

Greater Lafourche Port Commission

AGENDA

July 8, 2015 at 10:30 AM

Administration Building · 16829 East Main St · Galliano, LA

(Revised: July 7, 2015 at 9:00 AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for June 10, 2015 regular meeting
- V. Executive Director's Report
 - A. Northern Expansion**
 - 1. Northern Expansion Slip C Bulkhead (J. Wayne Plaisance)
 - 2. Northern Expansion Slip C East Sweep Dredge (J. Wayne Plaisance)
 - 3. Northern Expansion Slip D Bucket Dredge (Picciola & Associates)
 - 4. Northern Expansion Slip C East 800 LF Bulkhead (Angelette-Picciola)
 - B. Airport Projects**
 - 1. Glide Slope (LPA/Baker)
 - 2. Apron Expansion (LPA/Baker)
 - 3. Pump Station – Engine & Pump Replacement (Picciola & Associates)
 - C. Port Security and Grant Projects**
 - 1. Cybersecurity and Resiliency (2013)
 - 2. Port Wide Sustain & Maintain (2014)
 - 3. Risk Mitigation Plan (2014)
 - D. Other Projects**
 - 1. Storm Harbor Marina (J. Wayne Plaisance)
 - 2. Nerby Collins Commercial Marina Bulkhead (J. Wayne Plaisance)
 - 3. N. J. Theriot Road Elevation & Improvements (Angelette-Picciola)
 - 4. FEMA: Breakwaters (Picciola & Associates)
 - 5. Assumption of Maintenance Study (URS/AECOM)
 - 6. Section 203 Feasibility Study
 - 7. Mooring Dolphins Phase 4 (Angelette-Picciola)
 - 8. LA 3090 Overlay – DOTD
 - 9. LA 3090 Culvert project
 - 10. Airport Road Paving project - LPG
 - E. Update on LA 1 Projects**
- VI. Committee Reports
 - A. Executive Committee**
 - 1. Consider approving the Wisner vessel graveyard agreement
 - 2. Consider approving to lease Mooring Dolphins #1 & #2 in Bayou Lafourche
 - 3. Consider adopting Ordinance No. 74 Storm Harbor Marina Rules and Regulations
 - 4. Consider approving advertisement for surplus equipment sale
 - 5. Consider approving the request from Chouest Shorebase Services to re-configure GLF621, 623 and 624
 - 6. Consider approving the request from Chouest Shorebase Services to assign GLF621 to C-Port 3, LLC
 - 7. Consider approving the request for a Consent to Leasehold Mortgage of GLF621
 - B. Permits & Waterways Committee**
 - 1. Review permit applications from Tecpetrol Operating, LLC
 - C. Construction & Development Committee**
 - 1. Consider approving the lowest responsive bids for semi-annual construction materials supplier
 - 2. Consider approving the Substantial Completion Certificate from Coastal Dredging for Slip C East Dredge
 - 3. Consider approving the lowest responsive bid for the Airport Pump Station Engine and Pump Replacement
 - 4. Consider approving the Substantial Completion Certificate from Barriere for the N.J. Theriot Road Improvements
 - 5. Consider approving a contract with Huey Stockstill to install culverts along LA 3090
 - D. Finance Committee**
 - 1. Consider approving payment of June invoices and recognize expenditures over \$10,000
 - 2. Consider approving the June 2015 Financial Statements
 - 3. Consider approving out of state travel requests
- VII. Any other business - None
- VIII. Public Comment – None
- IX. Possible Executive Session to discuss the **“In Re: Oil Spill By “Deepwater Horizon” Local Government Entity Short Form”** Eastern District of Louisiana Civil Action Nos. 10-md-2179, 10-9999 and 10-2771
- X. Public Comment - None
- XI. Adjournment

*Serena L. Bruce, Legal/Projects Assistant
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OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
July 8, 2015

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, July 8, 2015 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, Wilbert Collins, Larry Griffin, Jimmy Guidry, John Melancon Jr., and Ervin Bruce

ABSENT: None

Upon motion by Collins and second by Melancon, with no public comment, the board unanimously approved the minutes for June 10, 2015 regular meeting.

Executive Director's Report

Northern Expansion – Engineer John Plaisance stated Slip C Bulkhead project is complete and in the lien period which will end in August. The Slip C East Sweep Dredge was substantially complete on June 26th which is later on the agenda. Engineer Joe Picciola reported that Crosby Dredging has started the Slip D Bucket Dredge project. Since Mondays meeting with them, they have made significant progress and have dredged 24 hrs. a day for the last 2 days. They are getting about 500 ft. to 600 ft. a day on this first pass. Chiasson questioned the cost which Picciola replied \$959,500. Engineer Neil Angelette reported that the Slip C 800 LF East Bulkhead project is being advertised and scheduled to open bids August 11th. Melancon questioned the extended advertisement, which Angelette replied that was due to the delay of the results from the geotechnical survey and the holiday we had to re-advertise the project.

Airport Projects – Davie Breaux reported that we are planning the FAA flight check of the Glide Slope for the week of July 20th. The Apron Expansion project is complete and we are waiting the calculation of final quantities for a possible change order. Breaux then introduced our new Airport Manager Richard Osborne who then stated that we did have our annual DOTD airport inspection yesterday and besides a few minor obstructions the inspection went well. Engineer Joe Picciola stated on June 23rd we received bids for the Pump Station Engine & Pump Replacement project and recommended award to Plaisance Dragline & Dredging Co. for \$634,520.85.

Port Security and Grant Projects - April Danos reported that the Cybersecurity and Resiliency project is scheduled to be complete by August 31st. We continue to process invoices for the Sustain & Maintain project. Joni Tuck stated they are reviewing the draft Risk Mitigation Plan and have a feedback session scheduled with the consultant next Friday.

Other Projects – Engineer John Plaisance reported the Storm Harbor Marina is complete except for the minor adjustments on the catch basins which will be done in a few weeks. The Nerby Collins Commercial Marina Bulkhead is moving along with all sheets installed and ready to pour the deadman. Melancon questioned the completion date which Plaisance replied end of September. Engineer Neil Angelette reported that the N. J. Theriot Road Improvements project is substantially complete and on agenda for approval. Engineer Joe Picciola reported that the FEMA Breakwater project was basically complete however we did order one more barge to top 4 breakwaters which will be in New Orleans this week and should be completed in the next few weeks. Joe Berlin with URS/AECOM reported that the Assumption of Maintenance Study has been submitted to headquarters and now forwarded to the Assistant Secretary of the Army for review and approval. Chiasson reported that there is a meeting scheduled tomorrow with the Corps District Office to discuss the Section 203 Feasibility Study as to where we are now and the process of entering into an agreement if approved from the ASA office.

Engineer Neil Angelette stated that the Mooring Dolphins Phase 4 project consist of 12 dolphins in Flotation Canal and 6 dolphins in Bayou Lafourche. The project is being advertised and scheduled to open bids on July 28th. Davie Breaux stated DOTD's LA 3090 Overlay project is scheduled to begin by the end of July by Huey Stockstill. We did receive a price from Huey Stockstill to install drainage culverts across LA 3090 to improve the drainage in the northern expansion. The agreement is later on the agenda for approval. Engineer Joe Picciola reported on the Airport Road Paving project being done by the Parish. The recommendation to award the lowest responsive bid from Huey Stockstill of \$1.2 million has been forwarded to the Parish for approval at their next meeting. The estimated start date is toward the end of summer. Gaudet questioned if the project starts from LA 308 which Picciola replied no it will start near the houses and end at the bridge and will be both lanes with shoulders.

Update on LA 1 Projects – Chiasson presented the LA 1 update reporting that the \$40 million of state funding for Phase II Segment C (near Golden Meadow) has made it through the Capital Outlay bill legislative process, and the bill has been signed into law by the Governor. A last approval for the funding will need to come from the State Bond Commission at its upcoming July 16th meeting. The project remains scheduled for a LA DOTD letting date in February 2016. The Coalition's 65 members would like to thank our regional delegation of state officials for their support, and the Coalition sends a special thank you to Senator Chabert for organizing meetings with both the Governor's Office and the Commissioner of Administration's Office for forwarding this critical public-works project. Henri is continuing to work alongside DOTD in securing the permit from the Army Corps for Segment C's construction of the T-Wall in the South Lafourche Levee System. The port, parish, levee district, State government, federal government, and the oil & gas industry's civic support has been critical to bringing the Phase II's Segment C to fruition.

Committee Reports

Executive Committee - The committee met on June 24th in Port Fourchon present was Gisclair, Cheramie, Melancon, with Griffin absent. They also met on July 6th in Galliano with all present.

President Gisclair presented for the board's consideration approving the Wisner vessel graveyard agreement. Bryce Autin explained that this offers Wisner the landowner of a portion of the canal protection of what happens out there. The Port would be responsible to defend and indemnify Wisner of any damage sustained as a result of the vessels currently out there. Upon motion by Melancon and second by Bruce, with no public comment, the board unanimously approved the agreement.

President Gisclair presented for the board's approval to lease Mooring Dolphins #1 & #2 in Bayou Lafourche. Chiasson stated that there are 4 companies interested which are Global Towing, Adriatic Marina, Harvey Gulf, and Odyssey Marine. Cheramie motioned to offer the lease to Wiley Falgout with Global Towing, which was second by Griffin, with no others motions or any public comment, the board unanimously approved the lease for Mooring Dolphins No. 1 & 2 in Bayou Lafourche to Global Towing.

Upon motion by Cheramie and second by Guidry, with no public comment, the board unanimously adopted PORT ORDINANCE NO. 74: AN ORDINANCE REGULATING USE OF THE SOUTH LAFOURCHE STORM HARBOR MARINA AND PENALTIES FOR VIOLATION OF SAID ORDINANCE. BE IT ORDAINED, by the Board of Commissioners of the Greater Lafourche Port Commission that:

SECTION 1. It shall be unlawful for anyone to use the South Lafourche Storm Harbor Marina ("Marina") for purposes or at times other than those permitted herein.

SECTION 2. The Marina will be activated and available for use upon the Greater Lafourche Port Commission ("GLPC") entering Storm Phase 3 of the GLPC Hurricane Guide (ie. predicted tropical force winds measured at Port Fourchon within fifty (50) hours). GLPC Storm Phase status is available at www.portfourchon.com or by calling the public information line at (985) 798-5335 or 1-866-600-7803.

SECTION 3. Utilization of the Marina will be on a "first come, first served" basis and is undertaken at the sole risk of owner of the Commercial Fishing Vessel. **USERS OF THE MARINA HAVE INSPECTED THE MARINA AND ACCEPT IT IN ITS CURRENT CONDITION, AND**

THE GLPC MAKES ABSOLUTELY NO WARRANTIES WHATSOEVER REGARDING THE MARINA. BOTH GLPC AND ANY USERS OF THE MARINA DISCLAIM ANY AND ALL WARRANTIES PROVIDED BY LAW OR OTHERWISE INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE AND ANY WARRANTY AGAINST APPARENT, HIDDEN, LATENT AND/OR REDHIBITORY DEFECTS. THE GLPC SHALL NOT BE HELD RESPONSIBLE BY ANY PERSON OR VESSEL FOR ANY DAMAGE OR LOSS SUSTAINED AS A RESULT OF USING THE MARINA. USERS OF THE MARINA RELEASE, RELINQUISH AND HOLD THE GLPC HARMLESS FROM ANY AND ALL DAMAGE OR INJURY (INCLUDING BUT NOT LIMITED TO PERSONAL INJURY, DEATH AND/OR PROPERTY DAMAGE) CAUSED BY OR ARISING OUT OF THE USE OF THE MARINA.

SECTION 4. For purposes of this Ordinance, the term “Commercial Fishing Vessel” shall mean any self-propelled, motorized vessel the owner or operator of which holds a Louisiana commercial fisherman’s license and which vessel is primarily used for the purpose of generating income by the harvest of finfish, shellfish, crustaceans and/or any other species of aquatic life.

SECTION 5. Upon activation, the Marina shall only be used for the following:

- a. Mooring of Commercial Fishing Vessels (hereinafter, “Vessels”);
- b. Limited unloading of equipment and personal belongings from Vessels;
- c. Temporary parking of only one (1) vehicle per Vessel;
- d. Other incidental uses generally associated with mooring commercial fishing vessels;

SECTION 6. Notwithstanding anything herein to the contrary, the following are strictly prohibited:

- a. Accessing or otherwise utilizing the Marina at any time when the Marina is not activated
- b. Fishing from or within the Marina
- c. Mooring of any oilfield support vessel, tug boat or other vessel not classified as a commercial fishing vessel in the Marina
- d. Mooring of any barge in the Marina
- e. Any commercial activity at the Marina including, but not limited to, the sale, purchase or exchange of fish or seafood
- f. Any repair or maintenance work including, but not limited to, welding, painting, chipping and any mechanical work, within the Marina.
- g. Possession and/or consumption of drugs and/or alcohol within the Marina.
- h. Possession of weapons and/or firearms within the Marina.

SECTION 7. It shall be unlawful for anyone to moor or secure any vessel within the Marina in a manner inconsistent with instructions given the GLPC Harbor Police. It shall be unlawful to moor any vessel greater than ninety (90) feet in length in the Marina.

SECTION 8. Upon mooring a vessel in the Marina, the owner/operator of said vessel shall provide the GLPC Harbor Police with the following information relative to the vessel moored therein:

- a. Vessel Name
- b. Hull Identification Number
- c. USCG Registration Number
- d. Name, address and phone number (primary and secondary) of owner
- e. Name, address and phone number (primary and secondary) of captain
- f. Evacuation destination
- g. Physical address of location where both owner and captain may be located immediately following storm event

SECTION 9. It shall be unlawful for Vessels or vehicles to remain in the Marina for longer than 72 hours following GLPC indication that storm conditions have subsided and the Marina has been deactivated.

SECTION 10. Any person violating any provision of this ordinance shall, upon conviction, be fined not more than Five Hundred Dollars (\$500.00) or imprisoned for not more than six (6) months in jail, or

both, in the discretion of the court having jurisdiction. The Ordinance was declared adopted on this 8th day of July, 2015.

Upon motion by Collins and second by Bruce, with no public comment, the board unanimously approved the advertisement for surplus equipment sale.

Upon motion by Cheramie and second by Melancon, with no public comment, the board approved the request from Chouest Shorebase Services to re-configure property subject to Leases GLF621, GLF623, and GLF624 and enter new leases covering said property which resulted in 8 years and 1 abstain by Gisclair.

Upon motion by Melancon and second by Guidry, with no public comment, the board approved the request from Chouest Shorebase Services to assign GLF621 to C-Port 3, LLC which resulted in 8 years and 1 abstain by Gisclair.

Upon motion by Collins and second by Gaudet, with no public comment, the board approved the request for a Consent to Leasehold Mortgage from C-Port 3, LLC for site GLF621 which resulted in 8 years and 1 abstain by Gisclair.

Permits & Waterways Committee - The committee met on June 24th in Fourchon present was Cheramie, Collins, Gisclair with Griffin absent. They also met on July 6th in Galliano with all present.

Chairman Cheramie presented for the board's review the permit application from Tecpetrol Operating, LLC.

Construction & Development Committee - The committee met on June 24th in Fourchon present was Bruce, Vizier, Gisclair, with Griffin absent. They also met on July 6th in Galliano with all present.

Upon motion by Melancon and second by Guidry, with no public comment, the board unanimously approved the low bid for semi-annual construction materials from Grand Isle Shipyard and Arabie Trucking Service.

Upon motion by Vizier and second by Collins, with no public comment, the board unanimously approved the Substantial Completion Certificate dated June 26, 2015 from Coastal Dredging for Slip C East Dredge.

Upon motion by Bruce and second by Guidry, with no public comment, the board unanimously awarded the lowest responsive bid for the Airport Pump Station Engine and Pump Replacement to Plaisance Dragline & Dredging Co. of \$634,520.85.

Upon motion by Melancon and second by Bruce, with no public comment, the board unanimously approved the Substantial Completion Certificate dated June 18, 2015 from Barriere Construction Co. for the N.J. Theriot Road Improvements.

Upon motion by Griffin and second by Guidry, with no public comment, the board unanimously approved a contract with Huey Stockstill to install 4 culverts across LA 3090 for \$133,718.25.

Finance Committee - The committee met on June 24th in Fourchon present was Melancon, Gaudet, Gisclair, and Guidry. They also met on July 6th in Galliano with all present

Upon motion by Melancon and second by Bruce, with no public comment, the board unanimously approved the payment of June invoices and recognized expenditures over \$10,000 which total \$2,051,254.38.

Upon motion by Melancon and second by Guidry, with no public comment, the board unanimously approved the June 2015 Financial Statements.

Upon motion by Melancon and second by Collins, with no public comment, the board unanimously approved the out of state travel requests from Chett Chiasson and board members to attend the GPAA Fall Meeting in Alabama on September 23rd, Lt. Troy Dufrene and Sgt. Jason Plaisance to attend the 2015 Zuercher Suite User Conference in South Dakota on October 7th, and Chett Chiasson and board members to attend the AAPA Annual Convention in Florida on November 1st.

President Gisclair recognized Senator Norby Chabert to update the board on the recent legislative session. Senator Chabert reported it was a difficult session with the budget cuts, proposals, taxes, and tax credits. He discussed the inventory tax and the offshore marine vessel tax credit that effected local businesses in Lafourche. He explained to the board Senate Bill 202 by Senator Adley a Constitutional Amendment that will be on the ballot in the fall that creates the Transportation Stabilization Sub-fund

of the existing Budget Stabilization Fund which is funded from mineral revenues. This amendment will provide mineral revenues that are in excess of the cap, the first \$100 million will be dedicated to the Transportation Trust Fund. They removed funding the state police and provided that monies in this trust be appropriated for construction and infrastructure to Ports and Airports. Chabert amended the bill to provide at least 20% of the funds be used for the LA Intermodal Connector Program within DOTD. Senator Chabert discussed Senate Bill 221 by Adley that dedicated revenues derived from the sale, use, lease, rental, of motor vehicle tax up to \$100 million to the Transportation Trust Fund. Chabert also amended this bill to include 20% of these funds be used for the Port Priority Program. These two bills were big boost for funding of Ports across the state and will be beneficial when the reforms put in place catch up with the economy coming back.


Senator Chabert then mentioned the Capital Outlay project accomplishments for the Port which was funding N.J. Theriot Road of \$1.4 million in Priority 1, and \$1.8 million in Priority 2, and there are several other projects in Priority 5.

Vizier stated that with the two bills being passed if he knows how much it will bring to the Port Priority Program, which Chabert replied it will be determined by how much of the overage makes it in this trust and also dependent on the economy. Chiasson stated that we use funds from the Port Priority Program to help construct bulkheads in the Port however the program now has a \$140 million backlog and continues to only have \$19 million coming in annually. The longer it goes without a significant amount of funding going into the program Ports can fill out applications for funding but that is longer in years that funds will be available. This really impacts smaller Ports that can't upfront the money to build improvements and wait for reimbursements from the program. Chabert stated that it has been the attitude of this administration that since there are so many Ports out there and since the transportation trust has a backlog of \$15 billion they want ports to compete for funding based on the needs of the region and making sure as much money can go toward projects as opposed to paying for state police and other items. Chabert stated that at the PAL Gubernatorial Forum this year all the candidates for Governor stressed how important Port Infrastructure is to the State so we are on the right path that Ports are a critical part of our economy and infrastructure.

Upon motion by Cheramie and second by Gaudet, the board took a roll call vote which resulted in 9 yeas to enter into Executive Session to discuss the "*In Re: Oil Spill By "Deepwater Horizon" Local Government Entity Short Form*" Eastern District of Louisiana Civil Action Nos. 10-md-2179, 10-9999 and 10-2771. Upon motion by Gaudet and second by Melancon, with no public comment, the board unanimously adopted a resolution accepting a full and final settlement of all claims against BP and others resulting from the Deepwater Horizon Oil Spill, authorizing the execution and delivery of a general release and other necessary documents and providing an immediately effective date. Be it Resolved by the Greater Lafourche Port Commission (GLPC) in the State of Louisiana that the GLPC hereby accepts BP's offer to pay the amount of \$950,000.00 for the GLPC's economic losses and as full and final settlement of all claims against BP and others resulting from the Deepwater Horizon Oil Spill; and Be it Resolved that the President is authorized and directed to execute and deliver to BP a general release substantially the same as that attached hereto (the "Release"), of all damages resulting from or associated with the Deepwater Horizon Oil Spill but not releasing any claims of the Port's landowners or any private individual, in favor of BP and all entities associated with that incident as listed in the attached Release, which form is hereby approved; and Be it Further Resolved that the execution of the Release shall be deemed conclusive evidence of the approval and acceptance of the Release. This resolution shall take effect immediately upon its execution.

Upon motion by Gaudet and second by Cheramie, the board adjourned the meeting at 11:36am.

ATTEST:



Perry Gisclair, President



Harris "Chuckie" Cheramie, Jr., Secretary