Minutes of the Special Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Thursday, April 27, 2023 in the Boardroom of the Port of Lake Charles located at 1611 West Sallier St., Lake Charles, Louisiana.

In attendance and constituting a quorum, were:

Thomas L. Lorenzi, President

M. Keith Prudhomme, Vice President

Kevin D. Guidry, Secretary/Treasurer

David J. Darbone, Assistant Secretary/Treasurer

Mary Jo Bayles, Commissioner

Dudley R. Dixon, Commissioner

Carl J. Krielow, Commissioner

Absent:

None

Also Present:

Richert Self, Executive Director

Jon Ringo, General Counsel

Cameron Landry, Director of Administration and Finance

Channing Hayden, Director of Navigation

Todd Henderson, Director of Operations

Nick Pestello, Director of Engineering and Maintenance

Michelle Bolen, Executive Administrative Assistant

Mr. Lorenzi called the meeting to order at 5:00 P.M. Mr. Guidry gave the invocation. Mr. Darbone led the Board and audience in the Pledge of Allegiance.

Mr. Lorenzi made a statement reminding the public of the Port’s procedure for the public to address an agenda item to the Board.

Mr. Lorenzi stated Mr. Mark Judson asked to address the Board.

Mr. Judson stated he is running for Calcasieu Parish Family Court Judge. The reason why he is before the Port of Lake Charles today is it is important for the leaders of this community to have an idea of what is going on and the family court is a pretty important component part of the overall community. He wanted to give the Board a little bit of information about the race itself and a little bit about himself.

He is a republican and 59 years old. If the people will have him, he will be eligible for up to 15 years of service. Guy Bradbury vacated his family court seat to be elected to the Third Circuit Court of Appeal. That seat is vacant. Judge Lynn Cutrer is filling it on an interim basis. The election is October 14, as is Governor, Sheriff and many other things. That is the election day. Early voting starts September 30. Qualifying is August 8. He can remember because that is the day that he and his wife got married. He is married to Sarah McLeod. Her father is Bill McLeod who was a long-time state senator and then a judge. Her mother-in-law was Sissy McLeod who just died a couple of years ago. If she were still living, his opponents would have conceded by now.

The district within which he is running is a little peculiar. Judges do not have constituents per se. Judges serve the entire Parish. For example, a judge elected from West Calcasieu could hear a case of a person from Bell City and Hayes and vice versa, but for election purposes only, the judges are elected from sub districts. There is a map over here to his left on the easel. The legislature in its wisdom made it very easy for everyone to understand – a bit of a joke. The top is Moss Bluff and jutting out to the left is Westlake. It then slides on down into the Drew Park area, the present location of St Louis Catholic High School. It then comes on down into College Oaks Elementary area, Dolby Elementary area, FK White Kaufman Elementary and slides over in rural Southeast Calcasieu Parish and finishes up with Bell City and Hayes. It is 37 precincts with 45,000 registered voters. That is who will be deciding who the next family court judge will be.

He stated he has been practicing law for 30 years. He started at the Third Circuit Court of Appeal clerking for the late Henry Elberton, a great man and judge. Then, he was fortunate enough to be taken in by David Painter. Many may remember him. He was a city councilman and was six foot seven. He played football at Tulane and was drafted in the NFL. At six foot seven, he looked up to him both literally and metaphorically. He was his mentor. What was really interesting about David is that he had a great general civil practice. He did a lot of personal injury. He did a lot of general civil matters, but David was adopted himself as a new baby in 1937. That in part inspired him to do a new baby adoption practice. He says new baby to distinguish that from intra-family adoptions, intra-family adoptions or step parent adoptions, grandparent adoptions, aunt and uncle adoptions etc. He does not mean that they are any less important. It is just that in those situations the legal system is legalizing a relationship that is already in existence. With a new baby adoption, the lawyers and the system have a major role in establishing the relationship and helping a birth mother to make the ultimate act of love in placing in a child with adoptive parents who are could probably not otherwise have children.

When he was a lot younger, he caught a lot of that practice of David Painter's law office. That partially inspired him to go on and do a lot of family law.

In addition to the family law aspect of his background, some may know that for the past 12 years he was the Executive Director of the Southwest Louisiana Law Center. The Southwest Louisiana Law Center is a non-profit law firm by design – 501c3 organization, fourth floor of the Magnolia building, healthy under-resourced with their civil legal. It does not do criminal work. They were not against doing criminal work, they just could not make a dent in it. It has been around since 1967. They helped the citizens of Southwest Louisiana with civil legal needs. They charged money on a sliding scale. They called it Low Bono not Pro Bono. When you work in an agency like that, you get an interesting perspective on the entire Parish and you learn a lot about how a court can better serve all the citizens of Calcasieu Parish. He worked with a lot of different expert agencies a lot of local non-profits and really worked hard on what I would call holistic collaborative solutions to problems. All of that experience, particularly at the Southwest Louisiana Law Center, gives him a little bit better perspective about which family court judge can best serve the citizens of Calcasieu. He feels that makes him a pretty good choice. I ask that everyone go to his website, judsonforjudge.com, and take a look. He asked for everyone’s consideration if they can. He thanked the Board very much for allowing him to stand in front and talk.

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1. Approval of the March 27, 2023 Special Meeting Minutes.

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Mr. Krielow offered a motion to approve the March 27, 2023 Special Meeting Minutes. Mr. Guidry seconded the motion and it carried unanimously.

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2. Submission 2023 – 019 accepting the lowest responsive bid of Alfred Palma, LLC in the amount of $304,000 for the base bid plus a contingency in the amount of $50,000 for a total of $354,000 for Replacing Tail End of Conveyor A at BT-1 and amending the 2023 capital budget.

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Mr. Self stated staff requests the Board of Commissioners to authorize the Executive Director to accept the lowest responsive bid of Alfred Palma, LLC to replace the tail end of conveyor A at BT-1. This submission relates to the replacement of a conveying system for one of their vital customers at BT-1. It was put out for bid in March. Staff received one bid from Alfred Palma in the amount of $304,000, which was actually below the engineering estimate. The section to be replaced is below the conveyor. It is in conveyor A, which is located below the rail dumper. It is obviously a very vital cargo that they handle with BT-1. It is petroleum coke.

Mr. Dixon offered a motion to adopt Resolution 2023 – 019 to accept the lowest responsive bid of Alfred Palma, LLC in the amount of $304,000 for the base bid plus a contingency in the amount of $50,000 for a total of $354,000 for Replacing Tail End of Conveyor A at BT-1 and amending the 2023 capital budget. Mr. Prudhomme seconded the motion and it carried unanimously.

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3. Submission 2023 – 020 accepting the lowest responsive base bid of Alfred Palma, LLC for the New Warehouse at City Docks; State Project No. H.014034 and to amend the 2023 capital budget.

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Mr. Self stated staff recommends the Board of Commissioners to authorize the Executive Director to accept the lowest responsive bid from Alfred Palma, LLC for the new warehouse at City Docks and to amend the 2023 capital budget. This project was advertised in March. Staff received five responsive bids ranging from $31.1 million to $38.7 million.

The project involves the demolition of the back warehouses 8 through 14, which are seven small back warehouses, and constructing one large 176,000 square foot warehouse free span in line with the Port’s Strategic Plan. The estimated cost will be $31.058 million plus a $1 million contingency for a total of $32.058 million. The engineering estimate was actually $34.7 million. Mr. James Palma is here if the Board wants to hear anything from him.

Mr. Dixon offered a motion to adopt Resolution 2023 – 020 to accept the lowest responsive base bid of Alfred Palma, LLC for the New Warehouse at City Docks; State Project No. H.014034 and to amend the 2023 capital budget. Mr. Guidry seconded the motion.

Mr. Palma stated that being born and raised in Lake Charles and being a local company, they appreciate the opportunity to be able to submit a bid like this for a project that was so important to the Port of Lake Charles. They again appreciate it very much that the Board has accepted this bid so they can move forward and continue their growth in the Lake Charles area. They support the Port and everything that they can do.

Mr. Pestello stated he wanted to add one thing. In commending Mr. Palma, they are striving to meet the Port’s goal for Disadvantaged Businesses. This project did have that goal on it. They have submitted the documentation showing that they are going to meet that goal. It is a great thing and is included in this project.

The motion carried unanimously.

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4. Submission 2023 – 021 certifying compliance with the public bid laws for the construction of the New Warehouse at City Docks; State Project No. H.014034.

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Mr. Self stated staff certifies that the Public Bid laws were followed to accept the low bid of $31,058,657 plus contingency of $1 million for a total of $32,058,657 for construction of the new warehouse at City Docks. Because this warehouse is going to be called Warehouse 300 and it is going to be used utilizing $6 million from the state Ports Priority Program, staff has to certify the report and follow the Public Bid Law. That is essentially what this submission accomplishes.

Ms. Bayles offered a motion to adopt Resolution 2023 – 021 to certify compliance with the public bid laws for the construction of the New Warehouse at City Docks; State Project No. H.014034. Mr. Krielow seconded the motion and it carried unanimously.

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5. Submission 2023 – 022 authorizing the travel of Commissioners Tom Lorenzi, Carl Krielow and Kevin Guidry.

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Mr. Self stated the Board is required to authorize out-of-state travel and travel costs for its members buying affirmative of five board members at open session. It is recommended the Board authorize and ratify the prior travel of Tom Lorenzi, Carl Krielow and Kevin Guidry to Los Angeles California on April 23 – 25, 2023 for Port meetings.

Mr. Prudhomme offered a motion to adopt Resolution 2023 – 022 to authorize the travel of Commissioners Tom Lorenzi, Carl Krielow and Kevin Guidry. Mr. Dixon seconded the motion and it carried unanimously.

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6. Submission 2023 – 023 authorizing a First Amendment to Real Estate Lease Option Agreement with Lake Charles LNG Export Company, LLC.

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Mr. Self stated approval is sought to amend the two-year real estate lease option agreement with Lake Charles LNG export company for 120 Acres of District owned property and 40 acres of property currently under option with Prairie Land company. This is in response to a request from like Charles LNG to amend their current agreement to allow for preliminary site work. It is to kind of get prepared for their FID sometime later this year. They are going to be demolishing and relocating existing pipelines, conducting site preparation, grubbing grading and filling at the project site.

Mr. Krielow offered a motion to adopt Resolution 2023 – 023 to authorize a First Amendment to Real Estate Lease Option Agreement with Lake Charles LNG Export Company, LLC. Mr. Guidry seconded the motion and it carried unanimously.

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7. Executive Director Quarterly Expenses Briefing Note.

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The Executive Director Quarterly Expenses Briefing Note was rendered to the Board and is on file in the Executive Offices.

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8. Forecast I Briefing Note.

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The Forecast I Briefing Note was rendered to the Board and is on file in the Executive Offices.

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9. FEMA/GOHSEP Briefing Note.

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Mr. Landry stated that as projects go through the process they will increase and decrease so that is mainly what you're seeing here. As for the larger projects that we know had gone to expert review and Congressional review, four, five and six and the two unloaders have actually gone completely through review. They have gone back to FEMA and they are saying this there is a slight issue with their website, so the way it is going through the system, staff actually approved a cost originally. Then it went to review and now staff has to reapprove that cost. The only issue is the deadline to approve that cost has now passed, so he is having trouble approving a cost on a deadline that has already passed. They actually got in touch with Eddie at FEMA and he is getting it fixed. Staff should be able to see those get pushed through sometime next in the next week. Good news there and it is like a little a little hiccup, but it should not be a problem.

The FEMA/GOHSEP Briefing Note was rendered to the Board and is on file in the Executive Offices.

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10. Monthly Staff report from Director of Administration and Finance.

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Mr. Landry stated he and staff are still working with the auditors as they compile the information for the annual conference and financial report, which in the next few months will be presented to the Board. Earlier today he met with representatives from Gallagher Insurance Company and a group of underwriters who came in from London. They discussed the current state future plan for the Port. He brought them on a tour just so they can get their eyes on the Port’s assets and have a better idea of what is being insured and what they are actually dealing with.

The Director of Administration and Finance Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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11. Monthly Staff report from Director of Navigation.

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Mr. Hayden stated they have completed the first “Begging for Bucks” visit in Washington with Senators Kennedy and Cassidy, Representative Higgins and Graves staff. Representative Graves sits on his own important committee as far as staff is concerned, but approached his staff on some of our issues. All in all, it was a good set of meetings. They had a little conflict with some schedules changing. They were not able to meet with the Office of Management and Budget. When they scheduled to do it, it was a virtual meeting, so they were able to reschedule the virtual meeting for later this month. They will have touched all the bases there and have already made the request from the to meet with the New Orleans District and then the Vicksburg division.

The Director of Navigation’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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12. Monthly Staff report from Director of Operations.

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Mr. Henderson stated that at City Docks, they have handled about 23,000 tons of aluminum trihydrate. They have had four barges and one vessel with 5,000 tons of bulk rice at the Turning Basin. They have barges to lumber shipments for about 23,000 cubic meters schedule for City Docks. They have two more lumber vessels with about 22,000 cubic meters, about twenty thousand tons of aluminum trihydrate, seven thousand tons of calcium chloride and right now a bag ship is being loaded. It is about 14,000 tons of USDA rice.

Finishing today at BT-1 recently, they have done three ships totaling about 92,000 tons of raw Coke, about 2,000 tons of calcine and 9,000 tons of rutile on the schedule for May. They have we have six ships of petroleum coke, a rutile vessel and a calcium ship. BT-1 continues to stay busy.

The Director of Operations’ Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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13. Monthly Staff report from Director of Cargo and Trade Development.

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The Director is at a conference.

The Director of Cargo and Trade Development’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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14. Monthly Staff report from Director of Engineering, Maintenance, and Development.

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Mr. Pestello stated the biggest update is all the dirt not everywhere. The City's utility contractors working the Sallier St. Rail Relocation is going pretty well. They are doing as much work as possible between rainstorms. They are looking forward to a little drier weather. It is progressing nicely. It may not look like it. They are making good time on their schedule so far.

The next big update is part two and three is still on schedule to finish. It looks like in July now. That is going to be the new big open berth. Staff is also are very excited about the project just awarded today for new Warehouse 300. That is going to be a very large project under construction. They are also finalizing the cost estimates with Cajun Industries for Berths 4, 5 and 6. They are going to be very busy at City Docks in the next couple years under construction.

The Director of Engineering, Maintenance, and Development’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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15. Monthly Staff report from the State Port Lobbyist.

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The State Port Lobbyist’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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16. Monthly Staff report from the Federal Port Lobbyist.

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The Federal Port Lobbyist’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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17. Other Matters which may properly come before the Board.

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There were no other matters to be discussed.

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18. Executive Session and appropriate action in any of the following matters:

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Mr. Lorenzi asked for a motion to enter into Executive Session. Mr. Krielow offered a motion to enter into Executive Session. Mr. Guidry seconded the motion and it carried unanimously. The Board entered in Executive Session at 5:30 p.m.

* + IFG Port Holding, LLC vs LCHTD – Case: 2:16-cv-00146 U S District Court, Western District of Louisiana, Lake Charles Division.
  + Sallier St. Rail Relocation – Acquisition of Property needed for the Rail Road Right of Way.
  + Lease Agreement with Big Lake Fuels, LLC.
  + Stacey A. Ryan, et al, vs no. 2014-004268 Calcasieu Parish Police Jury, LCHTD, et al -14th JDC, State of LA.
  + Amendment to Employment Contract with Jon Ringo, Executive Counsel

The Board returned from Executive Session at 6:08 p.m. No action was taken in Executive Session.

There being no further business to come before the Board, Mr. Lorenzi asked for a motion to adjourn. Ms. Bayles offered a motion to adjourn. Mr. Prudhomme seconded the motion and it carried unanimously. The meeting adjourned at 6:09 p.m.

All discussions held on the above items were recorded using the FTR Gold recording program.

Please note that when the votes are shown as unanimous, it is the policy of the Board that the President does not vote except in the event of a tie vote by the rest of the Board and/or unless otherwise indicated.

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THOMAS L. LORENZI, President

ATTEST:

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KEVIN D. GUIDRY, Secretary/ Treasurer