

**THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION
FOR THE PORT OF NEW ORLEANS
MINUTES OF THE REGULAR BOARD MEETING
THURSDAY, MARCH 25, 2021**

A REGULAR MEETING OF THE NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION FOR THE PORT OF NEW ORLEANS, PROPERLY NOTICED AND AUTHORIZED IN ACCORDANCE WITH PROCLAMATION 30 JBE 2021, CONVENED REMOTELY VIA ZOOM VIDEOCONFERENCE ON THURSDAY, MARCH 25, 2021 AT 2:35 P.M.

MEMBERS PRESENT: Darryl D. Berger, Chairman
William H. Langenstein, III, Vice Chairman
Charles H. Ponstein, Secretary-Treasurer
Tara C. Hernandez, Member
Joseph T. Toomy, Member
Walter J. Leger, Jr., Member

STAFF: B. Christian, Chief Executive Officer
M. Stolzman, General Manager
C. Kocur, Vice President, Engineering
J. Oldham, Vice President, Transportation
J. Escudier, Executive Counsel
M. Scelson, General Counsel
F. Hasbun, Office Administrator

GUESTS: M. Ganon, Port of New Orleans
B. Landry, Port of New Orleans
R. Wendel, Port of New Orleans
A. Evett, Port of New Orleans
T. Rives, Port of New Orleans
R. Aragon Dolese, Port of New Orleans
M. Verderame, Port of New Orleans
J. Guidry, Port of New Orleans
E. Pansano, Port of New Orleans
C. Labat, Port of New Orleans
G. Palermo, Port of New Orleans
B. McManus, Port of New Orleans
M. Gresham, Port of New Orleans
J. Mansour, Port of New Orleans
J. Sholar, Port of New Orleans
J. Crist, Port of New Orleans
R. Bylsma, Port of New Orleans
C. Gilmore, Port of New Orleans
E. Federer, Port of New Orleans
M. Cloos, Port of New Orleans
J. Ragusa, Port of New Orleans
C. Alfonso, Port of New Orleans
A. Taylor, Port of New Orleans

A. Hanks, Port of New Orleans
J. Woodward, Port of New Orleans
C. Falgoust, Port of New Orleans
J. Woodward, Port of New Orleans
A. Madere, Port of New Orleans
P. Jackson, Port of New Orleans
M. Singley, Port of New Orleans
K. Barnes, Port of New Orleans
Chief R. Hecker, Harbor Police Department
Capt. M. Montroll, Harbor Police Department
B. Adams
C. Sepulveda
K. Price
K. Calkins
N. Junius

I. Roll Call & Determination of Quorum

Following a roll call of Board members, Chairman Berger confirmed a quorum and called the meeting to order at 2:35 p.m.

II. Acceptance of Meeting Minutes for February 2021

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

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

Commissioner Ponstein joined the meeting at 2:36 p.m.

III. Public Comment

Chairman Berger called for any agenda-related or general public comments, but there were none. Ms. Verderame confirmed there were no public comments submitted in advance or via the Zoom Chat feature.

IV. Action Items:

A. Acceptance of the Financial Statement for February 2021

Mr. Wendel presented the Commission's February 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 February 28, 2021. He noted that operating expenses remained controlled and under budget, allowing for an overall operating income of \$64,000 over the revised budget. He added however that the year-to-date operating income was \$770,000 below February 2020.

Commissioner Toomy moved to accept the financial statement and Commissioner Ponstein seconded. **MOTION CARRIED UNANIMOUSLY**

B. Consider Approval of a Resolution Authorizing the Chief Executive Officer to Exercise the Remaining Renewal Options to the Agreement with Omega Industries, Inc., for the As-Needed Purchase and Delivery of Concrete Grade Crossing Panels, for a Cost Not to Exceed \$115,000 Per Year.

Mr. Kocur presented and recommended approval of the resolution. He stated that in May 2018, the Public Belt Railroad Commission for the City of New Orleans entered into a contract with Omega Industries, Inc. for the as-needed purchase and delivery of concrete grade crossing panels. The initial contract term was for a period of one (1) year with (4) one-year renewal options. The contract was subsequently amended in 2019 to address the assignment of the contract to the New Orleans Public Belt Corporation, and to exercise the first option. Presently, staff recommend authorizing the Chief Executive Officer to exercise the remaining two (2) renewal options, at a cost not to exceed \$115,000 per year. Funding is allocated in the Commission's Expense Budget.

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

C. Consider Approval of a Resolution Adopting Supplement 1 to Freight Tariff NOPB 9000-A.

Mr. Oldham presented and recommended approval of the resolution. He stated that NOPB Freight Tariff 9000-A was adopted by the Commission in August 2020, with an effective date of October 1, 2020. The proposed Supplement 1 will add a new item to NOPB Freight Tariff 9000-A, regarding train service for non-dimensional military trains. If adopted, Supplement 1 will become effective April 1, 2021.

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

D. Consider Approval of a Resolution Declaring the Passenger Cars "City of New Orleans" and "Louisiana," and their Accessory Parts to be Surplus and Authorizing the Chief Executive Officer to Sell Said Surplus Property for Fair Market Value.

Mr. Stolzman indicated that staff recommend deferring consideration of this item to a later date, in order to allow staff additional time to complete a more thorough information gathering process.

Commissioner Ponstein moved to table the item and Commissioner Toomy seconded. **MOTION CARRIED UNANIMOUSLY**

E. Consider Approval of a Resolution Adopting the Prior Resolutions of the New Orleans Public Belt Railroad Corporation and Ratifying Any Actions Taken by the Chief Executive Officer in Furtherance of Such Resolutions.

Mr. Escudier presented and recommended approval of the resolution. He stated that it is essential, for the continuation of business, that the Commission adopts and ratifies all resolutions previously adopted by the New Orleans Public Belt Railroad Corporation, prior to the transition on October 1, 2020.

Commissioner Hernandez moved to approve the resolution and Commissioner Ponstein seconded. **MOTION CARRIED UNANIMOUSLY**

V. Report of the General Manager

Mr. Stolzman presented the report. He noted that, even though the NOPB continues to operate smoothly and safely, Local and Class I switching volumes decreased in February due to weak resin markets, the pandemic, and weather conditions. Railcar storage and intermodal container volumes remained strong, and are expected to continue to increase in March. Dwell numbers have continuously improved over the last four (4) years and, at an average of 8.2 hours for the month of February, reflect a very fluid and effective rail network. Engineering productivity did not meet goals this month due to material shortages, specifically lumber shortages. The reorganization in the car shop has resulted in a strong increase in productivity and numbers should remain strong for the rest of the year. Locomotive availability remained at 100% with no engine mechanical failure in the last five (5) months.

Commissioner Ponstein asked for clarification on the maintenance warranty for the newly-leased locomotives. Mr. Stolzman responded that all essential components are under warranty and, should a catastrophic engine failure occur, two (2) spare locomotives are available on property so there would be no loss in productivity.

VI. Election for Board Officer Vacancy

Chairman Berger announced that per Article VII(i) of the Commission's Bylaws, and subsequent to the election of officers at today's Board of Commissioners of the Port of New Orleans Regular Board Meeting, the Commission must elect a commissioner to fill the vacancy for the position of Secretary-Treasurer. This officer would serve as the Secretary-Treasurer solely for the New Orleans Public Belt Railroad Commission, effective at the conclusion of this meeting through December 2021. Chairman Berger opened the floor for nominations.

Commissioner Langenstein moved to elect outgoing Chairman Berger to fill the vacancy as the Commission's Secretary-Treasurer, noting the value that his previous experience would bring to the position. Commissioner Hernandez seconded. **MOTION CARRIED UNANIMOUSLY**

VII. Adjournment

There being no further business to come before the Commission, Chairman Berger invited Chairman-elect Langenstein to adjourn the meeting. Commissioner Leger moved that the meeting be adjourned, and Commissioner Hernandez seconded. **MOTION CARRIED UNANIMOUSLY** and Chairman-elect Langenstein adjourned the meeting at 2:55 p.m.