

OFFICIAL PROCEEDINGS  
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT  
REGULAR MONTHLY MEETING – DECEMBER 18, 2019

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Wednesday, December 18, 2019, at 11:00 a.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; Mr. Larry M. Aisola, Jr., Secretary; Ms. Rachel L. Nunez, Treasurer and Mr. Harold J. Anderson, Commissioner.

Also present were Mr. Drew Heaphy, Executive Director; Ms. Denise Kraesig, Executive Assistant; Mr. Ross Gonzales, Director of Administration; Mr. Sal Cusimano, Research and Administrative Assistant; Ms. Joann Anderson; Mr. Suresh Shah, ASC LLC; Mr.'s Todd Fuller and Zeljko Franks, Associated Terminals; Mr. Mark Melancon, Intelligent Transportation Systems; and Mr. Joseph DiFatta, St. Bernard Sheriff's Office.

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 Mr. Anderson, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on November 12, 2019.

On motion of Ms. Nunez, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved a new lease with Woodwork Warriors, LLC for approx. 4,500 sq. ft. of storage space located at 621 Bonita Drive, Building 64, Chalmette Terminal.

On motion of Mr. Anderson, seconded by Ms. Nunez, and after asking for any public comment, the Board unanimously approved a new lease with Don Caudill for approx. 4,800 sq. ft. of storage space located at 410 Bonita Drive, north half of Building 176, Chalmette Terminal.

On motion of Mr. Anderson, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved a new lease with Moran Plumbing & Heating, LLC for approx. 3,660 sq. ft. of manufacturing space located at 411 Bonita Drive, Building 61-F, Chalmette Terminal.

On motion of Mr. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved Tariff changes to St. Bernard Port, Harbor and Terminal District Arabi Terminal Tariff No. 1: Page 20, Item 310; Page 25, Item 414 and Page 28, Item 420. Effective January 1, 2020.

On motion of Ms. Nunez, seconded by Mr. Anderson, 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: Page 20, Item 310; Page 25, Item 414 and Page 28, Item 420. Effective January 1, 2020.

President Ballard informed the Board that Request for Proposals were received in the Port office on Wednesday, November 13, 2019 for the Boasso Global Asphalt Repairs 2019, Chalmette Terminal project. The Proposals were as follows:

<u>Contractor</u>	<u>Quote</u>
Boasso Construction, LLC	\$51,626.00
Livaudias Construction	\$58,910.34
B&K Construction	\$66,665.40
On Point Construction	\$77,292.92

On motion of Ms. Nunez, seconded by Mr. Bergeron, and after asking for any public comment, the Board unanimously approved to award the proposal Boasso Construction, LLC in the amount of \$51,626.00.

On motion of Ms. Nunez, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved Health Insurance Premiums (Office of Group Benefits), consistent with Board policy.

President Ballard recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales discussed the Operating and Capital Budgets, Professional Services Summary 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 discussed SEMS, Inc's Phase I Site Assessment of Wharves A & F and the Violet litigation. Mr. Heaphy also gave the construction report on current and future 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 making certain findings with respect to the issuance of revenue and refunding bonds by the Louisiana Local Government Environmental Facilities and Community Development Authority on behalf of the St. Bernard Port:

**RESOLUTION**

A RESOLUTION MAKING CERTAIN FINDINGS WITH RESPECT TO THE ISSUANCE OF REVENUE AND REFUNDING BONDS (THE “*BONDS*”) BY THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY ON BEHALF OF THE ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT (THE “*DISTRICT*”) TO REFINANCE CERTAIN OUTSTANDING OBLIGATIONS OF THE DISTRICT AND TO FINANCE CERTAIN IMPROVEMENTS WITHIN THE DISTRICT; PROVIDING FOR THE ACCEPTANCE OF A COMMITMENT FOR THE PURCHASE OF THE BONDS; AUTHORIZING THE EXECUTION OF DOCUMENTS IN CONNECTION THEREWITH; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

**WHEREAS**, the St. Bernard Port, Harbor and Terminal District, a political subdivision of the State of Louisiana pursuant to the authority of Chapter 14 of Title 34 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 34:1701 through 1714) (the “*District*”) desires to refinance certain obligations of the District and to finance additional facilities and improvements (collectively, the “*Project*”);

**WHEREAS**, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (collectively, the “*Act*”) creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the “*LCDA*”) for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities to aid in the financing of local government projects;

**WHEREAS**, the District adopted a resolution on October 8, 2019 (the “*Authorizing Resolution*”) authorizing the issuance of not to exceed \$14,000,000 Revenue Refunding and Revenue Bonds (the “*Bonds*”) be issued through the LCDA to finance the Project;

**WHEREAS**, the LCDA adopted a resolution on November 14, 2019 authorizing the issuance of the Bonds within the parameters of the Authorizing Resolution;

**WHEREAS**, approval of the issuance of Bonds is scheduled to be considered by the Louisiana State Bond Commission (the “*Commission*”) on December 19, 2019;

**WHEREAS**, the District desires to authorize the form and execution of a loan agreement (the “*Loan Agreement*”) to be entered into by and between the District and the LCDA pursuant to which the LCDA will loan the proceeds of the Bonds to the District; and

**WHEREAS**, the District desires to authorize the sale of the Bonds to a purchaser (the “*Purchaser*”) upon submission of an acceptable commitment for the purchase of the Bonds.

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

Section 1. The form and the terms of the Loan Agreement by and between the LCDA and the District are hereby approved substantially as submitted to the District and filed with the official minutes of the District, with such additions, omissions and changes as may be approved by Bond Counsel.

Section 2. The Bonds are hereby authorized to be sold to the Purchaser pursuant to the terms of a commitment received from the Purchaser for the purchase of the bonds (the “*Commitment*”), in such form and with such terms as are acceptable to an Authorized Officer of the District, said Commitment to be accepted by the District providing for the sale or placement of the Bonds by the LCDA within the parameters set forth in the Authorizing Resolution.

Section 3. 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.”, 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, acting together or individually (each an “*Authorized Officer*”), to do any and all things necessary and incidental to carry out the provisions of this Resolution, including but not limited to the execution of the Loan Agreement and acceptance of the Commitment, the execution of all certificates, agreements, documents or other items necessary therefor, and to assist the LCDA in carrying out its functions in connection with the financing.

Section 5. All actions taken to date by any Authorized Officer in connection with the issuance of the Bonds is hereby ratified and approved.

Section 6. This resolution shall take effect immediately.

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>
Henry Ballard	X			
William Bergeron	X			
Larry Aisola	X			
Rachel Nunez	X			
Harold Anderson	X			

And the resolution was declared adopted on this 18<sup>th</sup> day of December, 2019.

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

/s/ Henry Ballard, Jr., President

President Ballard asked if there was any Old Business, not hearing from anyone, he continued with the meeting.

President Ballard asked if there was any New Business, not hearing from anyone, he continued with the meeting.

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

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