Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Monday, July 24, 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

Mary Jo Bayles, Assistant Secretary/Treasurer

Dudley R. Dixon, Commissioner

Carl J. Krielow, Commissioner

Absent:

None

Also Present:

Richert Self, Executive Director

Jon Ringo, Executive Counsel

Cameron Landry, Director of Administration and Finance

Channing Hayden, Director of Navigation

Todd Henderson, Director of Operations

Therrance Chretien, Director of Cargo and Trade Development

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. Guidry 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.

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1. Approval of the June 26, 2023 Regular Meeting Minutes.

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Ms. Bayles offered a motion to approve the June 26, 2023 Regular Meeting Minutes. Mr. Guidry seconded the motion and it carried unanimously.

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2. Submission 2023 – 041 approving and levying for the tax year 2023 an ad valorem millage rate of 2.48 mills.

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Mr. Self stated staff is requesting the Board adopt the 2023 ad valorem rate of 2.48 mills. This is brought to the Board each year. This year, they are just requesting to maintain the millage rate of 2.48 mills, similar to what it was last year. Staff anticipates, based on some information received from the Parish Tax Assessor, that it will generate about $4.8 million dollars in ad valorem revenues to the Port. Mr. Prudhomme asked if this was the third year the Port has held it at this rate. Mr. Cameron said that next year will be a reevaluation year so this would be the third year.

Mr. Prudhomme offered a motion to adopt Resolution 2023 – 041 to approve and levy for the tax year 2023 an ad valorem millage rate of 2.48 mills. Mr. Guidry seconded the motion and it carried unanimously.

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3. Submission 2023 – 042 authorizing the Executive Director to enter into a contract with Matchstic for brand identity consulting.

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Mr. Self stated staff seeks Board approval to enter to a contract with Matchstic to build a new brand identity for the Port of Charles. This idea actually came from Mr. Ringo who had gone through something very similar at Visit Lake Charles. Staff interviewed four different companies that do rebranding activities. Matchstick is online to speak to regarding the new branding. They will be able to answer questions. Several other ports have gone through this recently. New Orleans, Miami and Houston have gone through similar rebranding activities. Staff felt like because of the logo it was time to do that. Feel free to ask Matchstic any questions.

Mr. Krielow offered a motion to adopt Resolution 2023 – 042 to authorize the Executive Director to enter into a contract with Matchstic for brand identity consulting. Mr. Guidry seconded the motion.

Mr. Krielow said that in talking with Mr. Self and Mr. Ringo, they mentioned that Matchstic has done work rebranding public entities and wonders if they could give the Board a little history or background on how they interact, rebranding, what they do commercially from what he sees in their literature to how they interface that with rebranding and including it as a public entity. Mr. Craig Johnson with Matchstic said they operate with different institutions and work with different city organizations, chambers of commerce, and shipping logistics companies. Kind of the process in a lot of ways is really to impact change. With an entity like Port Lake Charles, which is in some ways with a private entity and a public agency at the same time. This organization is representing the area of Lake Charles well, and have to involve them from different stakeholders with not only the Port and international audience but other people in it who may impact it.

Mr. Krielow asked if during the process, do they have milestone areas that they can share with the Board and maybe simultaneously with the staff so the Board and staff can kind of see where it is gone in the process. Mr. Johnson said there is kind of a strategy that can get to a spot where we are working on for the expression of that side of the brand. The visual side of the feel and those are some good signs to kind of explain the process and rationale.

Mr. Self state that they talked about those milestones in certain periods. Staffers are going to be working with them on a regular basis, but bringing the Board in and having a committee that will help out as staff goes through and look at different options. Staff has seen different logos. Some of them are more abstract. Some of them are not so abstract. They are going to give staff some options and staff will go through those along the way such as colors, schemes and things such as taglines. Mr. Guidry asked if they have to somewhat be in line with say the City logo or Parish logo to where it kind of all comes together. Because when you look at the logos, somehow they all tie into one another. Is that something that staff will be looking at when they look to give the Board a new look for the Port and see what fits best? Mr. Johnson said that was a great question. Sometimes they are very closely connected. Sometimes there is more distance. Sometimes it is an emergency and there is a lot of new lots in there. They need to give you a brank that represents the Por well and navigate that and give you back a brand.

Mr. Krielow said one other thing is that he would like to add is when the final product is done before it is released, he would like the Board to have, you know, the final decision. Mr. Self replied that the Board would. That was certainly the plan all along. He likes Board involvement. Mr. Lorenzi asked Mr. Ringo that since he was responsible for the genesis of this to weigh in on what his thought process was. Mr. Ringo replied that having gone through the process with Visit Lake Charles and seeing what that firm did when they came in and they did some stakeholder interviews. They really talked to all the people that were involved in any way with what kind of message they wanted to tell and what how they wanted to represent themselves to not only the public, but also to folks that may be utilizing Visit Lake Charles's services. He was really impressed by the whole process and thinks the Port could really benefit from something that. He does not know that it has ever been done here where there was an outside firm come in and ask questions like, “What kind of message do you want to tell? What do you want your look to be?” He thinks the Port could really benefit from that. The Port has had the same logo for decades and it is just good to do a refresh and a rebrand. It is a perfect time for the Port to do that. There is just a lot of good that can come from it and he does not see any negatives that can come from it. The Port is approaching 100 years and staff is revitalizing the Port.

The motion and it carried unanimously.

Mr. Self stated Mr. Hunter Lundy, candidate for Governor, was here to address the Board.

Mr. Lundy stated he was in Lake Charles today and thanks the Board for this opportunity very much. Actually, it was his Dad’s employer, Horace Austin, who helped create this Port 100 years ago and he created the Port for the purposes of running the stevedoring company here. He was on the founding grounds of this operation and has some old pictures from 1927 and 26.

He will make sure the Port gets those pictures for the history of if staff is going to have 100-year anniversary coming up, they are going to want that.

He wants to discuss what year and a half ago. He left the law practice to run for governor. He felt led to do that. He had confirmation from four people suffering apart from each other. The last one was his ninety-year-old mother and so he thinks that he has some skills and some talents that he can be a great advocate for the people of Louisiana. He is a Christian and an independent and not obligated to any caucus or any party. He just wants to deal with right ideas and of course, he knows the economy of Louisiana. He is talking about education being the solution to crime and to poverty and that this is the number one poverty state in the nation, and but for the fact of the Port of Lake Charles and the waterways on this end of the state that generate salaries in the $90,000 range and the river, which generates salaries in the $70,000 range for people, this would be the most extreme impoverished state because that offsets the average income in Louisiana in the high forties.

There are have some issues to deal with and can do it through education. He is a guy that is a proponent of early childhood education having been the son of a kindergarten teacher, a sister who is a retired kindergarten teacher, a daughter that teaches at the community college and father who was a high school football coach. He has a lot of information about education and knows that the education and the illiteracy and the incarceration run hand in hand. He has a vision to do some things that can change Louisiana. For those in this room who are probably all blessed financially, do not have a clue sometimes on what the rest of the state is until you ride around it. He has done it the last 18 months. He has been in the slums of Nairobi and has seen terrible sights, but there are some here in Louisiana. It is going to take an uplift by everybody in the state to take on this issue so they can change the perception. Again, they are blessed in this community. They are blessed along the river. The local waterways and agriculture are the two things that drive the economy in this state, but that can change. He has a vision for Central and North Louisiana. He has a vision where they can involve the UL system and universities that can transform Louisiana. They can get rid of blight, get rid of poverty. When you get rid of blight, you reduce crime. When you keep kids in school, you reduce crime. So, it's all tied together. You can read the message on the card. He does not want to abuse the time given him.

He thanked staff and the Board for allowing him to come do this. He is the oldest candidate in the race, but also thinks a god says wisdom, trump's knowledge, and understanding.

That is what he is about and plans on doing as the next governor. One thing to remember and today, he was all over town. He has been mostly out of town in the last two or three months, but planning on coming back and then leaving again because the state is a big state. It is to remind people that when he came back to Louisiana for law school and working for a federal judge, he went to work for Governor Jones as a law firm. So, Sam Jones had died but I mean, Bill Tech was running the firm and they have some great lawyers in that firm and he learned from those great lawyers. What had Governor Jones done? He was called the reformer during the war. Now, he created the Civil Service to try to overcome some of the problems that the Huey Long Administration had caused but today, you know, civil service is something that is a little different than it was 70 years ago and they have to look at that. What he really did was he created First Federal Savings and Loan. He sent his step-son, Jimmy Boyer to run Gulf National Bank. He sent Gabby Harper to run First Federal. He brought industry to Lake Charles along the river. He can go on and on what Governor Jones did, because he was an active guy that cared about the people and really helped this community. He brought industry. He used to call him the plant manager for Cities Service company. You now, Mr. McFadden never made a decision unless he called Bill Tech. He knew wherever pipe line was out there and in his early years as a lawyer, I watched Bill Tech and Ken Spears, who is still practicing law today. Mr. Lorenzi and Mr. Prudhomme know him really well. They actually handled the transaction of selling Cities Service to Occidental, who then sold it to Southland and created CITGO. It took months to months to do that, but in the eighties, that was a two-billion-dollar transaction. Today, it be a $20 million.

That is some of my experience he brings something to the table that no other candidate does and the fact that he is an independent. He brings a good faith effort to do everything he can do and the difference between him and the front page of the morning advert today, they did a story on him. He is separate from the rest of the field and is going to govern not rule. So, his personality is not going to be an object to success. He thanked the Board for allowing him to speak.

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4. Submission 2023 – 043 authorizing the Lake Charles Harbor and Terminal District to enter into a replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith.

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Staff requests the Board of Commissioners to authorize the District to enter into a replacement agreement with the state of Louisiana, Department of Transportation and Development, Louisiana for Construction and Development Program. The Port entered into the initial agreement called a replacement agreement. It relates to the 4,5 and 6 project. When the Port was approved for Ports Priority funding and now that there is funding available, staff has to enter into what is called a replacement agreement. There is $4.1 million has been authorized through that pot of money for the Board.

Mr. Dixon offered a motion to authorize the Lake Charles Harbor and Terminal District to enter into a replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith. Mr. Guidry seconded the motion and it carried unanimously.

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5. Submission 2023 – 044 authorizing the Lake Charles Harbor and Terminal District to execute those documents and agreements required in implementation grant under the Community Development Block Grant Disaster Recovery Program through the Restore Louisiana Infrastructure: FEMA public assistance non-federal share match program, for Lake Charles Harbor & Terminal District in the aftermath of 2020 severe storms and flooding.

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Mr. Self stated staff requests the Board of Commissioners to authorize the District to enter into an agreement with the Community Development Block Grant, Disaster Recovery Program through Restore Louisiana Infrastructure: FEMA assistance non-federal share match program. There is a non-federal cost share on some of these FEMA projects, which is 10%. This grant allows through CBBGDR to get reimbursement at 10% portion for the Cat A and Cat B projects. The District was approved for an expected amount of $107,000 as more projects become eligible, an additional application will be submitted.

Mr. Prudhomme asked if there are any other categories. Mr. Self replied that it is just for category A and category B and it will it will open up again for other Cat A. They have not been paid or been reimbursed all Cat A and Cat B expenses yet. The Port has paid it just have not been reimbursed. As the Port gets reimbursed and if they fell into that window of time, staff can apply for future grants as long as we are 100% reimbursed. There is a period during which you receive 100% reimbursement. As long as they are outside of the period, some of that you can reimburse. Mr. Guidry asked if there is a portion that is specified for city and parish entities being that we are the Port? Is there an amount that is given to each of those institutions? Mr. Self said he was sure that each those other entities are able to apply to the same grant program that the Port did. Mr. Guidry asked if it is a cut-off for those as for us. When Mr. Self mentioned that amount that staff had to apply for and would have it. Is that correct? Mr. Self said that any entity, any government entity that is a non-federal sponsor that has a 10% cost year, that does not get reimbursed through some other means, because like right after the storm, they reimburse you so many days at 100%. If you pay expenses outside of that time frame, you can apply through this grant program to get reimbursed.

Mr. Krielow offered a motion to adopt Resolution 2023 – 044 to authorize the Lake Charles Harbor and Terminal District to execute those documents and agreements required in implementation grant under the Community Development Block Grant Disaster Recovery Program through the Restore Louisiana Infrastructure: FEMA public assistance non-federal share match program, for Lake Charles Harbor & Terminal District in the aftermath of 2020 severe storms and flooding. Mr. Guidry seconded the motion and it carried unanimously.

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6. 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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7. Forecast II Financials Briefing Note.

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

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8. FEMA/GOHSEP Briefing Note.

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Mr. Landry stated the main item to be pointed out is regarding the email Mr. Self sent. It is not included on this one because this was sent out before those large projects were obligated, but as Mr. Self mentioned in his email to the Board, the $90 plus million that was being held up in the FEMA system with their little issue is now been obligated. It's available for staff to draw down on. So, as those as projects get really going, those big projects, they will be able to draw down on those funds. Mr. Self stated staff would like to thank Elizabeth with Congressman Higgins office for helping with that as well.

Mr. Krielow asked if the flow from GOHSEP gotten any better. They draw it down to too GOHSEP, right? Mr. Landry replied that it gets obligated from FEMA to GOHSEP and then as the Port spends it, staff submits to GOHSEP. Mr. Krielow said there were a lot of delays in it at one time. Mr. Pestello said it is going about as well as can be expected. They contracted with an outside auditing type service that is handling some of that. They have been a little bit of a hold up there because they go hourly just like another consultant so that there is sometimes it feels like they are generating additional work for themselves, but for the most part staff is managing its flowing pretty well. Mr. Krielow asked what was the time lag. Mr. Landry said they have not had too many big projects go through. The smaller projects have been coming through relatively quickly because like they did increase the small project threshold. So, a lot of those projects are going through pretty quick and those have been the projects that staff has been pushing through. These are the big projects that they have been waiting on to go through. So, they will really start to see that over the next couple months as those projects get drawn down on.

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

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

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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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10. Monthly Staff report from Director of Navigation.

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Mr. Hayden stated that over the past several months, he has been reporting on regulations by NOAA, the National Oceanic and Atmospheric Administration. It would put in speed limits and transit restrictions. In the eastern part of the Gulf of Mexico, over a portion of the Gulf that was defined a critical habitat for the Rice’s Whale. It is a new species of whale that has been identified. There are somewhere between 50 and 100 of these animals in the Gulf. NOAA at the insistence of a number of environmental organizations have published these regulations. He read an article not too long-ago last week that said there were 75,000 comments on these proposed regulations. He assumes that there were now 75,000 comments in support. It stirred up quite a bit of interest. The Lake Charles Maritime Industries opposed these proposals because they thought that at some point that it could extend to the West Gulf. Low and behold this morning in the Federal Register is a notice of proposed rule-making by the National Fish and Wildlife Service, which is a department within the National Oceanic and Atmospheric Administration. The NYMPHS, which is their acronym, is proposing to extend the critical habitat for these animals all the way around to Brownsville. If NOAA then changes its regulations, it will impact every port in the Gulf. It will make it make it extremely difficult to do business because they have a ten-knot speed limit. You cannot ship at 10 knots in a lot of weather circumstances. Cannot do it safely. They have a no nighttime transit through the critical habitat, which shuts down the Port at night. He is trying to come up right now with a strategy to address this new proposed regulation. Comments are due by September 22nd. They have about six weeks to wrestle with this. He has sent this to the Picard Group asking them what their recommendations are and will go forward from there, but he wanted to bring to this to the Board’s attention the fact that it is not over.

Mr. Krielow asked what do the ships typically cruise at in that area. What is the typical speed of the ship that they are reducing it from one to 10 knots? Mr. Hayden replied that it is 20 knots. It is about 15-20 knots depending on what their conditions are. Night time especially. The pilot boat in heavy weather, six-foot seas, cannot get out at a ten-knot speed limit. They have to be going faster than that. This is this is a terrible regulation. It could shut this this Port down. So, we have to address it. Mr. Lorenzi stated he has not read a whole lot about this whale species, but asked if this was not a migratory whale. Mr. Hayden said that as far as he knew, it is not. Now, look, this is way out of my wheelhouse, but I did read the biological report. There is no doubt about that. From what he understands, this is not a migratory species. Mr. Lorenzi said his point is it is a twelve-month problem. Mr. Hayden said it is. Well, we, our recommendation was if there's only 50 or a hundred of them. Then tag them. NOAA has got that big, sophisticated PORT system where they tell staff what the tides and the currents are in in most of the ports in the Gulf. They certainly do the same thing and tell everyone where the whales are and people can zig and zag and miss them or at least the captains can. Whether or not that ever gets implemented is another question. But, it is a way to coexist with these animals.

Mr. Guidry asked if this would that would greatly impact us economically. Mr. Hayden replied that it would. Mr. Dixon asked if they are not migratory, how did they get here. This is the first time he has ever heard of them. Mr. Hayden said he did not know there were whales in the gulf either. There are some people who submitted comments that said they have been fishing in the Gulf for 20 years and have never seen a whale. There have been two observations of the whale since 2015, some number like that. It it's not very common. Regarding the biological report, the females and the cows and the pups stay in the same place. The males leave and come back. He does not know where the males go to. I question whether this is really a sub species of the Bryde’s whale. He is not a scientist so does not know. He does not know if their scientific report has been peer reviewed or anything. But, this is quite concerning.

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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11. Monthly Staff report from Director of Operations.

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Mr. Henderson stated that at City Docks, they have had some more aluminum hydrate barges cargo transfer. They loaded a 6,600 metric ton bagged rice shipment. A commercial sale and a liquid ship are on the schedule for City Docks. This next month they received more aluminum hydrate barges and two more lumber vessels. It will be about 30,000 cubic meters.

BT-1 has been pretty busy. They just finished the third barite ship in July. They did 120,000 tons of barite. Staff loaded three raw coke ships of about 100,000 tons, and a calcine ship and a calcine barge is better than 9,000 tons. On the schedule, they have four more raw coke ships. It is going to be about 140,000 short tons and a calcine the barge. They are still hiring at BT-1. If anyone knows anybody who wants a job, starting pay is $17, $18. All with benefits of the state program. So, staff is looking for people. They are very short handed at BT-1.

The Director of Operations’ 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 Cargo and Trade Development.

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Mr. Chretien stated they recently bid two big pipe projects successful on the first which started in first part of July and just finished last Friday. They are still waiting to hear back on the customer on the second round. Will be a larger long-term project. Staff responded to an RFP issued by LED. It is called Project Anchor. Project Anchor is consulting representing a foreign company looking to build a steel manufacturing facility in the US. There is a massive project of 185 acres, 5 million in storage and about 800 jobs

They are working on a Port profile and advertise advertisement for the next North American Clean Energy Magazine issue for August and September.

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

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Mr. Pestello state that he had a quick update or overview of our projects. So, as of today, they currently have 11 projects in construction right now, two of which will be complete in the next couple of months. They are going to be replaced by two more projects that the Board recently awarded at previous Board meetings. We also have our BT-1 storage pad project is out forbidden now. Um or starting tomorrow, I think is what it is. It is going to be funded by the Port Priority Program. In the next month's meeting, he will be bringing that one for award. They also have another 15 projects in various stages of design right now. Those will be coming down the pipeline in the next year

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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14. 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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15. Monthly Staff report from the Federal Port Lobbyist.

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

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

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Mr. Krielow offered a motion to enter into Executive Session. Mr. Prudhomme seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:42 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.

The Board returned from Executive Session at 6:09 p.m.

There being no further business to come before the Board, Mr. Lorenzi asked for a motion to adjourn. Mr. Krielow offered a motion to adjourn. Mr. Prudhomme seconded the motion and it carried unanimously. The meeting adjourned at 6:10 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