OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – AUGUST 13, 2013

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, August 13, 2013, 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: Mr. Harold J. Anderson, President; Mr. Bradley J. Cantrell, Vice President; Mr. Elton J. LeBlanc, Secretary and Mr. P. James DiFatta, Treasurer. Absent was Mr. Robin H. Ruffino, Commissioner. Also present were Dr. Robert J. Scafidel, Executive Director; Ms. Denise Griffin, Executive Secretary; Mr. Drew Heaphy, Director of Administration; Mr. Jerry Graves, Director of Operations; Mr. Ricky Melerine, Community Liaison; Mr.’s David Fennelly, Gary Poirrier, Todd Fuller and Zeljko Franks, Associated Terminals of St. Bernard; Mr. Suresh Shah, Burk-Kleinpeter, Inc.; Mr.’s Frank Nicoladis, Dean Nicoladis and Jim Simmons, N-Y Associates; Ms. Ashley Coker and Mr. James Garner, Sher Garner; Mr. Tony Evett, Volkert and Mr. Manuel Fernandez.

 President Anderson asked if there were any public comments in accordance with R.S. 42:5(D). Not hearing from anyone, he continued with the meeting.

 On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on July 9, 2013.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a new lease with SFP, INC. for 2.82 acres of land, 503,880 sq. ft. of asphalt laydown and10,000 sq. ft. Foothill Warehouse, Chalmette Terminal.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a new lease with Metro Material, Inc. for 130,680 sq. ft. of laydown area (parking lot and grass), Chalmette Terminal.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to terminate the current lease with Rep. Ray Garofalo for approx. 630 sq. ft. of office space located on the second floor of the Administration/Security Building, with the lease term of January 1, 2013 – December 31, 2013.

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On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a new lease with Rep. Ray Garofalo for approx. 630 sq. ft. of office space located on the second floor of the Administration/Security Building, with the lease term of January 1, 2013 – December 31, 2015.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to terminate the current lease with Kevin Gonzales for 6,000 sq. ft. of storage space (Chalmette Terminal) with the lease term of December 1, 2009 – November 30, 2014.

On motion of Mr. Cantrell, seconded by Mr. LeBlanc, and after asking for any public comment, the Board unanimously approved to terminate the current lease with Kevin Gonzales for 4,000 sq. ft. of manufacturing space (Chalmette Terminal) with the lease term of September 17, 2012 – September 16, 2013.

On motion of Mr. Cantrell, seconded by Mr. LeBlanc, and after asking for any public comment, the Board unanimously approved a new lease with Kevin Gonzales for 24,000 sq. ft. of warehouse space located at 420 Bonita Drive, Building 62B, Chalmette Terminal.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a First Lease Amendment for Antiques De Provence, LLC amending leased premises to 12,000 sq. ft. of manufacturing space, 600 Bonita Drive, Building 140B Chalmette Terminal, extending Terms of Agreement to add two additional years making the lease term ending date February 28, 2017 and rent being adjusted accordingly.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a First Lease Amendment for Associated Terminals of St. Bernard to increase the Gross Tariff Rent base amount.

President Anderson recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets, professional services and Lessees Arrears. The Board discussed the Finance Report. President Anderson thanked Mr. Heaphy for his report.

President Anderson recognized Dr. Scafidel who gave the Executive Directors report. Dr. Scafidel reported on construction. Dr. Scafidel then recognized Mr. Evett who gave an update on the Chalmette Slip inspection. President Anderson thanked Dr. Scafidel for his report.

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On motion of LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved an Amendment to Agreement relating to the Cooperative Endeavor Agreement, approved at the November 12, 2012 board meeting, for the Rehabilitation of Dock #1 Section A Seawall, Planning and Construction project (FPC Project No. 36-P20-12-01).

On motion of LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director, upon recommendation of legal counsel, to execute settlement documents relating to the M/V Royal Flush litigation.

On motion of Mr. DiFatta, seconded by Mr. LeBlanc, and after asking for any public comment, the Board unanimously approved to convene Executive Session to discuss litigation relating to the expropriation of the Violet Dock Port at 12:32 p.m.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to reconvene the Regular meeting at 1:05 p.m.

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

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

 On motion of Mr. LeBlanc, seconded by Mr. DiFatta, the meeting was adjourned.

/s/ Elton J. LeBlanc, Secretary