

**THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION
FOR THE PORT OF NEW ORLEANS
MINUTES OF THE REGULAR BOARD MEETING
THURSDAY, MAY 19, 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
Darryl D. Berger, Member
Walter J. Leger, Jr., Member
James J. Carter, Jr., Member

MEMBER ABSENT: Joseph F. Toomy, Secretary-Treasurer

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
T. Banks, Manager, Engineering
I. McPherson, Superintendent, Transportation
J. Gougis, Bridge
J. Oakes, Bridge
M. Frickey, Bridge
B. Banegas, Bridge

GUESTS: M. Ganon, Port of New Orleans
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
J. Guidry, Port of New Orleans
M. Scelson, Port of New Orleans
E. Pansano, Port of New Orleans
D. Cordell, Port of New Orleans
G. Palermo, Port of New Orleans
B. McManus, Port of New Orleans
G. Brown, Port of New Orleans
C. Gilmore, Port of New Orleans
J. Mansour, Port of New Orleans
C. Labat, Port of New Orleans
Chief M. Montroll, Harbor Police Department

C. Alfonso, Port of New Orleans
K. Howells, Port of New Orleans
H. Horan, Port of New Orleans
K. Barnes, Port of New Orleans
A. McKnight, Port of New Orleans
R. Williams, II, Port of New Orleans
A. Madere, Port of New Orleans
M. Singley, Port of New Orleans
J. Fields, Public Affairs
C. Hammond, ILA
J. Allen, Coastal Cargo
S. Williams, Loyola University
T. Wells, Waldemar S. Nelson, Co.

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 led the Pledge of Allegiance.

III. Approval of Meeting Minutes for April 2022

Chairman Ponstein called for a motion to approve the public meeting minutes for April 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 April 2022

Mr. Wendel presented the Commission's April 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 April 30, 2022. He reported that April operating revenues were strong with switching numbers \$434,000 over budget and car shop revenue remaining above expectations. The total operating revenue was \$426,000 over budget for the month and now \$1.7 million above the year to date projections. Labor expenses were in line with the budget but bridge related maintenance projects resulted in

higher than expected operating expenses for the month. The overall operating income was still \$257,000 over budget for the month and more than \$2 million over last year at this time.

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

B. Consider Approval of a Resolution Awarding a Contract to Southern Tire Mart, LLC for Tires and Tire Related Services for a Period of One Year with Two One-Year Renewal Options, at Cost Not to Exceed \$150,000 for the Full Contract Term.

Mr. Oldham presented and recommended approval of the resolution. The scope of this contract includes the purchase of tires and tire related services for an initial term of one (1) year with two (2) one-year renewal options not to exceed \$50,000 per year. The funding for this contract is included in the Commission's Operating Budget.

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

C. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Enter into a Contract with Mesalain Consulting Group LLC, to Provide Janitorial Services for a Period of One Year with Two One-Year Renewal Options, at Cost Not to Exceed \$156,000 for the Full Contract Term.

Mr. Kocur presented and recommended approval of the resolution. Mesalain Consulting Group LLC was the sole proposer for this contract to provide janitorial services for an initial term of one (1) year with two (2) one-year renewal options, at a cost not to exceed \$52,000 per year. Funding for this contract is included in the Commission's Operating Budget.

Commissioner Leger asked for clarifications on the cost of the full contract term. Mr. Kocur stated that the total amount is predicated on the renewal of the contract at the end of each term.

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

D. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Amend the Agreement with McCord Tie and Timber, Inc., for the As-Needed Purchase and Delivery of Cross Ties and Switch Ties, to Increase the Not-to-Exceed Cost for the Full Contract Term.

Ms. Kocur presented and recommended approval of the resolution. The Commission entered into an agreement with McCord Tie and Timber, Inc., in August of 2019, for the as-needed purchase and delivery of cross ties and switch ties for a not-to-exceed amount of \$600,000 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 October 2020. Due to several large capital projects and an increase in maintenance

productivity, the Board authorized an amendment to the agreement in June of 2021, to increase the not-to-exceed amount to \$1,364,000. The Board exercised its second and final option on October 2021. However, due to the recent increase in maintenance productivity, the not-to-exceed threshold will be met before the end of the full contract term. Consequently, staff recommends increasing the not-to-exceed costs by \$654,497.15 and amending the total not-to-exceed amount for the full contract term to \$2,018,497.15. Funding for this amendment is included in the Commission's Operating Budget and Capital Maintenance. A percentage of the costs for these materials are reimbursable by certain Class I railroads.

Commissioner Langenstein inquired about the timing of the contract and commented on the magnitude of the increase in tie replacement activity. Mr. Kocur stated that the 2022 spending numbers cover the current calendar year and added that, after approval of the amendment, an order of over 200,000 ties would be placed.

Commissioner Ponstein asked if obtaining timber supplies is still an issue and Mr. Kocur responded that it is no longer a concern.

Commissioner Berger moved to approve the resolution and Commissioner Leger seconded.

MOTION CARRIED UNANIMOUSLY

❖ **Consider Approval of a Motion to Amend the Agenda**

Mr. Escudier stated that, in the absence at the meeting of the Secretary-Treasurer, Joseph F. Toomy, and in accordance with the Open Meetings Law, a motion must be presented by the Commission to amend the published agenda in order to add an item authorizing the appointment of a temporary Secretary-Treasurer. After discussion, confirmation of a quorum by roll call, Chairman Ponstein opened the floor for public comments and called for a motion to approve the amendment of the May 19, 2022 agenda.

Commissioner Leger moved to approve the motion and Commissioner Carter seconded.

MOTION CARRIED UNANIMOUSLY

E. 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.

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

Commissioner Leger moved to approve the motion and Commissioner Berger seconded.
MOTION CARRIED UNANIMOUSLY

VI. Report of the General Manager

Ms. Bryant presented the General Manager's Report. She stated that April was a positive month with a 4% increase in local customer. Class I traffic remained strong despite some gateway congestion issues. Railcar storage has been steady in the last few months, averaging 950 cars per day, and should remain strong for the next couple of months. Intermodal volumes increased last month thanks to the introduction of a new service with Kansas City Southern Railway to Kansas City. In spite of some congestion in the gateway, railroad dwell time decreased to 13.3 hours and should remain in this range for the next few months.

Engineering productivity continued to increase and tie replacement remained significantly above expectations. Track surfacing decreased due to the equipment failure. This issue has been resolved and June numbers should return to normal levels. Tie mill production continued to increase and remains above expectations. The car shop volumes were slightly down in quantity but repairs of higher quality and cost were performed.

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 Leger seconded.
MOTION CARRIED UNANIMOUSLY and Chairman Ponstein adjourned the meeting at 1:52 p.m.