

GREATER BATON ROUGE PORT COMMISSION
Commission Meeting
5:00 p.m. Thursday, October 24, 2019

The Greater Baton Rouge Port Commission met in regular session at 5:00 p.m. on Thursday, October 24, 2019 at the Maritime Security Operations Center meeting room in West Baton Rouge Parish, Louisiana.

Following the Call to Order and the Pledge of Allegiance, the roll was called.

PRESENT

Mr. Chabert
Mr. DeLaune
Ms. Hurst
Mr. Johnson
Mr. Juneau
Mr. Kelly
Ms. Machen
Mr. Medine
Ms. Robertson
Mr. Seneca
Mr. Stevens
Mr. Watts

ABSENT

Ms. Cunard
Mr. Davis
Mr. LeBoeuf

Agenda Item 4 - Approval of minutes of a Commission meeting held on Thursday, September 26, 2019.

On a motion by Mr. Medine, seconded by Ms. Hurst, the minutes were unanimously approved.

Agenda Item 5 - Public Comments: Comments from the public regarding any/all of the agenda items listed below will be accepted at this point in the meeting. The meeting chairperson may also allow further comments from the public as and when each agenda item is considered during the meeting process.

There were no public comments.

Agenda Item 6 - Monthly Engineering Report

Mr. White presented the monthly engineering report. No action was required at this time.

Agenda Item 7 - Update for informational purposes only status of the Chambering Yard Project (Greater Baton Rouge Port Commission Project No. 2017-11-1).

Mr. Hardman addressed the Board, for informational purposes only, by stating that the contract has been executed and the contractor is engaged and checking on material delivery and preparing shop drawings. A meeting is scheduled for the week of November 4th for pre-construction and notice to proceed. Shell Pipeline has been engaged and Exxon Pipeline has been made aware of the progress. For future discussions, this agenda item will be moved to the monthly engineering report.

Agenda Item 8 - Discussion and appropriate action concerning adopting a Resolution prepared by bond counsel finalizing authorization for issuance of bonds in connection with financing construction of the Chambering Yard.

Mr. Glusman addressed the Board by stating that this is a standard Resolution requested by the bond counsel as part of the closing process to authorize the issuance of the bonds under the terms that have been developed, as outlined in documentation presented to all Board members.

Following a discussion, on a motion by Mr. Juneau, seconded by Mr. Watts, the Commission unanimously adopted a Resolution prepared by bond counsel finalizing authorization for issuance of bonds in connection with financing construction of the Chambering Yard, as outlined in documentation presented to all Board members.

Agenda Item 9 - Discussion and appropriate action regarding entering into a Cooperative Endeavor Agreement with the Plaquemines Port Harbor & Terminal District to allow them temporary use of the Maritime Security Operations Center in the event of an emergency.

Mr. Hardman addressed the Commission by stating that Plaquemines Port Harbor & Terminal District has approached the Port requesting use of the Maritime Security Operations Center (MSOC) as an emergency relocation site in the event of a catastrophic storm, as outlined in the Cooperative Endeavor Agreement and Confidentiality Agreement presented to all Board members.

Mr. Glusman addressed the Board by stating that the Confidentiality Agreement addresses concerns regarding the protection of port security measures. We have received the signed Cooperative Endeavor Agreement but have not received the signed Confidentiality Agreement. Mr. Glusman recommended that the motion for approval be subject to the condition that they execute the Confidentiality Agreement.

Following a discussion, on a motion by Mr. Watts, seconded by Mr. DeLaune, the Commission unanimously approved entering into a Cooperative Endeavor Agreement with the Plaquemines Port Harbor & Terminal District contingent upon receiving an executed Confidentiality Agreement, as outlined in documentation presented to all Board members.

Agenda Item 10 - Consideration and appropriate action authorizing the Executive Director to execute the previously agreed upon Cooperative Endeavor Agreement with Shell Pipeline Company LP in connection with the pipeline protection measures being undertaken by Shell at its expense in connection with the Chambering Yard Project.

Following a discussion, on a motion by Ms. Robertson, seconded by Mr. Medine, the Commission unanimously authorized the Executive Director to execute the previously agreed upon Cooperative Endeavor Agreement with Shell Pipeline Company LP in connection with the pipeline protection measures being undertaken by Shell at its expense in connection with the Chambering Yard Project, as outlined in documentation presented to all Board members.

Agenda Item 11 - Discussion and appropriate action on entering into a new two (2) year Client/Agency Agreement with Diane Allen and Associates for the port's advertising and public relations services.

Following a discussion, on a motion by Mr. Seneca, seconded by Ms. Robertson, the Commission unanimously approved entering into a two (2) year extension of the existing Client/Agency Agreement with Diane Allen and Associates for the Port's advertising and public relations services from January 1, 2020 to December 31, 2021 with rates, terms and conditions remaining unchanged, as outlined in documentation presented to all Board members.

Mr. Al McDuff, principal and creative director with Diane Allen & Associates, was in attendance and addressed the Board.

Agenda Item 12 - Consideration and appropriate action on the proposed contract extension between the Greater Baton Rouge Port Commission and Haynie and Associates.

Following a discussion, on a motion by Mr. Medine, seconded by Mr. Juneau, the Commission unanimously approved entering into a two (2) year extension of the existing contract between Haynie and Associates and the Greater Baton Rouge Port Commission from January 1, 2020 to December 31, 2021, with an increase in the monthly retainer from

\$3,500.00 to \$3,750.00, together with all entertainment, direct expenses, and travel expenses to be approved by the Port Executive Director prior to any expenditure.

Agenda Item 13 - Financial Report

Ms. LeBlanc presented the monthly financial report. No action was required.

Agenda Item 14 - Discussion and appropriate action concerning the annual evaluation and contract of the Executive Director in accordance with the Port's standard policy. This item may potentially be discussed in executive session pursuant to the applicable exception to the open meetings law regarding such matters LA. R.S. 42:17 (A) (1).

Mr. Stevens addressed the Board by stating that it is the recommendation of the Executive Committee to offer Mr. Hardman a four (4) year contract that runs concurrent with the Governor's term of office. There are no changes to Mr. Hardman's current contract except the dates.

Some members of the Executive Committee suggested passing the recommendation through the joint committees before bringing it to the Board for a decision to allow all Board members to review the contract and evaluation results.

Mr. Chabert stated that he was unsure if the Board could give Mr. Hardman a four-year contract with the upcoming Governor's election. Mr. Seneca stated that the contract will not be in effect until January when Mr. Hardman's current contract expires, and Mr. Stevens stated that the contract may be terminated without cause upon 90 days notice.

On a motion by Ms. Robertson, seconded by Mr. Johnson, to delay action on the contract extension until the contract is brought before the November Joint Committee meeting. A roll call vote was then taken with a yes meaning to delay and a no meaning to vote at this meeting.

YES

Mr. Chabert
Mr. DeLaune
Ms. Hurst
Mr. Johnson
Mr. Juneau
Ms. Machen
Mr. Medine
Ms. Robertson
Mr. Seneca

NO

Mr. Kelly
Mr. Stevens
Mr. Watts

The motion to delay action on Mr. Hardman's contract until November passed with a 9 to 3 vote.

Agenda Item 15 - Other matters

There were no others matters brought before the Commission.

Agenda Item 16 - Adjournment

On a motion by Mr. Medine, seconded by Mr. Watts, the meeting adjourned.

Secretary: Clint Seneca

President: Kevin J. Stevens

Date approved: November 21, 2019