

OFFICIAL PROCEEDINGS
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT
REGULAR MONTHLY MEETING – AUGUST 10, 2021

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, August 10, 2021, at 12:00 noon in the boardroom of its office located at 100 Port Boulevard, 3rd Floor, Chalmette, Louisiana.

After the Pledge of Allegiance, Roll was called.

Members present were: Mr. Larry M. Aisola, Jr., President; Ms. Rachel L. Nunez, Vice President; Ms. Jeanne E. Ferrer, Secretary and Mr. Walter J. Cure, IV, Treasurer. Also present were: Mr. Drew Heaphy, Executive Director; Ms. Denise Kraesig, Executive Assistant; Mr. Ross Gonzales, Director of Administration; Mr. Ted Roche, Director of Operations; Mr. Ricky Melerine, Project Manager Assistant; Mr. 's Todd Fuller and Zeljko Franks, Associated Terminals; Mr. Ron Calamia, Ron Calamia Photography; Mr. Mark Melancon, Intelligent Transportations Systems; Ms. Meaghan McCormack, St. Bernard Economic Development Foundation and Mr. Joseph DiFatta, St. Bernard Parish Sheriff's Department.

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

On motion of Ms. Nunez, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on July 13, 2021.

On motion of Ms. Nunez, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a three-day lease with Associated Terminals for the Administration and Security Complex parking area located at 100 Port Blvd., Chalmette Terminal.

On motion of Ms. Ferrer, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved a lease Amendment for Whistler Innovations, LLC to decrease the 1,850 sq. ft. of Storage Space to 1,326 sq. ft. and increase the 435 sq. ft. Storage Shed to 510 sq. ft. Shed, rent adjusted accordingly.

On motion of Ms. Nunez, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a lease Amendment for Coit of New Orleans decreasing the number of parking spaces from four (4) parking spaces to two (2) parking spaces, rent adjusted accordingly.

On motion of Ms. Nunez, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved Change Order No. 2 for Voelkel McWilliams Construction, LLC relating to the Port Improvements, Chalmette Terminal Transit Shed (H.013882) project. An overrun of \$18,855.00.

President Aisola 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 Aisola then recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy gave an update on funding approved by the Department of Transportation and Development through its Port Priority Program for the Chalmette Slip, Section D project. He also updated the Board on The Slone Group's progress relating to the updating of the Fiscal policy manual. Mr. Heaphy then recognized Mr. Roche who updated the Board on current and future construction projects. The Board discussed the Executive Director's Report.

On motion of Ms. Nunez, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved the following resolution for the System Survey and Compliance Questionnaire required by the Legislative Auditors:

RESOLUTION

WHEREAS, it is a requirement of the Legislative Auditor of the State of Louisiana that the book of the St. Bernard Port, Harbor and Terminal District be audited annually, and

WHEREAS, as a required part of the audit, a System Survey and Compliance Questionnaire is to be completed by the administrative staff, and

WHEREAS, this questionnaire when completed must be adopted by the governing body of the District,

NOW, THEREFORE BE IT RESOLVED, that the St. Bernard Port, Harbor and Terminal District move to adopt the Systems Survey and Compliance Questionnaire and present it and a copy of this resolution to our auditors.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas:	4
Nays:	0
Absent:	0
Abstaining:	0

The resolution was declared to be adopted on this 10th day of August, 2021.

/s/ Jeanne E. Ferrer, Secretary

On motion of Ms. Nunez, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved the following resolution authorizing the St. Bernard Port, Harbor and Terminal District to enter into an agreement with the State of Louisiana, Department of Transportation and Development, relating to Project No. H.014603, Arabi Terminal, Chalmette Slip Dock 2, Section D project and authorizing the Executive Director to execute the agreement and sign and approve all necessary documents to accomplish the project:

STATE PROJECT NO H.014603
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 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

WHEREAS, the St. Bernard Port, Harbor and Terminal District has reviewed the application for Arabi Terminal, Chalmette Slip Dock 2, Section D 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 Statutes 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 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.

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.

/s/ Jeanne E. Ferrer, Secretary

/s/ Larry M. Aisola, Jr., President

On motion of Ms. Nunez, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved the following resolution to approve the two (2) year appointment of Drew M. Heaphy as a Director to the Board of the Louisiana Local Government Environmental Facilities and Community Development Authority:

RESOLUTION

A RESOLUTION INDICATING THE INTENTION OF THE ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT, STATE OF LOUISIANA, TO APPROVE THE TWO (2) YEAR APPOINTMENT OF DREW M. HEAPHY AS A DIRECTOR TO THE BOARD OF THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY (THE "AUTHORITY") AS PROVIDED BY CHAPTER 10-D OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED.

WHEREAS, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of R.S. 33:4548.1 through 4548.16 is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the "Act"); and

WHEREAS, the Act creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities in acquiring, financing and constructing certain facilities, including environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government and economic development projects; and

WHEREAS, the St. Bernard Port, Harbor and Terminal District, State of Louisiana, previously passed a resolution to become a participating political subdivision of the Authority in accordance with the Act; and

NOW THEREFORE, BE IT RESOLVED by the governing authority of the St. Bernard Port, Harbor and Terminal District, State of Louisiana, acting in such capacity:

Section 1. Approve the appointment of Drew M. Heaphy to serve as a Director of the Authority for a term of two (2) years from the date hereof.

Section 2. This resolution shall take effect immediately and a certified copy hereof shall be forwarded to the offices of the Authority.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS	4
NAYS	0
ABSENT	0

And the resolution was declared adopted on this 10th day of August, 2021.

/s/ Jeanne E. Ferrer, Secretary /s/ Larry M. Aisola, Jr., President

On motion of Ms. Ferrer, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved the following resolution in support of resuming Federal offshore leasing in the Gulf of Mexico:

RESOLUTION

St. Bernard Port, Harbor and Terminal District

SUPPORT OF RESUMING FEDERAL OFFSHORE LEASING IN THE GULF OF MEXICO

WHEREAS, the United States of America Offshore Oil and Gas Program, since its authorization by the Outer Continental Shelf Lands Act (OCSLA), has provided significant energy to help fuel the great economy of America, and

WHEREAS, the United States of America Offshore Oil and Gas Program, has been very effective in helping America achieve energy security and strengthening our National Security, and

WHEREAS, the United States of America Offshore Oil and Gas Program must be part of a balanced, all of the above, energy strategy for our country, and

WHEREAS, the offshore industry and government have collaborated with groups such as the Coastal Conservation Association to create innovative ways to find beneficial cooperation such as the Rigs-to- Reef program, which benefits the recreational fishing community by repurposing obsolete structures of which nearly 600 reefed platforms in the United States Gulf of Mexico are home to almost seven million fish and other critical marine species, enriching marine life, and

WHEREAS, since its inception the United States of America Offshore Oil and Gas Program is responsible for helping to create hundreds of thousands of jobs with a significant economic impact and has generated hundreds of billions in royalty revenue for the United States Treasury, and

WHEREAS, the United States Congress in 2020 permanently funded the Land and Water Conservation Fund at \$900 million per year with wide bipartisan support. Relying solely on earnings from federal offshore oil and gas leasing, the Land and Water Conservation Fund has funded more than \$4 billion worth of projects since its inception in 1965 for purposes of conservation, recreation, restoration and protection of vital national resources, and

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WHEREAS, since 2006, more than \$1 billion, funded exclusively by federal offshore lease revenues, has been disbursed to four Gulf energy-producing states through the Gulf of Mexico Energy Security Act to support coastal conservation and restoration projects; hurricane protection programs; and activities to implement marine coastal or conservation management plans, and

WHEREAS, in the most recent conservation legislation, the Great American Outdoors Act, the United States Congress set aside up to \$1.9 billion a year from federal offshore lease revenues for the next five years to repair facilities and infrastructure in our national parks, forests, wildlife refuges and American Indian Schools, and

WHEREAS, it is important for the funding of these conservation, recreation, restoration and protection efforts that the United States of America Offshore Oil and Gas Program continues, and

WHEREAS, the United States of America Offshore Oil and Gas Program has been managed in such a way that it is recognized as an environmentally advantaged energy producer with approximately half (53%) of the carbon intensity per barrel of other producing regions worldwide, and

WHEREAS, United States of America Offshore Energy represents a significant opportunity to help improve the health of our planet due to its low carbon intensity, and

WHEREAS, President Biden and Department of Interior Secretary Deb Haaland have caused regularly scheduled lease sales for offshore resources, previously authorized by administrations of both political parties, to be canceled resulting in great uncertainty for the economy, the energy, and the environment of America, and

WHEREAS, Terry A. Doughty of the United States District Court recently decided in a suit filed by the States of Louisiana, Alabama, Alaska, Arkansas, Georgia, Mississippi, Missouri, Montana, Nebraska, Oklahoma, Texas, Utah and West Virginia that the Executive Branch does not have the legal right to stop leasing Federal territory for Oil and Gas production without approval from Congress, and

WHEREAS, the future production of these oil and gas resources and consequently the funding of conservation, recreation, restoration and protection and further consequently the denial of environmentally advantaged, low carbon intensity barrels of production as a substitution for higher carbon intensity barrels of production from foreign sources; all will be negatively impacted by the continued cancellation of offshore lease sales.

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NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the St. Bernard Port, Harbor and Terminal District meeting on August 10, 2021, petitions President Biden and Secretary Haaland to immediately schedule Lease Sales for the Gulf of Mexico, a historic energy producing province, to assist in producing a larger portfolio of some of the planet's lowest carbon intensity barrels of oil and to assist in producing a larger portfolio of natural gas which can serve the Liquefied Natural Gas (LNG) worldwide market; all in an effort to restore confidence, generate economic activity, enhance environmental stewardship, create American jobs, and strengthen national and energy security.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to President Biden, Secretary Haaland, members of the United States Congress, the City and Parish governing authorities within the State of Louisiana, the Louisiana Police Jury Association, the Louisiana Municipal Association, and the National Association of Counties.

/s/ Jeanne E. Ferrer, Secretary

/s/ Larry M. Aisola, Jr., President

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

President Aisola asked if there were any New Business. Not hearing from anyone, he continued with the meeting.

On motion of Ms. Nunez, seconded by Mr. Cure, the meeting was adjourned.

/s/ Ms. Jeanne E. Ferrer, Secretary