

OFFICIAL PROCEEDINGS  
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT  
REGULAR MONTHLY MEETING – MARCH 14, 2019

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Thursday, March 14, 2019, at 12:00 p.m. in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

After the Pledge of Allegiance, roll was called.

Members present were: Rev. Henry Ballard, Jr., President; Mr. William T. Bergeron, Vice President; Ms. Rachel Nunez, Treasurer and Mr. Harold J. Anderson, Commissioner. Absent was Mr. Larry M. Aisola, Jr., 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. Sal Cusimano, Research and Administrative Assistant; Mr. Ricky Melerine, Project Manager Assistant; Mr.'s Todd Fuller, Gary Poirrier and Zeljko Franks, Associated Terminals; Mr. Suresh Shah, Burk-Kleinpeter, Inc.; Ms. Deborah Keller, Deborah D. Keller & Partners; Mr. Mark Melancon, Intelligent Transportation; Mr. Doug Cheramie, La. Attorney General's Office; Mr. Jim Simmons, N-Y & Associates; Mr. Charles Ponstein, Port of New Orleans; Mr. Joey DiFatta, St. Bernard Sheriff's Department and Mr.'s Donald Dieudonne and Randy Smith, Violet Dock Port.

President Ballard recognized Mr. Dieudonne from Violet Dock Port, Inc. who read a statement offering to negotiate monies owed to Violet Dock Port, Inc. through a qualified mediator in relation to the expropriation. President Ballard thanked Mr. Dieudonne for his statement.

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

On motion of Ms. Nunez, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on February 12, 2019.

On motion of Mr. Anderson, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved new lease with Danni Productions LLC for the 10,000 sq. ft. Foothill Warehouse (Building 93) and 130,000 sq. ft. laydown area located at 600 Melvin Perez Pkwy., Chalmette Terminal.

On motion of Ms. Nunez, seconded by Mr. Anderson, the Board discussed approval of Third Lease Amendment for Hamilton Enterprises. After asking for any public comment, the Board voted 4 Nays - 0 Yeas. Motion Failed.

Mr. Heaphy, due to the Hamilton's noncompliance to provide a letter showing the pursuit of an auction house to liquidate inventory or a Letter of Intent from Valero to purchase their property, was informed by the Board to notify the Hamilton's that the next time they fall into arrears on the month-to-month extension of their lease the Port will initiate the eviction process.

On motion of Mr. Anderson, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved Tariff changes to St. Bernard Port, Harbor and Terminal District Arabi Slip Dock Terminal Tariff No. 1: Cover Letter; Board of Commissioners' Names; Table of Contents; Page 20, Item 310; Page 23-A, Item 411; Page 25, Item 414 and Page 28, Item 420. Effective May 1, 2019.

On motion of Mr. Anderson, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved Tariff changes to St. Bernard Port, Harbor and Terminal District Violet Terminal Tariff No. 1: Cover Letter; Board of Commissioners' Names; Page 20, Item 310; Page 25, Item 414 and Page 28, Item 420. Effective May 1, 2019.

On motion of Mr. Anderson, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved Tariff changes to St. Bernard Port, Harbor and Terminal District Vessel Mooring Mississippi River M.P 86.5, 89.5 & 90.5 AHP Tariff No. 1: Cover Letter; Board of Commissioners' Names; Page 28, Item 500. Effective May 1, 2019.

President Ballard recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales discussed the Operating Budget, Professional Services, Capital Budget, Balance Sheet and Lessees' Arrears. The Board discussed the Finance Report. President Ballard thanked Mr. Gonzales for his report.

President Ballard recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy updated the Board on the C. Alvin Bertel Award selection committee meeting and reminded the Board to submit their Personal Disclosure Forms by May 15, 2019. Mr. Heaphy then recognized Mr. Roche who reported on present and future construction projects. The Board discussed the Executive Director's Report. President Ballard thanked Mr. Heaphy for his report.

On motion of Mr. Anderson, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved the following resolution to prepare and submit an application to the Louisiana Port Construction and Development Priority Program relating to the Melvin Perez Parkway Transit Shed and Truck Staging Area project:

Melvin Perez Parkway Transit Shed  
and Truck Staging Area

RESOLUTION

A Resolution authorizing the St. Bernard Port, Harbor and Terminal District to prepare and submit an application to 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, St. Bernard Port, Harbor and Terminal District has a need for port improvements; and

WHEREAS, St. Bernard Port, Harbor and Terminal District desires to apply 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 the St. Bernard Port, Harbor and Terminal District is fully aware of its obligations under said Statute; and

WHEREAS, 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,

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 a formal application will be prepared and submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and upon approval of funding assistance 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.

Section 3. That Drew M. Heaphy, Executive Director is hereby designated Authorized Representative for St. Bernard Port, Harbor and Terminal District to effect the preparation of an application to the Louisiana Port Construction and Development Priority Program for funding assistance of a port improvement project.

Regular Monthly Meeting  
March 14, 2019  
Page 4

Section 4. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the St. Bernard Port, Harbor and Terminal District.

This 14th day of March, 2019.

/s/ Larry M. Aisola, Jr., Secretary      /s/ Henry Ballard, Jr., President  
St. Bernard Port, Harbor and Terminal District

On motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved to enter Executive Session at 12:28 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port, 34<sup>th</sup> Judicial District Court, Case #116-860.

On motion of Ms. Nunez, seconded by Mr. Anderson, the Board unanimously agreed to reconvene Regular Session at 1:14 p.m.

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

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