains than anticipated. Overall, switching volumes remain strong.

Ms. Christian asked Mr. Stolzman to clarify the correlation regarding recent articles that some Class I volumes are down. Mr. Stolzman stated that precision-scheduled railroading is leading to railcar volumes dropping because Class I railroad are moving cars faster and in longer trains. NOPB, however, is seeing an increase in switching volumes because Class I railroads are transferring their switching obligations to short line railroads, such as NOPB, in order to move the cars faster.

Mr. Wendel stated both the NOPB and Port’s revenues are above budget for the month. He stated terminal operations revenue decreased for the month of September, which he attributes to timing issues in real estate rental revenue. He stated terminal operations revenue is $433,000 from this time last year. Cruise revenue came in at $1 million, which is $120,000 above budget for the month and $48,000 above budget for the year. He noted real estate revenue came in at $790,000 against a budget of $731,000, which is $70,000 above budget on a year to date basis.

Mr. Wendel stated that for the month, NOPB operating revenue came in at $2.9 million.
He noted that car repair volume is down, but that railcar storage is up. He stated switching revenue is $461,000 above budget for the month. For the year, NOPB is $1.4 million above budget in switching revenues.

Mr. Wendel stated that for the month, NOPB labor expenses were slightly above budget and operating expenses were under budget, which he attributes to the decrease in maintenance costs.

Commissioner Hernandez questioned whether the local switching volumes are anticipated to remain flat. Mr. Stolzman stated he anticipates volumes to remain predominately flat, but that there may be some fluctuations in the first quarter of 2020, which is typical.

Mr. Wendel stated that for the month, there was a decrease in the Port’s labor expenses, coming in at $2.4 million against a budget of $2.5 million. On a year-to-date basis, labor is $34,000 below budget. He noted maintenance expenses were $91,000 below budget which he attributes to timing. He noted total expenses came in $1.4 million versus a budget of $1.65 for the month, which is $317,000 above operating income for the month. For the year, the Port is $1 million above budget on a year-to-date basis for operating income.

On a consolidated basis, operating income is at $2.3 million, which is $1 million above budget for the month and $1.8 million above budget on a year-to-date basis.

Commissioner Jensen moved to recommend acceptance of the September 2019 consolidated financial statements at the Regular Board meeting. Commissioner Baker seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

**B. Recommend to the Board at its Regular Monthly Meeting a Resolution Authorizing the President and Chief Executive Officer to Enter into Annual Agreements Providing for Employee Benefits for Health, Dental, Vision, Long-Term Disability, Accidental Death and Dismemberment, and Life Insurance Coverage.**

Mr. Wendel presented and recommended approval of the resolution. He provided an overview of the current and proposed employee benefits for health, dental, Long-Term Disability (“LTD”), Accidental Death and Dismemberment (“AD&D”), and life insurance (“Life”) coverage for calendar year 2020.

Mr. Wendel highlighted the process for soliciting new plan quotes, as well as proposed plan design changes, and the cost analysis for each effective change. Mr. John Dawes, the Senior Benefits Consultant with Gallagher Benefits Services, was in attendance to answer any questions.

Mr. Wendel stated that staff recommends (1) changing the medical benefit provider from United Healthcare to Blue Cross Blue Shield of Louisiana, with an overall cost savings of 2%, (2) continuing vision and dental coverage through United Healthcare, with respective cost increases of 0% and 4%, and (3) switching from MetLife to Aflac for Life, AD&D and LTD coverages due to a 40% increase quoted by the incumbent, MetLife.
Commissioner Ponstein questioned as to the evaluation process for determining benefits coverage. Mr. Wendel stated the Port’s insurance broker obtained quotes and proposals from the competitive market, which were then reviewed by executive management to determine the best recommendation.

Commissioner Ponstein asked for clarification as to the carrier for dental and vision coverage. Mr. Wendel stated the dental and vision plans are separate from healthcare, and staff recommends dental and vision plans remain with United Healthcare.

Commissioner Baker questioned as to the selection of the Port’s insurance broker. Mr. Wendel stated a request for proposals was issued two years ago, and the contract was awarded to Gallagher Benefit Services after an evaluation process. He noted this is Gallagher’s second year as the Port’s benefits broker.

Commissioner Jensen questioned the process for soliciting quotes from the competitive market. Mr. Dawes noted there are three major insurance carriers in this market, and only United Healthcare and Blue Cross Blue Shield of Louisiana opted to submit proposals for coverage.

Commissioner Baker moved to recommend approval of the resolution at the Regular Board meeting. Commissioner Hernandez seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

C. Briefing on the Annual Audit Report

Mr. Wendel briefed the Committee on the major findings of the Independent Financial Audit Report for Fiscal Year 2019, highlighting changes from the previous year, and noting major revenue and expenditure categories. Ms. Becky Hammond, representing the Port’s independent financial auditing firm Carr, Riggs & Ingram, LLC, was in attendance at the meeting to answer any questions as needed.

Mr. Wendel recognized both the Port and NOPB Accounting staff, commending Ms. Adrienne Moore and Mr. Larry Sawatsky for their hard work in compiling information to complete the audit.

III. Public Comment

Committee Chairman Berger called for public comment, but there was none.

IV. Adjournment

There being no further business to come before the Committee, Committee Chairman Berger called for a motion to adjourn. Commissioner Langenstein moved, and Commissioner Jensen seconded. **MOTION CARRIED UNANIMOUSLY** and the meeting was adjourned at 2:10 p.m.
THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS
MINUTES OF
THE PLANNING AND ENGINEERING COMMITTEE MEETING
MONDAY, OCTOBER 21, 2019


COMMITTEE
MEMBERS
PRESENT:

Charles H. Ponstein, Committee Chairman
Tara C. Hernandez, Member
Darryl D. Berger, Member
Arnold B. Baker, Member
William H. Langenstein, III, Member
Jack C. Jensen, Jr., Member

ABSENT:

Joseph F. Toomy, Member

STAFF:

B. Christian, President and Chief Executive Officer
B. Landry, Vice President, Commercial
A. Fant, Vice President, Planning and Facilities
M. Ganon, Vice President, Public Affairs
R. Wendel, Chief Financial Officer
M. Gresham, Director, External Affairs
A. Evett, Director, Engineering
M. Verderame, Director, Records
E. Pansano, Director, Internal Audit
M. Scelson, General Counsel
J. Crist, Deputy Director, Terminal Operations and Real Estate
J. Ragusa, Manager, Communications
A. Aragon Dolese, Director, Communications
A. Pellegrin, Director, Sustainable Development
J. Sholar, Director, Human Resources
G. Palermo, Port General Agent
L. Sawatsky, Director, Finance

GUESTS:

M. Stolzeman, NOPB
T. Haver, NOPB
C. Kocur, NOPB
A. Moore, NOPB
M. Smith, NOPB
B. Hammond, Carr, Riggs & Ingram LLC
L. Traweek, New Orleans City Business
J. Dawes, Gallagher Benefits Services

1 of 4
I. **Determination of Quorum and Call to Order**

Committee Chairman Ponstein determined the existence of a quorum and called the meeting to order at 2:11 p.m.

II. **Briefing and Discussion Items:**

A. **Recommend to the Board at its Regular Monthly Meeting a Resolution Authorizing the President and Chief Executive Officer to Enter into a Professional Services Contract with Environmental Science Services, Inc., to Provide As-Needed Geographic Information System Services for a Period of Three Years in an Amount Not to Exceed $600,000.**

Ms. Pellegrin presented and recommended approval of the resolution. She stated that services covered under this contract includes technical assistance for continued development and integration of the Board’s enterprise Geographic Information System (“GIS”) applications for critical infrastructure security purposes. Four (4) proposals were submitted in response to a request for proposals (“RFP”). The evaluation committee ranked Environmental Science Services, Inc., as highest based on the evaluation criteria set forth in the RFP. The contract term is for a period of three (3) years for an amount not to exceed $600,000 for the full contract term, approximately 75% of which will be funded by the Port Security Grant and the remaining cost is allocated in the Board’s Capital Investment Plan.

Committee Chairman Ponstein asked for details regarding the Port Security Grant funds. Ms. Pellegrin explained that the Board received $471,000 from a Department of Homeland Security Grant in 2018 to continue work on GIS initiatives. She also noted the grant is valid for three (3) years and will expire in 2022.

Commissioner Berger moved to recommend approval of the resolution at the Regular Board meeting. Commissioner Hernandez seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

B. **Recommend to the Board at its Regular Monthly Meeting a Resolution Authorizing the President and Chief Executive Officer to Enter into Separate Professional Services Contracts with (1) Hardesty & Hanover, LLC; (2) Huval & Associates, Inc.; and (3) Modjeski and Masters, Inc. to Provide As-Needed Engineering Services for Moveable Bridges for a Period of Three Years for an Amount Not to Exceed $1,000,000 Per Contract.**

Mr. Evett presented and recommended approval of the resolution. He stated that work covered under these contracts includes as-needed and routine professional services including design, inspection, and construction administration in connection with the Port’s moveable bridges. Three (3) separate contracts are needed to accommodate the anticipated project workload for the various bridges. Each contract is for a period of three (3) years for an amount not to exceed $1,000,000 for the full contract term.
Mr. Evett stated that four (4) proposals were received in response to a RFP. Hardesty & Hanover, LLC, Huval & Associates, Inc., and Modjeski and Masters, Inc., were the three (3) top-ranked respondents based on the evaluation criteria. Funding for the contracts is allocated in the Board’s Capital Investment Plan.

Commissioner Langenstein questioned if these contracts would be replacing existing contracts for the same work, and, if so, was $1 million the threshold for those contracts. Mr. Evett responded that historically these types of services were procured for individual bridge projects and would average in the range of $250,000; however, by structuring the contracts this way, staff will be able to move forward with bridge projects without requiring separate Board action for each individual project. Currently, there are fifteen (15) movable bridge projects on the Board’s Capital Investment Plan Bridge Schedule.

Commissioner Jensen questioned as to whether the listed sub-consultants have performed work for the Board previously, and whether sub-consultants are selected by staff or the primary consultant. Mr. Evett stated he believed most of the sub-consultants had performed work in some capacity with the Board previously, and that all sub-consultant teams are selected by the primary consultant.

Ms. Fant further clarified that the proposals were required to include the specialized sub-consultant teams selected by the primary consultant.

Commissioner Jensen questioned whether each consultant will work on a specific bridge. Mr. Evett stated each consultant will have different projects.

Commissioner Jensen asked for clarification on whether the Board’s Almonaster Bridge is being replaced. Staff responded there will be a major refurbishment of the bridge to repair the structure in place.

Committee Chair Ponstein questioned whether Seabrook Bridge had vehicular traffic. Ms. Fant stated there was vehicular traffic in the past, but it currently only accommodates rail traffic.

Commissioner Hernandez moved to recommend approval of the resolution at the Regular Board Meeting. Commissioner Baker seconded the motion. MOTION CARRIED UNANIMOUSLY.

C. Recommend to the Board at its Regular Monthly Meeting a Resolution Awarding a Contract to C.E.C., Inc., in the Amount of $1,465,000, for the Seabrook Bridge Approach Span Replacement Project.

Mr. Evett presented and recommended approval of the resolution. He stated that work covered under this contract includes replacing the two (2) approach spans on the east side of the Seabrook Bridge (the “Bridge”) and a single approach span on the west side of the main Bridge structure, as well as replacing trunnion bolts and deteriorated bearings at the east and west approach spans.
Mr. Evett stated that C.E.C., Inc. was the sole responsive and responsible bidder, and funding for this project is allocated in the Board’s Capital Investment Plan.

Committee Chairman Ponstein questioned if the project managers will be coordinating with the railroads. Mr. Evett stated that a major consideration for the project is coordinating and managing rail down times over the course of the project.

Committee Chairman Ponstein questioned which railroads use the Seabrook Bridge. Mr. Stolzman responded that only Norfolk Southern Railroad Corporation and Amtrak use the Bridge.

Commissioner Hernandez questioned whether there are other contractors that are capable of handling specialized bridge work. Mr. Evett responded there are a number of bridge contractors, but that the relatively small size of this project would not typically attract many contractors.

Commissioner Berger moved to recommend approval of the resolution at the Regular Board meeting. Commissioner Jensen seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

III. Public Comment

Committee Chairman Ponstein called for public comment, but there was none.

IV. Adjournment

There being no further business to come before the committee, Committee Chairman Ponstein called for a motion to adjourn. Commissioner Berger moved to adjourn and Commissioner Jensen seconded. **MOTION CARRIED UNANIMOUSLY** and the meeting adjourned at 2:23 p.m.
THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS
MINUTES OF
THE PROPERTY AND INSURANCE COMMITTEE MEETING
MONDAY, OCTOBER 21, 2019


COMMITTEE
William H. Langenstein, III, Committee Chairman

MEMBERS
Tara C. Hernandez, Member

PRESENT:
Darryl D. Berger, Member
Arnold B. Baker, Member
Charles H. Ponstein, Member
Jack C. Jensen, Jr., Member

ABSENT:
Joseph F. Toomy, Member

STAFF:
B. Christian, President and Chief Executive Officer
B. Landry, Vice President, Commercial
A. Fant, Vice President, Planning and Facilities
M. Ganon, Vice President, Public Affairs
R. Wendel, Chief Financial Officer
M. Gresham, Director, External Affairs
A. Evett, Director, Engineering
M. Verderame, Director, Records
E. Pansano, Director, Internal Audit
M. Scelson, General Counsel
J. Crist, Deputy Director, Terminal Operations and Real Estate
J. Ragusa, Manager, Communications
A. Aragon Dolese, Director, Communications
A. Pellegrin, Director, Sustainable Development
J. Sholar, Director, Human Resources
G. Palermo, Port General Agent
L. Sawatsky, Director, Finance
T. Carter, Director, Procurement

GUESTS:
M. Stolzman, NOPB
T. Haver, NOPB
C. Kocur, NOPB
A. Moore, NOPB
M. Smith, NOPB
B. Hammond, Carr, Riggs & Ingram, LLC
L. Traweek, New Orleans City Business
I. **Determination of Quorum and Call to Order**

Committee Chairman Langenstein determined the existence of a quorum and called the meeting to order at 2:23 p.m.

II. **Briefing and Discussion Items:**

   A. **Recommend to the Board at its Regular Monthly Meeting a Resolution Amending the Board’s FMC Tariff, T-No. 2.**

   Mr. Crist presented and recommended approval of the resolution. He provided an overview of the proposed revisions to the Port’s Dock Department Tariff, FMC T-No. 2 (the “Tariff”) to adjust various rate adjustments, update certain items, add new terms, and other administrative updates. He noted that the Tariff was extensively revised in 2018, and these proposed revisions are part of staff’s annual review process. The proposed changes will be effective January 1, 2020, and will be accompanied by a sixty-day notice to stakeholders.

   Commissioner Ponstein moved to recommend approval of the resolution at the Regular Board meeting. Commissioner Berger seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

   B. **Recommend to the Board at its Regular Monthly Meeting a Resolution Authorizing the President and Chief Executive Officer to Execute a Consent and Estoppel Certificate in Connection with the Board’s Lease with Lake Ponchartrain Properties, LLC, for Property Located at 6201 France Road, New Orleans, Louisiana.**

   Ms. Scelson presented and recommended approval of the resolution. She stated that Lake Pontchartrain Properties, LLC (“LPP”) currently has a lease with the Board for the property located at 6201 France Road and adjacent areas in New Orleans, Louisiana. She noted LLP is in the process of obtaining a small business loan, which will be used for certain improvements to the leased premises, including paving and adding additional rental sites.

   Ms. Scelson noted the lender is Newtek Small Business Finance, LLC (“Newtek”), whose parent company is Newtek Business Solutions, which is a publicly traded entity. In connection with the loan, Newtek is requiring that the Board execute a Consent and Estoppel Agreement, which includes a provision that if LPP defaults on the loan, Newtek would be assigned LPP’s rights and obligations under the lease. She noted staff has been advised that in the event LLP defaults and the assignment occurs, Newtek would seek a new operator for the site, which would require further Board approval.

   She also noted that, pursuant to a letter agreement, a portion of the loan would be used to pay the Board past due rent in the amount of $109,000 and LPP’s monthly deferred rent payment would be increased.
Commissioner Hernandez questioned whether LPP would be required to increase its security deposit to reflect the increase in the monthly deferred rent payment and whether the funds owed to the Board would be held in escrow at closing. Ms. Scelson stated that staff would ensure those requirements were met before executing the agreement.

Committee Chairman Langenstein questioned as to the amount of past due rent that the Board would receive. Ms. Scelson stated that the total amount was $109,342.80.

Committee Chairman Langenstein questioned as to the total deferred rent amount. Ms. Scelson stated the current monthly deferred rent payment is $4,928.99, which would increase to $7,617.53 post-closing. The deferred rent repayment plan was previously scheduled to end August 1, 2022, and with the increase in monthly deferred rent payment, the total will be paid in full August 1, 2021.

Committee Chairman Langenstein questioned as to the notice requirement to the Board in the event of LPP’s defaulting on the loan. Ms. Scelson stated that staff were still working through the details but she believes it is thirty (30) days.

Commissioner Jensen moved to recommend approval of the resolution at the Regular Board meeting. Commissioner Ponstein seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

### III. Public Comment

Committee Chairman Langenstein called for public comment, but there was none.

### IV. Adjournment

There being no further business to come before the committee, Committee Chairman Langenstein called for a motion to adjourn. Commissioner Ponstein moved to adjourn and Commissioner Jensen seconded. **MOTION CARRIED UNANIMOUSLY** and the meeting adjourned at 2:31 p.m.
I. Determination of Quorum and Call to Order

Committee Chair Hernandez determined the existence of a quorum and called the meeting to order at 2:32 p.m.


Committee Chair Hernandez called for a motion to enter into closed executive session to discuss the matter of Wheel Worx, LLC v. The New Orleans Public Belt Railroad Corporation and the Board of Commissioners of the Port of New Orleans, Civil District Court for the Parish of Orleans, Docket No. 2019-9641, Div. A-16.

Commissioner Jensen moved to enter into a closed executive session and Commissioner Langenstein seconded. The motion carried unanimously and the Committee entered into closed session.
Following conclusion of discussion, Commissioner Langenstein moved to end executive session and return to the open meeting. Commissioner Berger seconded. **MOTION CARRIED UNANIMOUSLY** and the executive session was concluded.

**III.** Recommend to the Board at its Regular Monthly Meeting a Resolution Authorizing the President and Chief Executive Officer to Execute a Settlement in the Matter of *Wheel Worx, LLC v. The New Orleans Public Belt Railroad Corporation and the Board of Commissioners of the Port of New Orleans*, Civil District Court for the Parish of Orleans, Docket No. 2019-9641, Div. A-16.

Ms. Scelson presented and recommended approval of the resolution. Committee Chair Hernandez called for a motion to recommend the resolution for approval at the Regular Board meeting. Commissioner Langenstein moved and Commissioner Baker seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

**IV.** Public Comment

Committee Chair Hernandez called for any public comment, but there was none.

**V.** Adjournment

There being no further business to come before the Committee, Committee Chair Hernandez called for a motion to adjourn. Commissioner Jensen so moved, and Commissioner Ponstein seconded. **MOTION CARRIED UNANIMOUSLY** and the meeting was adjourned at 2:58 p.m.
A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS, HELD IN THE FIRST FLOOR AUDITORIUM AT ITS OFFICES LOCATED AT 1350 PORT OF NEW ORLEANS PLACE, NEW ORLEANS, LOUISIANA, WAS CALLED TO ORDER BY CHAIR TARA C. HERNANDEZ, AT 1:48 P.M. ON THURSDAY, OCTOBER 24, 2019.

COMMISSIONERS PRESENT:

Tara C. Hernandez, Chair
Darryl D. Berger, Vice-Chair
William H. Langenstein, III, Secretary-Treasurer
Arnold B. Baker, Member
Charles H. Ponstein, Member
Jack C. Jensen, Member
Joseph F. Toomy, Member

STAFF:

B. Christian, President and Chief Executive Officer
A. Fant, Vice President, Planning and Facilities
M. Ganon, Vice President, Public Affairs
R. Wendel, Chief Financial Officer
A. Evett, Director, Engineering
M. Scelson, General Counsel
J. Schecter, Manager, Marketing and Communications
W. Stokes, Administrative Assistant
D. Feraci, Administrative Assistant
E. Pansano, Director, Internal Audit
C. Coats, Director, Real Estate
R. Aragon Dolese, Director, Marketing and Communications
C. Alfonso, Manager, Community Engagement
J. Ragusa, Manager, Communications
B. Nalley, Port Attorney
G. Palermo, Port General Agent
A. Madere, Manager, Records
A. Taylor, Procurement
Chief R. Hecker, Harbor Police Department
Capt. M. Montroll, Harbor Police Department
S. Sylvas, Harbor Police Department
D. Mercadel, Harbor Police Department
C. Smith, Harbor Police Department
C. Cummings, Harbor Police Department

GUESTS:

M. Stolzman, NOPB
T. Haver, NOPB
I. Determination of Quorum and Call to Order

Chair Hernandez determined the existence of a quorum and called the meeting to order at 1:48 p.m.

II. General Public Comment

Chair Hernandez called for general public comment.

Mr. Robert Tannen addressed and commended the Board on continued regional focus on economic prosperity.

Mr. Lloyd Lazard addressed the Board regarding a proposal for the African American Heritage Cultural Center.

III. Approval of September 2019 Public Meeting Minutes

On a motion duly made by Vice-Chairman Berger and seconded by Commissioner Langenstein, the Board unanimously approved the minutes of its public meeting for September 2019, as previously circulated.

IV. Acceptance of September 2019 Consolidated Financial Statements
Mr. Wendel provided a summary overview of the financial statements for September 2019, copies of which are made a part of these minutes. He noted September 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”).

Chair Hernandez advised the Board that the Budget Committee had reviewed the financial statements and voted to recommend them for acceptance at this meeting. Commissioner Jensen moved to accept the financial statements and Commissioner Ponstein seconded. 

**MOTION CARRIED UNANIMOUSLY.**

V. **Actions Required:**

A. **Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into Annual Agreements Providing for Employee Benefits for Health, Dental, Vision, Long-Term Disability, Accidental Death and Dismemberment, and Life Insurance Coverage.**

Mr. Wendel presented and recommended approval of the resolution. He provided an overview of employee benefits for health, dental, long-term disability, accidental death and dismemberment, and life insurance coverage for 2020. Mr. Wendel highlighted the plan design changes as well as the proposed cost analysis.

Chair Hernandez advised the Board that the Budget Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Toomy moved to approve the resolution and Commissioner Jensen seconded the motion. 

**MOTION CARRIED UNANIMOUSLY.**

B. **Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Professional Services Contract with Environmental Science Services, Inc., to Provide As-Needed Geographic Information System Services for a Period of Three Years in an Amount Not to Exceed $600,000.**

Ms. Pellegrin presented and recommended approval of the resolution. She stated the scope of the services included further data development, deployment of existing applications, and development of advanced integration and real time data capture for the Board’s enterprise Geographic Information System (“GIS”) applications. Four (4) proposals were submitted in response to a request for proposals (“RFP”), and Environmental Science Services, Inc. was ranked the highest based on the evaluation criteria. The contract term is for a period of three (3) years for an amount not to exceed $600,000, approximately 75% of which will be paid by Port Security Grant funds, and the remaining cost is allocated in the Board’s Capital Investment Plan.

Commissioner Langenstein questioned whether the $600,000 is an annual limit. Ms. Pellegrin stated that the limit was for the full three-year term.
Commissioner Langenstein questioned as to the total amount of the project. Ms. Pellegrin stated the total contract is not to exceed $600,000 within three (3) years and that the Board’s contribution is 25% of that cost.

Chair Hernandez questioned whether there were additional opportunities to receive future grants. Ms. Pellegrin stated that staff plan to apply for additional grants through the U.S. Department of Homeland Security and others.

Chair Hernandez advised the Board that the Planning and Engineering Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Langenstein moved to approve the resolution and Commissioner Ponstein seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

C. Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into Separate Professional Services Contracts with (1) Hardesty & Hanover, LLC; (2) Huval & Associates, Inc.; and (3) Modjeski and Masters, Inc. to Provide As-Needed Engineering Services for Moveable Bridges for a Period of Three Years for an Amount Not to Exceed $1,000,000 Per Contract.

Mr. Evett presented and recommended approval of the resolution. He stated these firms will provide design, inspection, and construction administration of the moveable bridge projects in the Board’s Capital Investment Plan for the next three (3) years.

Mr. Evett stated the Board received four (4) proposals in response to the RFP and these three (3) firms were the top-ranked based on selection criteria. He stated the three separate consultants are required to meet the project workload, and funds are allocated in the Capital Investment Plan.

Chair Hernandez advised the Board that the Planning and Engineering Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Jensen moved to approve the resolution and Commissioner Toomy seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

D. Consider Approval of a Resolution Awarding a Contract to C.E.C., Inc., in the Amount of $1,465,000, for the Seabrook Bridge Approach Span Replacement Project.

Mr. Evett presented and recommended approval of the resolution. He stated that work covered under this contract includes replacing the two (2) approach spans on the east side of the Seabrook Bridge (the “Bridge”) and a single approach span on the west side of the main Bridge structure, as well as replacing trunnion bolts and deteriorated bearings at the east and west approach spans.

Mr. Evett stated that C.E.C., Inc. was the sole responsive and responsible bidder, and funds for this project are allocated in the Board’s Capital Investment Plan.
Chair Hernandez questioned as to the timeframe to complete this project. Mr. Evett stated the anticipated project duration is one hundred fifty (150) calendar days.

Commission Jensen questioned whether this project is strictly for rail operations. Mr. Evett stated that the Bridge currently supports only rail.

Chair Hernandez advised the Board that the Planning and Engineering Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Jensen moved to approve the resolution and Commissioner Langenstein seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

E. **Consider Approval of a Resolution Amending the Board’s Dock Department FMC Tariff, T-No. 2.**

Mr. Crist presented and recommended approval of the resolution. He stated these proposed revisions are the result of the staff’s annual update process and are intended to continue refining the document’s usability while aligning with the Board’s financial future goals. He noted the effective date for the amendment is January 1, 2020, and that the amendments will be posted by October 31, 2019 to provide a sixty-day notice to the Board’s customers and stakeholders.

Chair Hernandez questioned as to the notice requirements. Mr. Crist stated there will be a sixty-day notice to customers, which would be issued by October 31, 2019.

Commissioner Langenstein questioned whether the proposed rate increases were calculated into the Board’s fiscal year 2020 budget. Mr. Crist stated that a majority of the rate changes represent a 2% CPI increase, and were included in the Board’s revenue projections.

Commissioner Jensen questioned whether these proposed rates align with the competitive market of other ports in the Gulf of Mexico. Mr. Crist stated container crane rates are 7-20% less than competing ports but that breakbulk rates were in alignment with other ports.

Commissioner Langenstein and Commissioner Jensen questioned when the tariff was last updated. Mr. Crist stated the last rate increases for CPI were effective January 1, 2019.

Commissioner Toomy asked for clarification whether the tariff is reviewed annually. Mr. Crist stated it is reviewed annually but last year the Board made substantive changes. He noted annual reviews will continue.

Chair Hernandez advised the Board that the Property and Insurance Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Jensen motioned to approve the resolution and Commissioner Langenstein seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

F. **Consider Approval of a Resolution Authorizing the President and Chief Executive**
Officer to Execute a Consent and Estoppel Agreement in Connection with the Board’s Lease with Lake Ponchartrain Properties, LLC, for Property Located at 6201 France Road, New Orleans, Louisiana.

Ms. Scelson presented and recommended approval of the resolution. She stated that the Board’s tenant, Lake Pontchartrain Properties, LLC (“LPP”), is in the process of obtaining a Small Business Assistance (“SBA”) loan which will strengthen its monthly cash flow and allow for certain improvements at the leased premises, including paving and adding additional rent spaces. She noted it will also be used to fulfill its past due rental obligations to the Board, pursuant to letter agreement, and that said funds are required to be held in escrow and paid within one day of the closing. The letter agreement also requires LPP to increase its monthly, deferred rent payments by $2,688.54, which will result in the outstanding deferred rent being paid off an entire year earlier.

Ms. Scelson stated the lender is Newtek Small Business Finance, LLC (“Newtek”) which is the largest non-bank lender for the SBA federal loan program. She noted its parent company is Newtek Business Solutions, which is a publicly traded entity. In connection with the loan, Newtek is requiring that both the Board and LPP execute a Consent and Estoppel Agreement (the “Agreement”), which provides that if LPP defaults on the loan, Newtek would be assigned LPP’s rights and obligations under the lease. She noted that staff has been advised that, in the event LLP defaults and the assignment occurs, Newtek would seek a new operator for the site, which will require additional Board approval. She noted that a prerequisite to the Board executing the Agreement is that LPP would have to agree to increase their security deposit by $32,000 to reflect the increase in deferred rental payments.

Chair Hernandez thanked Ms. Scelson for incorporating suggestions that were brought forward regarding the security deposit requirements. Ms. Scelson stated the security requirement is noted in the resolution as well.

Chair Hernandez advised the Board that the Property and Insurance Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Jensen moved to approve the resolution and Commissioner Berger seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

G. Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Execute a Settlement in the Matter of Wheel Worx, LLC v. The New Orleans Public Belt Railroad Corporation and the Board of Commissioners of the Port of New Orleans, Civil District Court for the Parish of Orleans, Docket No. 2019-9641, Div. A-16.

Ms. Scelson presented and recommended approval of the resolution. Chair Hernandez advised the Board that the Executive Committee had reviewed the item and voted to recommend it for approval at this meeting. Commissioner Ponstein moved to approve the resolution and Commissioner Baker seconded the motion. **MOTION CARRIED UNANIMOUSLY.**
VI. Report by the President and Chief Executive Officer

Ms. Christian reported the Port celebrated the 68th Annual Port of New Orleans Night in Memphis, Tennessee. She stated there were over 500 customers and partners who attended. She thanked Chair Hernandez and Commissioner Jensen for representing the Board at the event. She also thanked the Commercial Department for their efforts in making the event a success.

Ms. Christian stated the Port of New Orleans hosted the 93rd Annual International Propeller Club Convention and Conference. There were over 120 members attending, as well as a keynote from the MARAD Administrator, Admirable Busby. She noted it was a very successful event.

Ms. Christian noted October 28th through November 1st will be Truck Driver Appreciation Week. Staff, Commissioner Jensen, and various Port partners will be out participating in events honoring truck drivers.

VII. Commissioners’ Comments

Chair Hernandez called for Commissioners’ comments, but there were none.

VIII. Adjournment

There being no further business to come before the Board, Chair Hernandez called for a motion to adjourn. Commissioner Baker moved, and Commissioner Jensen seconded. MOTION CARRIED UNANIMOUSLY and Chair Hernandez adjourned the meeting at 2:14 p.m.