

OFFICIAL PROCEEDINGS  
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT  
REGULAR MONTHLY MEETING – MARCH 11, 2022

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Friday, March 11, 2022, at 12:00 p.m. in the boardroom of its office located at 100 Port Boulevard, 3<sup>rd</sup> 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 and Mr. Larry M. Aisola, Jr., Treasurer. Absent was: Mr. Walter J. Cure IV, Secretary. 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.'s Charles Henry and Dutch Connick, Adams and Reese; Ms.'s Laura LeBlanc, Nancy Sylvester and Mr. Joey Sylvester, AJG; Mr. Mark Melancon, Intelligent Transportation Systems, LLC; Mr. Mike McLaughlin, Reliable Logistics; Ms. Cheri Montelongo and Mr. Monty Montelongo, St. Bernard Eco Tourism and Ms. Jan Evans, Volkert, Inc.

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. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on February 8, 2022.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a new lease with Airboat Productions LLC for 133,500 sq. ft. of laydown area located at 200 Marlin Drive.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a new month to month lease with RLT Logistics for a 150 ft x150 ft parcel of fenced area located in the Chalmette Terminal – North (Chalmette Vista Property).

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved the Third Lease Amendment for Eco-Tourism to abate the monthly rent to \$1,000 a month for the period of March 1, 2022 through December 31, 2022. The Board recognized Mr. & Mrs. Montelongo who explained their request for the abatement and the improvements they have made to the property. President Nunez asked that the Board address this matter again before the abatement ends in December.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a Tariff Change for St. Bernard Port, Harbor and Terminal District Arabi Terminal Tariff No. 1, Page 27, Item 417.

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On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved a Tariff Change for St. Bernard Port, Harbor and Terminal District Vessel Mooring Tariff No. 1, Page 27, Item 420.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved Change Order No. 1 for Boh Bros. Construction Co., LLC relating to the Reconstruction of the Chalmette Slip Wharves F & A (H.012334) project. An overrun of \$702,323.46 and addition of 65 contract days. Mr. Heaphy and the Board recognized Ms. Evans, Mr. Roche and Mr. Gonzales who all informed the board as to the need for the change order and the cause of the overrun and additional contract days.

President Nunez recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales reported on the operating and capital budgets, Professional Services, Balance Sheet, Legislative Update and Lessees Arrears. The Board discussed the Finance Report.

President Nunez then recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy discussed Personal Disclosure requirements and due date, Employee Workshop, PAL Annual Conference and the ASR Transit Shed project completion date. Mr. Heaphy then recognized Mr. Roche who gave the construction report on all current and future projects. The Board discussed the Executive Director's Report.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to accept the annual Insurance Renewal Package upon the recommendation of the Agent of Record. The Board recognized Ms. Sylvester and Mr. Sylvester who updated the Board on the current insurance climate in the state of Louisiana and the reason for increase in premium. Mr. Heaphy thanked Mr. Gonzales and Ms. Sylvester and her team for their efforts in putting together the insurance package for the Port.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to enter into a Professional Services contract with Adams & Reese L.L.P. for federal consulting services. Not to exceed \$180,000.00. The Board recognized Mr. Henry who explained how the contract would operate and utilize the expertise of Adams & Reese, Connick & Assoc. and Taft.

On motion of Mr. Aisola, seconded by Ms. Ferrer, and after asking for any public comment, the Board unanimously approved the following resolution indicating the intention of the St. Bernard Port, Harbor and Terminal District to proceed with a financing for certain capital improvements to be funded through the issuance of revenue bonds by the Louisiana Local Government Environmental Facilities and community Development Authority on behalf of the District in an amount not to exceed \$7,000,000 and otherwise providing with Respect thereto:

**RESOLUTION**

A RESOLUTION INDICATING THE INTENTION OF THE ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT (THE "DISTRICT") TO PROCEED WITH A FINANCING FOR CERTAIN CAPITAL IMPROVEMENTS TO BE FUNDED THROUGH THE ISSUANCE OF REVENUE BONDS BY THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY ON BEHALF OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$7,000,000 AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

**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 refinancing the acquisition and construction of certain facilities, including industrial and economic development facilities and to otherwise establish programs to aid in the financing of local government and economic development projects;

**WHEREAS**, the St. Bernard Port Harbor and Terminal District (the "*District*") is a participating political subdivision of the Authority in accordance with its Act;

**WHEREAS**, the District wishes to proceed with a not to exceed \$7,000,000 financing for capital improvements for projects contemplated to be constructed in 2022 and 2023 as outlined in the District's 5 Year Capital Outlay Plan for Bonding (the "*Plan*") on property within the territorial jurisdiction of the District (collectively, the "*Project*"); and

**WHEREAS**, the District desires to request that the Authority proceed with the Project and to provide for other matters related thereto.

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

Section 1. The facts recited in the preamble to this resolution are found to be true and correct and are specifically and affirmatively adopted by the District as resolutions of the District.

Section 2. The District hereby requests that the Authority proceed with the issuance of its not to exceed \$7,000,000 in aggregate amount of Revenue Bonds, in one or more series, taxable or tax-exempt (the "*Bonds*"), to finance the Project, provided the terms and conditions of any borrowing shall be presented to the District for final approval. The proceeds of the Bonds shall be loaned to the District pursuant to a Loan Agreement (the "*Loan Agreement*") for the foregoing purposes. Pursuant to the Loan Agreement, the District will agree to make payments (the "*Payments*") in such amounts and at such times as is necessary to pay debt service on the Bonds from all lawfully available funds of the District. The Bonds shall mature not later than twenty (20) years from the date of their issuance and shall bear interest at a fixed or variable rate not to exceed five percent (5%) per annum.

Section 3. The employment of Stifel, Nicolaus & Company, Incorporated, Baton Rouge, Louisiana, as underwriter/placement agent in connection with the Bonds is hereby approved. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc." (the "*Policy*"), adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

Section 4. The District hereby authorizes and directs its Executive Director, President, Secretary and such other officers of the District to do any and all things necessary and incidental to carry out the provisions of this Resolution and to assist the Authority in carrying out its functions in connection with the financing, including obtaining the approval of the Louisiana State Bond Commission and all other approvals necessary in connection with such financing.

Section 5. 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:

<u>Commissioner</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Larry M. Aisola, Jr.	X			
Walter J. Cure IV			X	
Jeanne E. Ferrer	X			
Rachel L. Nunez	X			

And the resolution was declared adopted on this 11<sup>th</sup> day of March, 2022.

Walter J. Cure, IV, Secretary

Rachel L. Nunez, President

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. Not hearing from anyone, she continued with the meeting.

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

/s/ Walter J. Cure IV, Secretary