

# **Greater Lafourche Port Commission**

## **AGENDA**

**September 10, 2014 at 10:30 AM**

**Administration Building · 16829 East Main St · Galliano, LA**

(Revised: September 9, 2014 at 8:45 AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for August 13, 2014 regular meeting
- V. Executive Director's Report
  - A. Northern Expansion**
    - 1. Northern Expansion Slip C Bulkhead (J. Wayne Plaisance)
  - B. Airport Projects**
    - 1. Glide Slope (LPA/Baker)
    - 2. Apron Expansion (LPA/Baker)
    - 3. Pump Station – Pipe Replacement (Angelette-Picciola)
  - C. Port Security and Grant Projects**
    - 1. TWIC Implementation (2011)
    - 2. CCTV Additional Cameras (2012)
  - D. Other Port Projects**
    - 1. Assumption of Maintenance Study (URS)
    - 2. Storm Harbor Marina (J. Wayne Plaisance)
    - 3. N. J. Theriot Road Elevation & Improvements (Angelette-Picciola)
    - 4. Nerby Collins Commercial Marina Bulkhead (J. Wayne Plaisance)
    - 5. Leeville Public Boat Launch
  - E. Update on LA 1 Projects**
  - F. Update on Coastal Issues**
- VI. Committee Reports
  - A. Executive Committee
    - 1. Consider approving the request from the South Lafourche Levee District for a Cooperative Endeavor Agreement for Lock Operations
    - 2. Consider approving the request from Paragon Industries to lease 4 acres of property along LA 3090
    - 3. Consider approving the Amendment of Lease with Ecoserv to revise the drainage servitudes for Site GLF628
  - B. Permits & Waterways Committee
    - 1. Review permit applications from Lafourche Parish Government, Elysium Jennings, Terrebonne Levee and Conservation District, Corp of Engineers, GLPC, LA Transportation Authority, and GLPC
  - C. Construction & Development Committee
    - 1. Consider approving the DOTD Resolution to Advertise Slip C Sweep Dredge project
    - 2. Consider approving the Substantial Completion Certificate from Johnson Controls for the TWIC Access Control project
    - 3. Consider approving the Substantial Completion Certificate from Johnson Controls for the CCTV Additional Cameras project
  - D. Finance Committee
    - 1. Consider approving payment of August invoices and recognize expenditures over \$10,000
    - 2. Consider approving August 2014 financial statements
    - 3. Consider approving the out of state travel requests
- VII. Any other business - None
- VIII. Public Comment – None
- IX. Adjournment

*Serena L. Bruce, Legal/Projects Assistant  
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**OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION**  
**September 10, 2014**

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, September 10, 2014 at 10:30 AM at the Administration Building 16829 East Main Street, Galliano, LA.

President Gisclair called the meeting to order and Secretary Cheramie called roll.

ATTENDED: Chuckie Cheramie, Perry Gisclair, Kris Gaudet, Donald Vizier, Larry Griffin, John Melancon Jr., Jimmy Guidry, and Ervin Bruce

ABSENT: Wilbert Collins

Upon motion by Griffin and second by Melancon, the board unanimously approved the minutes for August 13, 2014 regular meeting.

**Executive Director's Report**

Northern Expansion Projects–Davie Breaux reported that the west side bulkhead along Slip C is approximately 95% complete. The remaining work to be done is installing tie rods, painting, and aggregate. We expect completion by the end of this month. The contractor has mobilized equipment on the east side to start the bulkhead. Later on the agenda for board approval is the advertisement for the dredge project in front of the west bulkhead.

Airport Projects–Breaux reported that the Glide Slope project is close to completion however we are waiting on the parish permit to do the final inspection. The preconstruction meeting for the Apron Expansion project was last week with Byron E. Talbot Contractors. The notice to proceed is planned for October 13<sup>th</sup>. The contracts are being recorded for the Pump Station (Pipe Replacement) project. We are in the processing of scheduling the preconstruction meeting with Low Land Construction Company.

Port Security and Grant Projects–April Danos reported that the TWIC Implementation and the CCTV Additional Cameras projects are both substantially complete and later on agenda for approval.

Other Port Projects–William Evans with URS reported on the Assumption of Maintenance Study. URS is working with the port staff to get the environmental data for the permit application. Once we receive the permit, we can move forward with finalizing the report. Breaux reported that the subcontractor for the Storm Harbor Marina project is currently driving the large steel piles. The remaining work to do is installing deck boards and cement mats which are expected to take 15 to 30 days to complete. There will be some rain days and some days the South Lafourche Levee District stopped the haul of materials which will be determined by the engineer. Engineer Larry Picciola reported that the N. J. Theriot Road Elevation & Improvements project is currently being advertised with bid opening scheduled on October 14<sup>th</sup>. Breaux reported that the engineer has completed the plans for the Nerby Collins Commercial Marina Bulkhead project. We are currently waiting on permit approval. Cheramie questioned when we plan to bid out this project, which Executive Director Chett Chiasson replied that once we receive the permit we can go out for bid, hopefully before the end of this year. Joe Picciola reported that the Leeville Public Boat Launch contractor is driving the vinyl sheets and should be complete this week. The two concrete ramps have been poured. They are working on installing the wharves then the remaining work would be to install the limestone. We expect to be close to completion by next month. Griffin questioned if they were able to remove the debris found during driving the sheets, which Picciola replied that they adjusted the location of the sheets and the kayak launch due to the debris. Gisclair questioned how many vehicles will be able to park, which Picciola replied 65 vehicles with trailers if parked correctly.

Update on LA 1 Projects–Scott Rundell with DOTD reported on traffic volumes and money collected. The average hourly traffic last year was 96 cars in cash lane and 192 cars in the ABI lane at 6 AM which

is the busiest time. The average slowest time is 1AM with 18 cars in each lane. The average traffic during the week is 1300 in lane 1 and 2300 in the ABI lane. The highest traffic date from last year is Wednesday with 1600 in lane 1 and 20,900 in lane 2 which is due to offshore crew changes. The original study had increases 1% to 2% per year. Last year the increase was at 9%. For future forecast it is predicted to increase 5% each year with the growth of the Port.

In regards to violations, last year we mailed out 55,692 violations. They are tracking the states separately between Mississippi and Texas. This year the number has gone up substantially, just this month we already sent out 700 violations for TX and about half of that for MS. When a car goes thru the ABI lane and there's going to be a violation before it is sent out the image is reviewed. Last year we reviewed 142,000 images. Last year FY2013-2014, the amount collected in tolls was \$5,463,000. In fines/violations we collected \$536,000. We currently have 4,815 of unpaid violations that total \$542,000. We are working diligently on the collections process. The State passed a resolution this year for anything not collected in a certain period of time will be turned over the Attorney General's office for collection.

In the past if a violation was not paid, we would put a hold on your registration. Now, we also added your driver's license which will be more effective in our collection process. Anything collected by DOTD goes to pay off the bonds however if the violation goes through the Attorney General's office they get 25% of the collection fee and the remaining 75% goes toward the bonds.

During the first year 2009/2010, collections were over \$3 million. Last year, we collected \$6 million which is a 97% increase. The percent of tolls collecting, which we always want 100% to pay off the bonds, for the first year 84% was collected and now we are at 101% collected which is 85% through basic toll structure with the rest thru fines and fees. This last month we collected \$544,000 at 108% collection.

In regards to concern of old violations, all those violations have been reviewed and processed. Now when a car drives thru we review the image the next day and if it is a violation the notice is sent out within 3 days. This year we are also reporting that the top violators are \$3, \$5, and \$25 however some owe up to \$10,000 and \$20,000 which we are going after with the help of the Attorney General's office for collection. Last month alone, we sent out 1600 violations to TX and MS. We are fully on board with these states to share information on a monthly basis.

Chiasson questioned if the violations are a clear violation or is it that the person has a tag but their credit card is expired or account low, which Rundell replied that it is a mix. Some reasons of violations are with the hard case tags that are moveable if a person holds it in their hand it may not be read properly which results in a violation but cleared up after it is reviewed. Another reason is that the tag may be placed in the wrong position. The third reason is if the sticker tag is removed and placed on another car it doesn't work anymore. We are trying to make sure now that all sticker tags are assigned to a specific plate. Griffin stated that some violations occur with expired credit cards not being renewed in the system. Griffin questioned that at one time you couldn't collect on out of state violations, which Rundell replied that is correct because we didn't have the agreements with these states to get the information to collect on violations. Now we do have these agreements and we send each state the license numbers and they send us back the name and address from their database in order to send out violations. In the future, we are working to have one tag that would work throughout the country. Once this happens we would be able to collect from any state. Breaux stated that if a violation occurs it is reviewed the next day so a person that forgets to update their account they will not have 6 months of charges but will find out within 3 to 5 days, which Rundell replied correct and we do send out notifications for low balances or expired credit cards. On average we send out 400 notification letters a week.

Rundell spoke of the toll booth vs. the ATPM machine. The ATPM machine is working however it is not meant for this environment or traffic. He stated that DOTD is moving forward with the toll booth 24/7 until further notice and use the ATPM only for emergencies. It is our goal to construct a permanent facility for the toll booth collectors possibly on the north side so they don't have to cross traffic lanes. Gisclair questioned if the agreement with MS and TX goes as far as flagging registrations and licenses, which Rundell replied not at this point. We send the violations and will see how much is collected but once the interoperability of the tags with the different states go in to affect then that will be possible. TX will be a

major hub for the new technology and we have a good relationship with TX. They are on the forefront of toll roads and bridges. Rundell then thanked the harbor police for doing an incredible job of checking and supporting them.

Update on Coastal Issues—Simone Maloz with Restore or Retreat addressed the board on the 2010 Oil Spill process and potential revenues. There is a public meeting tomorrow in Houma. There are a lot of questions regarding the gross negligence decision and what that means for us locally and as a state. She then went thru some of the funding sources and where people can seek some funding after the spill. The 3 major funding sources as a result of the 2010 spill are: Natural Resources Damage Assessment (NRDA) a result of after Valdez, Civil Penalties for what occurred, and Criminal charges such as manslaughter brought against BP and responsible parties. Each one of these sources is a very complicated process but will bring different pots of money to pay for different things in Louisiana.

With the initial \$20 billion claims fund, we did receive \$1 billion to pay for some early restoration projects. BP had allotted some funds thru NRDA for Lake Hermitage restoration, oyster clutch project, and most recently some of the barrier islands which spent \$600 million. There is some money remaining. This is the largest damage assessment they have ever gone through. They are still collecting data and trying to assign an amount on how many fish species were impacted. This can also go to trial and will take years or decades to resolve.

The next pot of funding is through National Fish and Wildlife Foundation (NFWF) which administer the criminal fines. There was a Department of Justice agreement that all the parties signed relating to the criminal charges totaling \$4 billion however the administration takes some and also things go into different pots for different things. Essentially, \$2.5 billion is left and of that Louisiana gets half. The projects are only designated for barrier islands and diversions. This is what is paying for the second phase of the Caminada Headland Restoration project of \$145 million for engineering, design, and construction. Some other funds are going toward the design and engineering cost for other projects in the area such as the increase of freshwater through the Atchafalaya to Terrebonne and the East Timbalier Islands. This group is really trying to get the money out the door and we were fortunate to be the first and only so far to receive construction money.

The Restore ACT Breakdown is where it gets complicated. The meeting tomorrow will cover the Pot 2 allocation that the states will get a direct share of the money including LA that the feds control with the Federal Restoration Council. In order to submit a project for this pot of funding, you have to go through the state or someone who sits on this restore council. The state is asking for ideas of how they should spend their money or what projects to put forth. A month ago, for Pot 1 Equal State Share, it was announced what each parish would get directly only regarding the Transocean settlement. Lafourche Parish will receive 7% of 30% of the 35% of the 80% from the Transocean settlement which equals to a little over \$1 million. Terrebonne Parish will receive a little more because it is rated by population and size of each parish. CPRA will also get a considerable amount of that funding as well. Pot 3 the State Impact Formula is still in question. The formula built in is very complicated that says depending on how far from the disaster and how much oil you had plays into the amount of money you would receive. They don't take into account the debris of oiling so the state is still in discussions for this one. LA suffers with this formula because of the distance from the well. LA is close to the rig but MS and AL were closer to the middle of the well so LA and FL will suffer the worse that is why the state is fighting for that pot of money with some partners. Port Commission may be interested in the Science money that is available. LA Center of Excellence Water Institute and NOAA will get some funds for research. A few highlights from Transocean settlement: Pot 1: Lafourche Parish will receive \$1.039 million, Pot 2: State meeting tomorrow looking to spend \$150 - \$180 million for projects Gulf wide. Project submissions need to be in by the end of this month. The first list of possible probable projects include: Caminada, HNC Lock, Bayou Chene, Chenier Ronquille, long distance sediment delivery to Lafourche, and some other freshwater diversion projects. In October, the State will display a more refined list.

Finally, last week Judge Barbier ruled that BP acted with gross negligence which greatly affects how much money the end pot will be. The minimum per barrel was \$1,100 and now it can go up to \$4,300 a

barrel with this gross negligence. At one time, they thought it would be around \$5 billion but now it can be up to \$18 billion if BP is held accountable. Judge Barbier was very clear of how much he thought they were responsible and if in a different court he would assign punitive damages as well. BP's conduct was reckless and responsible for the spill with Transocean and Halliburton's conduct was negligent. He also apportioned fault at 67% for BP, 30% for Transocean and 3% for Halliburton. The trial in January will determine the final fines.

Griffin questioned the meeting time and place, which Maloz stated that it will be tomorrow September 11<sup>th</sup> at the Houma Municipal Auditorium doors open at 5:30 pm with the presentation beginning at 6pm. Gisclair questioned the 3 pots of money what percentage of money would go toward construction, which Maloz replied with an example from the Transocean funds. The first funds from Transocean was \$800 million and in the Federal Restoration Council Pot 2 money there is \$240 million available but only spending \$150 - \$180 million with the difference going toward administration and contingency. Maloz stated that if you remember the Restore Act 80% goes toward the Gulf Coast States and 20% goes toward the Oil Spill Liability Trust Fund. The state has done a phenomenal job and leap years ahead of the other state partners. MS is developing a plan while LA is on their second round of refining their plan.

Chiasson recognized State Representative Dee Richard who addressed the board and announced his candidacy for Lafourche Parish Tax Assessor.

### **Committee Reports**

Executive Committee - The committee met on August 27<sup>th</sup> in Fourchon. Present was Gisclair, Cheramie, Melancon, and Griffin. They also met on September 8<sup>th</sup> in Galliano with all present.

Upon motion by Melancon and second by Bruce, with no public comment, the board unanimously approved the request from the South Lafourche Levee District for an Intergovernmental Agreement to fund \$200,000 per year for 5 years for Lock Operations.

Upon motion by Griffin and second by Guidry, with no public comment, the board unanimously approved the request from Paragon Industries, Inc. to lease 4 acres of property along LA 3090.

Upon motion by Cheramie and second by Gaudet, with no public comment, the board unanimously approved the Amendment of Lease with Ecoserv to revise the drainage servitudes for Site GLF628.

Permits & Waterways Committee - The committee met on August 27<sup>th</sup> in Fourchon. Present was Chairman Cheramie, Gisclair, Collins, and Griffin. They also met on September 8<sup>th</sup> in Galliano with all present.

Chairman Cheramie presented for the board's review the permit applications from Lafourche Parish Government, Elysium Jennings, Terrebonne Levee and Conservation District, Corp of Engineers, GLPC, LA Transportation Authority, and GLPC.

Construction & Development Committee - The committee met on August 27<sup>th</sup> in Fourchon. Present was Chairman Bruce, Gisclair, Griffin, with Vizier absent. They also met on September 8<sup>th</sup> in Galliano with all present.

Upon motion by Gaudet and second by Melancon, with no public comment, the board unanimously adopted the DOTD Resolution to Advertise Slip C Sweep Dredge project.

Upon motion by Griffin and second by Bruce, with no public comment, the board unanimously approved the Substantial Completion Certificate dated August 28, 2014 from Johnson Controls for the TWIC Access Control project.

Upon motion by Gaudet and second by Guidry, with no public comment, the board unanimously approved the Substantial Completion Certificate dated August 28, 2014 from Johnson Controls for the CCTV Additional Cameras project.

Finance Committee - The committee met on August 27<sup>th</sup> in Fourchon. Present was Chairman Melancon, Gisclair, Guidry, and Gaudet. They also met on September 8<sup>th</sup> in Galliano with all present.

Upon motion by Melancon and second by Guidry, with no public comment, the board unanimously approved payment of August invoices and recognized expenditures over \$10,000 totaling \$2,200,078.51.

Upon motion by Melancon and second by Gaudet, with no public comment, the board unanimously approved the August 2014 financial statements.

Upon motion by Melancon and second by Guidry, with no public comment, the board unanimously approved the out of state travel requests from Leigh Guidry to attend the Real Magnet User Group Conference in Washington DC on September 21<sup>st</sup> and Chett Chiasson to attend Congressional Delegation, Corps of Engineers and FAA Meetings in DC on November 17<sup>th</sup>.

Upon motion by Cheramie and second by Griffin, the board adjourned the board meeting.

ATTEST:



Perry Gisclair, President



Harris "Chuckie" Cheramie, Jr., Secretary