

OFFICIAL PROCEEDINGS
ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT
REGULAR MONTHLY MEETING – MARCH 10, 2026

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, March 10, 2026, at 12:00 p.m. in the boardroom of its office located at 100 Port Boulevard, 3rd Floor, Chalmette, Louisiana.

After the Pledge of Allegiance, Roll was called.

Member's present were: Mr. Thomas B. Ajubita, President; Mr. David L. Kenney, Jr., Vice President; Mr. Walter J. Cure, IV., Secretary; and Mr. Larry M. Aisola, Treasurer. Also present were: Mr. Drew Heaphy, Executive Director; Ms. Emily Alphonso, Executive Assistant; Mr. Ross Gonzales, Director of Administration; Mr. Ted Roche, Director of Operations; Ms. Danielle Triche, ELOS; Mr. Joey DiFatta, St. Bernard Sheriff Office; Mr. Dean Nicoladis, N-Y Associates; and Mr. Thomas Wells, Waldemar S. Nelson.

President Ajubita 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. Kenney, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on February 27, 2026.

On motion of Mr. Kenney, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved a new Lease with Pierre Fine Furniture LLC for 1,326 sq. ft. of Storage space, located at 305 Marlin Drive and 510 sq. ft. of Storage Shed, located behind 305 Marlin Drive in the Chalmette Terminal.

On motion of Mr. Kenney, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved the Fourth Lease Amendment with St. Bernard Economic Development Foundation adding 240 sq. ft. of office space, rent adjusted accordingly.

On motion of Mr. Kenney, seconded by Mr. Cure, and after asking for any public comment, the Board unanimously approved to rescind the motion adopted on October 21, 2025 meeting to approve new lease with Gettys, Inc. for approximately 3 acres of Lay Down Area, located at 400 Melvyn Perez Drive in the Chalmette Terminal.

President Ajubita recognized Mr. Gonzales who gave the Finance Report. Mr. Gonzales reported on the Operating and Capital Budgets, Professional Services, Balance Sheet and Lessees Arrears.

President Ajubita then recognized Mr. Heaphy who gave the Executive Director's Report. Mr. Heaphy discussed the Legislative Session update and informed the Board of some Bills of interest that the Board members may want to review. He also told the Board that the Economic Impact Study was completed by UNO. Mr. Heaphy noted that the report's findings state, "St. Bernard Port, Harbor, and Terminal District supports a substantial number of jobs and income. It directly provides 1,415 jobs and \$5 million in local taxes," which has a major impact on the local community and the state of Louisiana. Mr. Heaphy spoke to the Board about some upcoming events, and he also reminded the Board to submit their Personal Disclosure forms by May 15, 2026. 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. Cure, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved to declare items as Surplus and be listed on the GovDeals.com website.

On motion of Mr. Cure, seconded by Mr. Aisola, and after asking for any public comment, the Board unanimously approved for the Executive Director to prepare and submit an application in collaboration with the Regional Planning Commission to the U.S. Economic Development Administration (EDA) FY26 Disaster Grant relating to the retention pond.

On motion of Mr. Cure and seconded by Mr. Aisola, 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 & Hilbert, LLC and corresponding engagement letter.

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

RESOLUTION

WHEREAS, because of the St. Bernard Port's continuous growth and expansion, a real necessity exists for the Board to engage Sher, Garner, Cahill, Richter, Klein & Hilbert, LLC (the "Law Firm") to render legal advice and services in the specialized areas of real estate 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, the Board wishes to continue its representation by the attorneys at Sher Garner Cahill Richter Klein & Hilbert, LLC, including by not limited to James M. Garner, Marie A. Moore, Alvin Miester, Joshua S. Force, Ashley G. Coker; and

WHEREAS, compensation will be made on an hourly basis consistent with the rates set out by the Louisiana Attorney General effective February 16, 2024 as follows:

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|----------|-------------------------------------------------------------------------------------------|
| \$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 |

Total compensation shall not exceed \$120,000

WHEREAS the term of this contract shall run from **June 1, 2026, through May 31, 2027;**

WHEREAS, the scope of this legal representation does not involve any foreseeable federal claim; and

WHEREAS, this resolution shall take effect immediately; and

THEREFORE BE IT RESOLVED that 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; and
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BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein 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:	0
NOT VOTING:	0

WHEREUPON the Resolution was declared adopted by the St. Bernard Port, Harbor & Terminal District on the 10th day of March, 2026.

/s/ Thomas B. Ajubita, President

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

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

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

/s/ Walter J. Cure, IV., Secretary