OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – JULY 12, 2022

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, July 12, 2022, at 12:00 p.m. in the boardroom of its office located at 100 Port Boulevard, 3rd Floor, Chalmette, Louisiana.

 After the Pledge of Allegiance, Roll was called.

Member’s present were: Ms. Rachel L. Nunez, President; Ms. Jeanne E. Ferrer, Vice President; Mr. Walter J. Cure IV, Secretary and Mr. Larry M. Aisola, Jr., Treasurer. Also present were: Mr. Drew Heaphy, Executive Director; Ms. Denise Kraesig, Executive Assistant; Mr. Ross Gonzales, Director of Administration; Mr.’s Todd Fuller and Zeljko Franks, Associated Terminals; Mr’s Stephen Bernard and Ed Scheuermann, Boh Bros.; Mr. Mark Melancon, ITS; Mr. Dean Nicoladis, N-Y Associates and Ms. Diane Jackson, The Slone Group and Jan Evans, Volkert.

 President Nunez asked if there were any public comments in accordance with R.S. 42:14(D). Not hearing from anyone, she continued with the meeting.

 On motion of Mr. Cure, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on June 14, 2022.

 On motion of Mr. Cure, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved a new lease with Chalmette Refining, LLC for 156,600 sq. ft. of laydown area located at 200 Marlin Drive, Chalmette Terminal and waiver of personal guarantee.

On motion of Mr. Cure, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a new lease with Chalmette Refining, LLC for 4.2 acres of fenced area located in the Chalmette Terminal-North and waiver of personal guarantee.

On motion of Mr. Cure, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved Change Order No. 2 for Boh Bros. Construction Company, LLC relating to the Reconstruction of the Chalmette Slip Wharves F & A project. An underrun of $40,343.94 and addition of 82 contract days. The board and Ms. Evans discussed the debris pile and the north wall at the Chalmette Slip.

On motion of Mr. Cure, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved to take from the table Agenda Item No. 9 from the June 14, 2022, agenda: Approval of changes and additions made to the Employee Policy Manual, recommended by The Sloan Group.

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On motion of Mr. Cure, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved changes and additions made to the Employee Policy Manual, recommended by The Sloan Group. Mr. Heaphy thanked the staff and The Sloan Group for all their efforts in updating the policy manual.

President Nunez recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales reported on the Operating and Capital Budgets, Professional Services, Balance Sheet, and Lessees Arrears. The Board discussed the Finance Report.

President Nunez then recognized Mr. Heaphy who gave the Executive Director’s Report. Mr. Heaphy informed the Board as to the SOS vs. PONO and SBPHTD court date of July 28, 2022, the MatrixNeworld contracts for LPDES Permit Renewal and Storm Water Prevention Plan and presented the Projected 5-year Capital Project Outlay. Mr. Heaphy also updated the Board on his communications with port tenant, Marine Splicing and gave the construction report on all current and future projects. The Board discussed the Executive Director’s Report. President Nunez asked that the assessment on the MRGO property proceed and inquired about future issues with the debris pile at the Chalmette Slip. Ms. Evans explained the contents of the debris pile and possible resolutions.

 On motion of Mr. Cure, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the following resolution authorizing a replacement agreement and designation of person authorized to sign for the Melvin Perez Parkway Transit Shed & Truck Staging Area project, State Project H.014183:

STATE PROJECT NO H.014183

PARISH OF St. Bernard

RESOLUTION

St. Bernard Port, Harbor and Terminal District

A Resolution authorizing the St. Bernard Port, Harbor and Terminal District to enter into an replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith.

 WHEREAS, the St. Bernard Port, Harbor and Terminal District has a need for port improvements; and

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WHEREAS, the St. Bernard Port, Harbor and Terminal District has reviewed the application for (Project Name) and agrees with said agreement; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District has applied for State matching funds pursuant to Chapter 47 of Title 34 of the Louisiana Revised Statues of 1950, as amended, to implement a project to improve its port operation and St. Bernard Port, Harbor and Terminal District is fully aware of its obligations under said Statute; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute; and

 NOW, THEREFORE, BE IT RESOLVED by the St. Bernard Port, Harbor and Terminal District as follows:

Section 1. That St. Bernard Port, Harbor and Terminal District acknowledges that an application was submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and prior to commencement of work on the project St. Bernard Port, Harbor and Terminal District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Drew M. Heaphy, Executive Director to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Drew M. Heaphy, Executive Director is hereby Authorized Representative for St. Bernard Port, Harbor and Terminal District to represent the port with regards to the receipt of funds from the Louisiana Port Construction and Development Priority Program for a port improvement project.

Resolution

STATE PROJECT NO H.014183

PARISH OF St. Bernard

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Section 4. That said Authorized Representative shall have the authority to sign and approve all documents that are necessary under the circumstances to accomplish the above project.

 Walter J. Cure, IV, Secretary Rachel L. Nunez, President

On motion of Mr. Cure, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved Amendment to the Professional Services Agreement with The Sloan Group approved at the May 2021 board meeting.

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President Nunez asked if there were any Old Business. Not hearing from anyone, she continued with the meeting.

President Nunez asked if there were any New Business. Mr. Heaphy stated the Big River Coalition will be celebrating the deepening of the Mississippi River and asked if any board members would like to attend.

On motion of Mr. Aisola, seconded by Ms. Ferrer, the meeting was adjourned.

/s/ Walter J. Cure IV, Secretary