

**THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION
FOR THE PORT OF NEW ORLEANS
MINUTES OF THE REGULAR BOARD MEETING
WEDNESDAY, APRIL 20, 2022**

A REGULAR MEETING OF THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION FOR THE PORT OF NEW ORLEANS, HELD IN THE FIRST FLOOR AUDITORIUM OF THE PORT OF NEW ORLEANS' OFFICES, LOCATED AT 1350 PORT OF NEW ORLEANS PLACE, NEW ORLEANS, LOUISIANA, WAS CALLED TO ORDER BY CHAIRMAN CHARLES H. PONSTEIN AT 1:35 P.M.

MEMBERS PRESENT: Charles H. Ponstein, Chairman
William H. Langenstein, III, Vice-Chairman
Walter J. Leger, Jr., Member
James J. Carter, Jr., Member

MEMBER ABSENT: Joseph F. Toomy, Secretary-Treasurer
Darryl D. Berger, Member

STAFF: B. Christian, Chief Executive Officer
M. Stolzman, General Manager
C. Kocur, Vice President, Engineering
J. Oldham, Vice President, Transportation & Mechanical
A. Ferrand-Rodgers, Director, Organization Development
T. Bryant, Director, Marketing and Sales

GUESTS: R. Wendel, Port of New Orleans
A. Evett, Port of New Orleans
J. Escudier, Port of New Orleans
R. Aragon Dolese, Port of New Orleans
E. Pansano, Port of New Orleans
G. Palermo, Port of New Orleans
B. McManus, Port of New Orleans
C. Coats, Port of New Orleans
J. Crist, Port of New Orleans
G. Brown, Port of New Orleans
C. Gilmore, Port of New Orleans
S. Gauthier, Port of New Orleans
J. Mansour, Port of New Orleans
C. Labat, Port of New Orleans
Chief M. Montroll, Harbor Police Department
M. Villarreal, Port of New Orleans
A. Brandenburg, Port of New Orleans
M. Sulser, Port of New Orleans
D. Collins, Port of New Orleans
A. Taylor, Port of New Orleans
J. Moran, Port of New Orleans
J. Ragusa, Port of New Orleans
P. Jackson, Port of New Orleans

A. Hanks, Port of New Orleans
M. Singley, Port of New Orleans
B. Applefeld, Tulane Law
A. Steuart, Carnival Cruise Lines

I. Roll Call & Determination of Quorum

Following a roll call, Chairman Ponstein confirmed a quorum and called the meeting to order at 1:35 p.m.

II. Pledge of Allegiance

Chairman Ponstein asked Vice-Chairman Langenstein to lead the Pledge of Allegiance.

III. Approval of Meeting Minutes for March 2022

Chairman Ponstein called for a motion to approve the public meeting minutes for March 2022, as previously circulated.

Commissioner Langenstein moved to approve the minutes and Commissioner Leger seconded. **MOTION CARRIED UNANIMOUSLY**

IV. Public Comment

Chairman Ponstein asked Ms. Singley to provide an overview of the Commission's process for submitting public comment. Chairman Ponstein called for any agenda-related or general public comments, but there were none.

V. Actions Items:

A. Acceptance of the Financial Statement for March 2022

Mr. Wendel presented the Commission's March financial statement, a copy of which is made a part of these minutes. He provided an overview of the monthly and fiscal year-to-date revenues and expenses for the period ending March 31, 2022. He reported that March revenues remained very strong with switching numbers consistently close to \$2.5 million and now \$1.4 million over budget expectations for the fiscal year. Car Shop and Railcar Storage revenues were also above expectations for the month resulting in a total operating revenue \$421,000 over budget for the month and almost \$1.3 million over the year to date projections. Increased activity and labor requirements resulted in slightly over budget Payroll Expenses in March but the overall Operating Income was still \$342,000 over budget for the month and almost \$2 million over last year's year-to-date numbers.

Commissioner Leger moved to accept the financial statement and Commissioner Carter seconded. **MOTION CARRIED UNANIMOUSLY**

B. Consider Approval of a Resolution Authorizing the Chairman to Certify to the Appointment of and to Appoint Vice-Chairman William H. Langenstein, III as the Commission's Temporary Secretary-Treasurer for the Purpose of Certifying Any Actions Taken by Resolution at this Meeting in the Absence of Secretary-Treasurer Joseph F. Toomy.

Mr. Escudier presented and recommended approval of the resolution. He stated that, in the absence of the Commission's designated Secretary-Treasurer Joseph F. Toomy, this resolution authorizes the Chairman to appoint Vice-Chairman William H. Langenstein, III as the Commission's temporary Secretary-Treasurer, in order to certify any actions taken by resolution during today's meeting only. Vice-Chairman Langenstein accepted the appointment.

Commissioner Leger moved to approve the resolution and Commissioner Carter seconded. **MOTION CARRIED UNANIMOUSLY**

C. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Amend the Agreement with BFI Waste Services, LLC d/b/a Republic Services of New Orleans for Trash Disposal Services, to Increase the Not-to-Exceed Cost for the Full Contract Term.

Mr. Kocur presented and recommended approval of the resolution. In May of 2020, the Commission entered into an agreement with BFI Waste Services, LLC d/b/a Republic Services of New Orleans for trash disposal services, for a not-to-exceed amount of \$150,000 for the full contract term. The Agreement was for a term of one (1) year with two (2) one-year renewal options. The Commission exercised its first renewal option in 2021 and intends to exercise its final option later this year. However, with Hurricane Ida and the increase in maintenance productivity and the not-to-exceed threshold will be met before the end of the full contract term. Therefore, staff recommends increasing the not-to-exceed cost by \$25,000, for a total not-to-exceed cost of \$175,000 for the full contract term. The Commission's Operating Budget will provide funding for this amendment.

Chairman Ponstein inquired about trash pick-up and temporary storage of ties. Mr. Kocur responded that ties are stored in waste containers on most construction sites or transported to those containers by truck.

Commissioner Langenstein asked for specification of the starting date of the agreement amendment. Mr. Kocur stated that it will apply to the last renewal term which will start later this year.

Commissioner Langenstein moved to approve the resolution and Commissioner Leger seconded. **MOTION CARRIED UNANIMOUSLY**

D. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Enter into an Agreement with the City of New Orleans to Purchase Property Known as N. Prieur Street Right-of-Way Between Squares 853 and 944 in New Orleans, Louisiana.

Ms. Coats presented and recommended approval of the resolution. The Commission seeks to purchase approximately 20,300 square feet of undeveloped land adjacent to the Claiborne Yard. This property has never been developed and currently has a rail servitude located on the parcel. The City is amenable to selling the parcel to the NOPB, in furtherance of the expansion of the Claiborne Yard. The property was appraised at \$27,500 and the parties have agreed to transact at the appraised value. The City Planning Commission has approved the transaction and the matter will be heard by the City Council for final approval.

Commissioner Langenstein inquired about the Commission's land ownership in the adjacent property and possible future land acquisition. Ms. Coats stated that the a part of portion in question is owned by a third party but that the Commission has engaged with the owner about potentially acquiring it with the but that they want to move forward with purchasing this property from the City so that they can start phase 1 of the Claiborne Yard Expansion project.

Chairman Ponstein asked if the City Council's approval is required to complete the transaction and Ms. Coats confirmed.

Commissioner Langenstein moved to approve the resolution and Commissioner Leger seconded. **MOTION CARRIED UNANIMOUSLY**

VI. Report of the General Manager

Mr. Stolzman presented the General Manager's Report. He stated that March was a positive month and. As indicated by the Board items presented today, the Commission is producing strong revenues and moving forward with expansion projects. Local customer volumes are consistent and are approaching pre-pandemic levels. Class I switching traffic increased in March with a greater number of trains, which created some congestion issues. With a daily average of 989 cars in March, storage is almost at capacity and expected to remain strong in the coming months. Intermodal volumes remain lower than last year at this time and are negatively affected by global supply chains challenges. The Commission is actively working on pursuing new business opportunities. Due to some congestion issues, dwell time slightly increased in March but remains close to an average of 15 hours.

Engineering productivity continues to increase as lumber is becoming more available. The car shop generated higher revenues in March thanks to enhanced productivity and higher quality repairs.

Commissioner Leger noted the disparity between imports and exports in the intermodal container volume and asked if the numbers are similar in the trucking industry. Ms. Christian confirmed.

Commissioner Langenstein asked how March's volumes compared to the previous month. Mr. Stolzman responded that the most notable surge was in Class I volumes due to increased labor availability and a higher number of working days in March compared to February.

VII. Adjournment

There being no further business to come before the Commission, Chairman Ponstein called for a motion to adjourn. Commissioner Leger moved and Commissioner Langenstein seconded. **MOTION CARRIED UNANIMOUSLY** and Chairman Ponstein adjourned the meeting at 1:55 p.m.