

OFFICIAL PROCEEDINGS  
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT  
REGULAR MONTHLY MEETING – APRIL 9, 2024

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, April 9, 2024, 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: Mr. Walter J. Cure IV, President; Mr. Larry M. Aisola, Jr., Vice-President; Mr. Thomas B. Ajubita, Treasurer and Mr. David L. Kenney, Jr., Commissioner. Absent were: Mr. Ronald J. Alonzo, 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.'s Gary Poirrier and Zeljko Franks, Associated Terminals, Mr. Nicky Macheca, Boasso Global, Ms. Robin Cure; Ms. Danielle Triche, ELOS; Mr. Dean Nicoladis N-Y Associates; Ms. Meaghan McCormack, SBEDF and Mr. Joey DiFatta, St. Bernard Sheriff's Office.

President Cure 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 Mr. Aisola, seconded by Mr. Kenney, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on March 12, 2024.

On motion of Mr. Aisola, seconded by Mr. Kenney, and after asking for any public comment, the Board unanimously approved the Fifth Amendment to Lease for Boasso America Corporation adding an additional five (5) acres to the leased premises.

On motion of Mr. Aisola, seconded by Mr. Ajubita, and after asking for any public comment, the Board unanimously approved to terminate the Chalmette Refining LLC lease for 50,000 sq. ft. of warehouse space located at 561 Bonita Drive approved at the January 9, 2024 board meeting.

On motion of Mr. Aisola, seconded by Mr. Kenney, and after asking for any public comment, the Board unanimously approved the Third Amendment to Lease for Chalmette Refining, LLC adding an additional five (5) acres of laydown area and extending the 50,000 sq. ft. warehouse space for two years.

President Cure 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. Mr. Heaphy recognized Mr. Machecha who discussed Boasso's expansion and the need for an additional five acres.

President Cure then recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy gave a legislative update, informed all present that the Public Hearing for the 2024-2025 Budget will be at the next board meeting and discussed the following small contracts: Gray Matter Consulting (2)/PIPD Grant, Principal Engineering/Main Lift Station, Volkert Inc./LA 46@Weinberger Rd. and Terrecon/Chalmette Terminal Warehouse. Mr. Heaphy also reminded the Board to submit their Personal Disclosure forms by May 15, 2024. Mr. Heaphy then recognized Mr. Roche who gave an update on current and future construction projects. The Board discussed the Executive Director's report.

On motion of Mr. Aisola, seconded by Mr. Kenney, and after asking for any public comment, the Board unanimously approved the Consulting Services Agreement with World Trade Center New Orleans to provide management services to develop and produce the Port Partners Lower Mississippi River Commodities Analysis.

On motion of Mr. Ajubita, seconded by Mr. Kenney, and after asking for any public comment, the Board unanimously approved the following resolution to comply with the new February 16, 2024 Louisiana Attorney General schedule of rates for outside counsel for Sher, Garner, Cahill, Richter, Klein & Hibert, LLC:

**THE BOARD OF COMMISSIONERS OF THE ST. BERNARD PORT, HARBOR  
AND TERMINAL DISTRICT**

**RESOLUTION**

WHEREAS, because of the St. Bernard Port's continuous growth and expansion, the Board has previously engaged Sher, Garner, Cahill, Richter, Klein & Hilbert, LLC (the "Law Firm") to render legal advice and services in the specialized areas of Realty Law, new and current Leases, expropriation of properties and litigation related to same, general litigation and business advice, and the current and changing Louisiana State Statutes; and

WHEREAS, by reason of the experience and expertise of Sher, Garner, Cahill, Richter, Klein & Hilbert, LLC (the “Law Firm”) in the areas of Realty Law, new and current Leases, Expropriation, any litigation related to prior expropriations, general litigation and business advice and Louisiana State Statutes, the Board resolves to hire the Law Firm to provide legal advice in these areas; and the Board’s need for continuity of representation; and

WHEREAS, on February 16, 2024, the Louisiana Attorney General issued a new schedule of rates for outside counsel, the Board resolves to pay the following hourly rate to the Law Firm for this legal advice in accordance with the current fee schedule of the Attorney General:

- \$350.00 Per hour for attorneys having experience of ten years or more in the practice of law;
- \$275.00 Per hour for attorneys having experience of five to ten years in the practice of law;
- \$225.00 Per hour for attorneys having experience of three to five years in the practice of law;
- \$175.00 Per hour for attorneys having experience of less than three years in the practice of law;
- \$80.00 Per hour for paralegal services; and
- \$40.00 Per hour for law clerk services.

WHEREAS, this Resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that The Board of Commissioners of the St. Bernard Port, Harbor, and Terminal District, pursuant to La. R.S. 42:262, does hereby retain and employ Sher, Garner, Cahill, Richter, Klein & Hilbert, LLC as special counsel at the hourly rates set out above; and

BE IT FURTHER RESOLVED, that this Resolution be submitted to the Attorney General for the State of Louisiana for approval.

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

YEAS:	4
NAYS:	0
ABSENT:	1
NOT VOTING:	0

Whereupon the Resolution was declared adopted by The Board of Commissioners of the St. Bernard Port, Harbor, and Terminal District on the 9th day of April 9, 2024.

*/s/ Walter J. Cure IV, President*

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

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

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

*/s/ Ronald J. Alonzo, Jr., Secretary*