

**THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION
FOR THE PORT OF NEW ORLEANS
MINUTES OF THE REGULAR COMMISSION MEETING
THURSDAY, MARCH 23, 2023**

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 3:11 P.M.

MEMBERS PRESENT: Charles H. Ponstein, Chairman
Joseph F. Toomy, Vice-Chairman
William H. Langenstein, III, Member
Sharonda R. Williams, Member
James J. Carter, Jr., Member

MEMBER ABSENT: Walter J. Leger, Jr., Secretary-Treasurer

STAFF: B. Christian, Chief Executive Officer
T. Bryant, General Manager
C. Kocur, Vice-President, Engineering
I. McPherson, Director Operation Planning
G. Harris, Manager Operations Support
L. Hensley, Superintendent, Transportation
J. Mackie, Trainmaster

GUESTS: R. Wendel, Port of New Orleans
J. Escudier, Port of New Orleans
L. Mellem, Port of New Orleans
M. Stolzman, Port of New Orleans
A. Evett, Port of New Orleans
G. Brown, Port of New Orleans
C. Gilmore, Port of New Orleans
R. Aragon Dolese, Port of New Orleans
C. Labat, Port of New Orleans
M. Scelson, Port of New Orleans
S. Gauthier, Port of New Orleans
A. Coates, Port of New Orleans
A. Lopez-Salazar, Port of New Orleans
K. Mills, Port of New Orleans
K. Curth, Port of New Orleans
J. Ragusa, Port of New Orleans
C. Gibson, Port of New Orleans
J. Bruner, Port of New Orleans
M. Sulser, Port of New Orleans
E. Gondek, Port of New Orleans

M. Cloos, Port of New Orleans
P. Beard, Port of New Orleans
A. Taylor, Port of New Orleans
K. Howells Port of New Orleans
M. Singley, Port of New Orleans
J. Fields, Port of New Orleans
A. Johnson, Port of New Orleans
E. Beiser, Port of New Orleans
J. Stuckey, Phelps Dunbar
D. Patron, Phelps Dunbar
P. Sloss, MRSG&T
K. Calkins, New Orleans Terminal, LLC
D. Hauser, Coastal Cargo
M. Galjour, Coastal Cargo
K. Palmisano, Ports America Inc.
D. Magee, Sr., ILA Local 3000

I. Roll Call & Determination of Quorum

Following a roll call, Chairman Ponstein confirmed a quorum and called the meeting to order at 3:11 p.m.

II. Report of the General Manager

Ms. Bryant presented the General Manager's Report. She reported on February volumes and productivity statistics. She also announced that the Roadway Department had completed the repair of the Napoleon Crossing.

III. Public Comment

Chairman Ponstein called for any agenda-related or general public comments, but there were none.

IV. Approval of Meeting Minutes for February 2023

Chairman Ponstein called for a motion to approve the public meeting minutes for February 2023, as previously circulated.

Commissioner Carter moved to approve the minutes and Commissioner Toomy seconded.
MOTION CARRIED UNANIMOUSLY

V. Action Items:

- A. Appointment of a Temporary Secretary in Accordance with the Commission's Bylaws Art. VII (iii). Acceptance of the Financial Statement for January 2023**

Chairman Ponstein stated that, in the absence of Secretary-Treasurer Leger, a temporary Secretary must be appointed to certify the actions taken during today's meeting and he appointed Commissioner Carter to temporarily assume the Secretary's duties.

B. Acceptance of the Financial Statement for February 2023.

Mr. Wendel presented the Commission's financial statement for the month of February, a copy of which is made a part of these minutes. Following a brief discussion, including a request for clarification from Vice-President Toomy on the storage volume, Commissioner Williams moved to accept the financial statement and Commissioner Toomy seconded.

MOTION CARRIED UNANIMOUSLY

C. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Renew the Commission's General Liability, Pollution, Rolling Stock Property, Huey P. Long Bridge Property Insurance, and to Pay its Reasonable Share of the Consolidated Property, Public Official's Liability Insurance, Government Crime Insurance, Business Automobile Liability, Cyber Insurance, Terrorism, Business Automobile Liability Insurance, and Other Coverages, at a Cost Not to Exceed \$2,353,993, all Arranged through Arthur J Gallagher Risk Services, Inc.

Mr. Wendel presented and recommended approval of the resolution. Following a brief discussion, Commissioner Langenstein moved to approve the resolution and Commissioner Williams seconded. **MOTION CARRIED UNANIMOUSLY**

D. Consider Approval of a Resolution Awarding a Contract to Pointer Smith Contracting Corporation in the Amount of \$2,785,566 for the France Yard Extension New Rail Configuration Project in Orleans Parish.

Mr. Kocur presented and recommended approval of the resolution. Following a brief discussion, Commissioner Carter moved to approve the resolution and Commissioner Williams seconded. **MOTION CARRIED UNANIMOUSLY**

E. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Enter into a Lease Agreement with Copeland's of New Orleans, L.L.C., for the Property Located on the Huey P. Long Bridge Right of Way, Between Bents 74E and 82E, in Jefferson, Louisiana.

Mr. Beard presented and recommended approval of the resolution. Following a brief discussion, including questions from Chairman Ponstein on the sub-lessees and from Commissioner Langenstein on annual increases and the other potential usage of the property, Commissioner Toomy moved to approve the resolution and Commissioner Carter seconded. **MOTION CARRIED UNANIMOUSLY**

VI. Chairman & Commissioners' Comments

Chairman Ponstein opened the floor for Commissioners' comments but there were none.

VII. Adjournment

There being no further business to come before the Commission, Chairman Ponstein called for a motion to adjourn. Commissioner Carter moved and Commissioner Williams seconded. **MOTION CARRIED UNANIMOUSLY** and Chairman Ponstein adjourned the meeting at 3:27 p.m.