

AGENDA  
January 13, 2010 at 10:30 AM

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for December 9, 2009 regular meeting
- V. Executive Director's Report
  - A. Northern Expansion**
    - 1) Slip B Dredging, Phases 3 & 4 (J. Wayne Plaisance)
    - 2) Slip B East Bulkhead, Phase #4, Part II (Angelette-Picciola)
    - 3) Slip B Asphalt Dudley Bernard Road, Phase 2 (Angelette-Picciola)
  - B. Airport Projects**
    - 1) Localizer/DME (LPA Group)
    - 2) Approach Lighting
    - 3) Airport Drainage Canal
    - 4) Pump Station Upgrade
  - C. FEMA Projects**
    - 1) Bathhouse
    - 2) Breakwater Repairs
    - 3) Beach Stabilization
  - D. Port Security and Grant Projects**
    - 1) Communications Tower
    - 2) LA 1 Project - Command and Control System Phase I MDA
    - 3) Phase II Maritime Domain Awareness
    - 4) Port Security Stakeholders Meeting
  - E. Other Port Projects**
    - 1) Martin Terminal Slip #1 Repairs (EDA Grant)
    - 2) LA 3090
    - 3) Highway Embankment Stabilization
  - F. LA 1 Highway Improvements**
- VI. Committee Reports
  - A. Executive Committee**
    - 1) Consider approving the request from Total Waste Management to terminate lease site GLF409
    - 2) Consider approving the request from Ambar Lone Star to assign lease site GLF404
    - 3) Consider approving the Cooperative Endeavor Agreement with SLEC/ROR/LA 1 Coalition
    - 4) Consider approving C-Port's Termination of Landlord's Agreement
    - 5) Consider approving the request from Terrebonne Concrete for a Landlord Agreement
  - B. Permits & Waterways Committee**
    - 1) Review permit applications from Greater Lafourche Port Commission, Caillouet Land Corporation, Swift Energy Operating, LLC, and Louisiana Delta Oil Company
  - C. Construction & Development Committee**
    - 1) Consider awarding the lowest bidder for the yearly fuel service
    - 2) Consider awarding the lowest bidder for the semi-annual construction materials
    - 3) Consider awarding the proposal for the Command and Control System
    - 4) Consider adopting DOTD resolution certifying compliance with the public bid laws for Slip B Phase II, Dudley Bernard Roadway project
    - 5) Consider approving Change Order No. 1 from Luhr Bros. for the Breakwater Repair Project
    - 6) Consider approving the Substantial Completion Certificate from Luhr Bros. for the Breakwater Repair Project
    - 7) Consider approving the DOTD sponsorship agreement for funding Approach Lighting project
  - D. Finance Committee**
    - 1) Consider payment of December invoices and recognize expenditures over \$10,000
    - 2) Consider out of state travel requests
- VII. Any other business
- VIII. Public Comment
- IX. Possible Executive Session

A. Discuss pending litigation defined as “Greater Lafourche Port Commission vs. James Construction LLC, et al, Suit No.105161 in Division E of the 17<sup>th</sup> JDC-Parish of Lafourche”

X. Public Comment

XI. Adjournment

#### Attachment

A. The pending litigation more specifically defined as “Greater Lafourche Port Commission vs. James Construction LLC, et al, Suit No.105161 in Division E of the 17<sup>th</sup> JDC-Parish of Lafourche” may be discussed in an executive session.

# OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION

January 13, 2010

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, January 13, 2010 at 10:30AM.

President Griffin called the meeting to order and Secretary Collins called roll.

ATTENDED: Perry Gisclair, Jimmy Lafont, Donald Vizier, Wilbert Collins, Larry Griffin, and Ervin Bruce

ABSENT: Chuckie Cheramie, John Melancon

Upon motion by Perry Gisclair and second by Wilbert Collins, the board unanimously approved the minutes for December 9, 2009 regular meeting.

## **Executive Director's Report**

Northern Expansion – Engineer John Plaisance reported that the contractor Coastal Dredging was on schedule for the Slip B Dredging, Phases 3 & 4 to complete by February 5<sup>th</sup>. The contractor has since left the site to work on another project and we expect them back next week. This delay will result in the contractor being 2 weeks behind schedule and we do not expect him to finish on time. The contractor was notified that if the work is not finished on time, the Port will impose the liquidated damages of \$2,700 a day. Engineer Larry Picciola reported that the contractor Low Land Construction has installed 123 steel sheets of the 420 sheets for Slip B East Bulkhead, Phase #4. All material is on site. The contractor has in place 400' of whaler beams and the project is moving along on schedule. Engineer Larry Picciola reported that the contracts for Slip B Asphalt Dudley Bernard Roadway have been sent to the contractor Huey Stockstill for execution. A pre-construction meeting will be scheduled next week and the contractor should start in 6 weeks.

Airport Projects – Airport Manager, Jason Duet reported that the Localizer/DME project is still on hold waiting the paperwork for the foundation of the equipment shelter. He stated that the DOTD sponsorship agreement to fund \$500,000 for the Approach Lighting project is on the agenda to approve today. He reported that the excavator cleaning the Airport Drainage Canal has completed approximately 1,000 feet north of the bridge. Mr. Breaux reported that the pre-bid meeting for the Pump Station Upgrade is scheduled for January 14<sup>th</sup> with the bid opening on January 26<sup>th</sup> to replace a 30" pump with a 36" pump.

Mr. Breaux informed the board that he and Jason Duet will be giving a presentation tomorrow in New Orleans for the Helicopter Safety Conference. This is a group of offshore transportation companies in the oil and gas industry. Commissioner Lafont questioned if the transaction has already been done with DOTD for the property in Golden Meadow that is in the right of way of the LA 1 Phase 2 construction, which Mr. Duet replied no. DOTD has started to make offers to property owners and as soon as we receive an offer it will be presented to the board. Commissioner Gisclair requested a summary of the aircraft activity at the airport, which Mr. Duet reported that there is a 19% increase in total flights at the airport since 2008. He stated that fixed wing traffic increased by 18% even with the runway being shut down for 2 months at beginning of 2009 overall a significant increase in flights.

FEMA Projects – Mr. Breaux reported that the pre-bid meeting for the Bathhouse Repair project is scheduled for tomorrow with the bid opening January 26<sup>th</sup>. The Breakwater Repair project is complete there is a change order for the adjustment of quantities on the agenda for approval today. There were 5 barges of boulders installed which included an additional \$12,576 of boulders to complete the project. Director Chiasson reported that he is awaiting a response from FEMA for the Beach Stabilization

project. If a response is not received by tomorrow, we will take this up with our congressional delegation to move it forward.

**Port Security and Grant Projects** – Mrs. Danos reported that the Communications Tower bid opening is scheduled for January 15<sup>th</sup> for the foundation and tower construction. She reported that proposals for the LA 1 Project - Command and Control System Phase I MDA were received and recommends awarding to Priority 5 in the amount of \$180,000 which is later on the agenda. She stated that Phase II Maritime Domain Awareness included in the 2008 Port Security Grant will involve upgrading the Port's camera system and to tie in cameras to Fire Central with alerts and notifications. She stated a Port Security Stakeholders Meeting was held last Friday to update all the Part 105 facilities. The projects that were discussed include submitting for the 2009 Port Security grant a multi-agency security response building and submitting for the 2010 Port Security grant the communications and the command and control system for that building.

**Other Port Projects** – Director Chiasson reported that he met last week with Engineer Larry Picciola and Mr. Roger White with ECO on the plans for the Martin Terminal Slip #1 Repairs. Engineer Picciola has received the soil report and has begun the design phase of the project. He reported that Barriere should be on site January 18<sup>th</sup> for the overlay of LA 3090. Mr. Breaux reported that the Port has completed the Highway Embankment Stabilization work south of Golden Meadow spending approximately \$45,000. He stated that there are 6 locations north of Golden Meadow that we are planning to continue working with DOTD to complete.

**LA 1 Highway Improvements** – The percentage of completion of Phase 1A (Fourchon to Leeville) of the LA 1 Project as of December 31<sup>st</sup> was 39%, and the percentage of time elapsed was 56%. The six kiosk machines in the area are all functioning. DOTD is fine tuning the software programs in the machines to make them more durable and dependable. DOTD asked that I remind patrons that the machines only accept VISA and MasterCard, and they do not accept American Express or Discover. Concerning the camera ordered by DOTD to catch any violators who attempt to run the toll, the contractor is scheduled to install it Friday and it should be operational by Monday. The Customer Service Center Manager asked me to again announce that there are still some positions open as an Accounting Specialist II. Applicants don't have to have a college degree to apply for this job. And, the special entrance wage rate remains in place. Mr. Boulet updated the board on the latest cost figures being invested into Phase 1. The Tomey Doucet Bridge and approaches in Leeville have cost over \$173 million, and Phase 1A between Leeville and Port Fourchon is costing over \$150 million. When you add in pre-construction cost of \$29 million and the \$8 million for the toll system facilities, the total investment to date is over \$360 million dollars. Moving on to Phase 2: DOTD's Real Estate Department anticipates making all property offers except for the two southern-most landowners by February 1<sup>st</sup>. They are finalizing R/O/W needs for the two southern-most landlords. Concerning the Geotechnical work, the contract with Ardaman & Associates, Inc. has not yet been executed due to some cost reductions DOTD sought. However, Ardaman and Associates have agreed on the revised terms and DOTD should receive it back next week. He then thanked the board and staff for supporting the Parish Council in fulfilling their 2010 cooperative endeavor agreement obligations again this year, so this necessary geotechnical work can get started. Concerning actual construction of Phase II, he stated that our Congressional Delegation was successful in garnering \$974,000 in the 2010 Federal Appropriations Bill for the LA 1 Project. While this is far from the \$300 million we need, project allocations are more difficult than ever to get in the current federal fiscal environment. Next month, he will begin working on the 2011 federal appropriation request. Concerning the TIGER grant submitted by the Coalition for \$300 million of stimulus funds, he heard from the Coalition's Washington representative that the U.S. Department of Transportation Secretary is likely to announce some of the awards next week. We have not heard any indication on which of the 1,400 projects might be funded, but we are maintaining strong hope for our project, knowing that we submitted a very competitive application. Finally, the Coalition is continuing to seek additional federal agency support for our project. We have a meeting planned with the

US Department of Energy this month, and later in the year we will work on making a presentation to the new Director of the US Minerals Management Service, Ms. Liz Birnbaum.

Commissioner Collins questioned where do people apply for the position opened, which Mr. Boulet replied they can visit the civil service website and click on DOTD to apply for the Accounting Specialist II position. He stated that the person will have to take a basic test. Commissioner Lafont questioned if there is a hotline number to call for these tickets that are sent out by mistake, which Mr. Boulet replied that the number is suppose to be on the ticket to contact the Crescent City Connection office and if not you can call the LA 1 Coalition office at 448-4485. Commissioner Lafont stated that there is still negativity toward the Port Commission about the new road and would like Mr. Boulet to explain that the Port Commission had nothing to do with the tolls on the bridge. Mr. Boulet stated that the tolls are absolutely needed to retire the public debt taken on by DOTD to construct the bridge. They borrowed \$136 million from bonding agencies in New York. The tolls will be paid back to retire that debt over the next 30 years. All the toll revenue collected goes back to paying off this debt. Commissioner Gisclair stated that the engineers were going to look at the height for the Bollinger overpass over the access canal and questioned if this has been done. Mr. Boulet replied that there was a certain height granted for that area which it currently stands at 55' clearance and they do feel they can build up to that height. There will probably be a right lane for people leaving Leeville to head north. They feel they will not have to have the fully relocated Bollinger Canal as they originally thought for the access. It may be relocated only a few hundred feet north when before it was several thousand feet and additional dredging. It will overall be a cost savings for Phase 2. Commissioner Gisclair stated that the bond debt is only for the bridge and approach sections and Phase 1A from Fourchon to Leeville is funded by another means, which Mr. Boulet replied yes. Governor Blanco put up \$99 million and the rest came from federal appropriations. Commissioner Vizier stated that it will take 30 years before the bond will be paid off. Mr. Boulet stated that this was an estimate. Commissioner Vizier questioned if he ever received a monthly schedule of what has been paid to date. Mr. Boulet stated that there is a meeting tomorrow with the bonding agency and he should receive these figures then and can forward it to the board.

### **Committee Reports**

Executive Committee - Chairman Griffin reported that the committee met on January 11, 2010 at the Administration Building in Galliano. Present was Larry Griffin, Jimmy Lafont, and Wilbert Collins. John Melancon was absent. The Commission then discussed items that were discussed at the committee meeting.

Upon motion by Jimmy Lafont and second by Ervin Bruce, the board unanimously approved early termination of the Total Waste Management lease site GLF409 effective once a new tenant leases the location.

Upon motion by Donald Vizier and second by Jimmy Guidry, the board unanimously approved the request from Ambar Lone Star to assign lease site GLF404 to National Oilwell Varco subject to updating the lease language or executing a new lease directly with National Oilwell Varo.

Upon motion by Wilbert Collins and second by Ervin Bruce, the board unanimously approved the 2010 Cooperative Endeavor Agreement with South Louisiana Economic Council ("SLEC"), Restore or Retreat ("ROR"), and the LA 1 Coalition for services not to exceed \$40,000. Mr. Vic Lafont with SLEC addressed the board and handed out SLEC's 2009 year end review to the board. He thanked the board for their support and stated they have been working with the Port for several years helping with grant funding and economic impact studies. Commissioner Gisclair requested that the agencies send a quarterly report or give a presentation at a meeting on the projects they are working on for the Port. Mrs. Simone Maloz also thanked the board for their support with ROR.

Upon motion by Jimmy Lafont and second by Wilbert Collins, the board unanimously approved the termination of C-Port's 2008 Landlord Agreement with the Bank of America.

Upon motion by Perry Gisclair and second by Donald Vizier, the board unanimously approved the request from Terrebonne Concrete for a Landlord Agreement for site GLF110.

Permits & Waterways Committee – Commissioner Lafont reported that the committee met on January 11, 2010 at the Administration Building in Galliano. Present were Chuckie Cheramie, Perry Gisclair, Jimmy Lafont and Larry Griffin. The Commission then discussed items that were discussed at the committee meeting.

Commissioner Lafont presented for board's review the permit applications by the Greater Lafourche Port Commission, Caillouet Land Corporation, Swift Energy Operating, LLC, and Louisiana Delta Oil Company. He suggested that a letter be sent to DNR regarding the Swift Energy permit to make sure the work was done according to the permit. Mr. Autin stated that the Port has already submitted a letter regarding the Caillouet permit.

Construction & Development Committee - Chairman Bruce reported that the committee met on January 11, 2010 at the Administration Building in Galliano. Present were Ervin Bruce, Donald Vizier, and Larry Griffin. John Melancon was absent. Commission then discussed items that were discussed at the committee meeting.

Upon motion by Ervin Bruce and second by Perry Gisclair, the board unanimously awarded the lowest bidder for the yearly fuel service to Gaubert Oil Company with a 14 cent markup price for Fourchon fuel service and a 13 cent markup price for fuel service to Galliano.

Upon motion by Ervin Bruce and second by Donald Vizier, the board unanimously awarded the lowest bidder for the semi-annual construction materials. The companies that submitted bids were Grand Isle Shipyard, Civil Construction, Arabie Transport, and Arabie Trucking.

Upon motion by Ervin Bruce and second by Perry Gisclair, the board unanimously approved awarding the proposal for the Command and Control System to Priority 5 Holdings, Inc. in the amount of \$180,000.00.

Upon motion by Ervin Bruce and second by Perry Gisclair, the board unanimously adopted the DOTD resolution certifying compliance with the public bid laws for Slip B Phase II, Dudley Bernard Roadway project.

Upon motion by Ervin Bruce and second by Jimmy Guidry, the board unanimously approved Change Order No. 1 from Luhr Bros. an increase of \$12,576.00 for the Breakwater Repair Project.

Upon motion by Ervin Bruce and second by Perry Gisclair, the board unanimously approved the Substantial Completion Certificate dated January 5, 2010 from Luhr Bros. for the Breakwater Repair Project.

Upon motion by Ervin Bruce and second by Jimmy Guidry, the board unanimously approved the DOTD sponsorship agreement for the Approach Lighting project.

Finance Committee – Commissioner Guidry reported that the committee met on January 11, 2010 at the Administration Building in Galliano. Present was Jimmy Guidry, Larry Griffin, and Wilbert Collins. John Melancon was absent. The Commission then discussed items that were discussed at the committee meeting.

Upon motion by Jimmy Guidry and second by Wilbert Collins, the board unanimously approved the payment of December invoices and recognized expenditures over \$10,000.

Upon motion by Jimmy Guidry and second by Wilbert Collins, the board unanimously approved the out of state travel request by Davie Breaux to attend the MARAD Port Director's Summit with Transportation on February 3<sup>rd</sup> in California and Chett Chiasson to attend the American Association of Port Authorities Spring Conference on March 21<sup>st</sup> in Washington, D.C.

Mr. Rome reported that there will be no financial statements for the next few months due to year end closing.

President Griffin opened the floor for any other business. Mr. Breaux reported that the Corps jetty repair project is still underway recapping the jetties from storm damage. The completion date is January 12<sup>th</sup> to place rocks on the jetties before storm season.

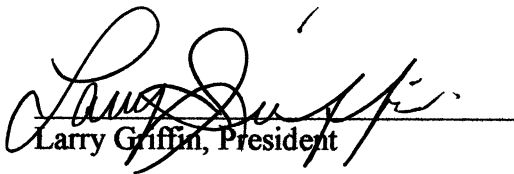
Director Chiasson reported that the Port is advertising for an in-house engineer beginning on Friday, January 15<sup>th</sup>. He stated that we will take applications until February 19<sup>th</sup> then follow the regular interviewing procedures.

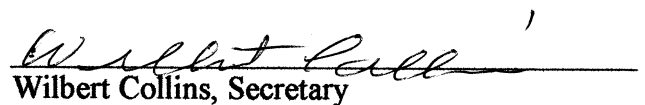
Commissioner Vizier recognized Mr. Al Danos with the S.L. Beachfront Development District ("SLBDD"). Mr. Danos reported that there is no SLBDD meeting tonight. He talked to Cathy Norman with Wisner about opening the beach this summer which is on their agenda for later this month. He reported that regarding the Caillouet permit, the SLBDD has objected to the permit. The SLBDD is charged with the responsibility of promoting recreational development and the pilings in the permit would prohibit the public from accessing the beach. The Port also sent a letter along with the Parish President objecting to the permit.

President Griffin opened the floor for possible executive session, which Mr. Autin reported that he has not heard anything new from the lawsuit; therefore, it is not necessary to go into executive session.

Upon motion by Jimmy Lafont and second b y Jimmy Guidry, the board adjourned the regular meeting.

ATTEST:

  
Larry Griffin, President

  
Wilbert Collins, Secretary