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, May 22, 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

Absent:

Dudley R. Dixon, Commissioner Carl J. Krielow, Commissioner

Also Present:

Richert Self, Executive Director

# Jon Ringo, General Counsel

Cameron Landry, Director of Administration and Finance

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 asked Mr. Self to explain the Government Finance Officers Association (GFOA) award. Mr. Self recognized Mr. Cameron Landry, Director of Administration and Finance and the accounting staff regarding the Port's achievement of receiving the GFOA award for 2022.

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

Ms. Bayles offered a motion to approve the April 27, 2023 Special Meeting Minutes. Mr Prudhomme seconded the motion and it carried unanimously.

2. Submission 2023 — 024 authorizing the Executive Director to enter into a professional service agreement with Meyer & Associates, Inc. for design services for the Multi-use Transloading Facility at City Docks and to amend the 2023 capital budget.

Mr. Self-stated staff requests the Board of-Commissioners to authorize the Executive Director to enter into a professional service agreement with Meyer & Associates, Inc. for design services for the Multi-use Transloading Facility at City Docks and to amend the 2023 capital budget.

This item relates to engineering design for a multi-use transloading facility at City Docks. It expands the existing footprint of the gravel and storage pad. It will create a paved high strength area where they will be able to handle cargo. After advertising, staff received six SOQ's. Staff recommends Meyer.

Mr. Guidry offered a motion to adopt Resolution 2023 — 024 to authorize the District to enter into a professional service agreement with Meyer & Associates, Inc. for design services for the Mufti-use Transloading Facility at City Docks and to amend the 2023 capital budget. Mr. Prudhomme seconded the motion and it carried unanimously.

3. Submission 2023 — 025 authorizing the Executive Director to amend Resolution 2020-047 for engineering services for New Warehouse at City Docks with Meyer & Associates, Inc.

Mr. Self stated Staff requests the Board of Commissioners to authorize the Executive Director to amend Resolution 2020-047 for engineering services with Meyer & Associates, Inc. for the New Warehouse at City Docks.

This item relates to engineering design for a new warehouse at City Docks. They increased the original scope to include the seven back warehouses. The also increased the final design. Using the Fee Curve and implementing a complexity factor of simple, which reduces the overall fee. The overall cost will be $1.8 million.

Mr. Darbone offered a motion to adopt Resolution 2023 — 025 to authorize the Executive Director to amend Resolution 2020-047 for engineering services for New Warehouse at City Docks with Meyer & Associates, Inc. Mr. Guidry seconded the motion and it carried unanimously.

4. Submission 2023 — 026 authorizing the Executive Director to enter into a service agreement with Terracon Consultants, Inc. for construction materials, engineering and testing services for the new warehouse at City Docks.

Mr. Self-stated staff requests the Board-of Commissioners authorize the Executive Director to enter into a service agreement with Terracon Consultants to provide construction materials, engineering and testing services for the new warehouse at City Docks.

This relates to the new Warehouse 300. It will replace the back warehouses 8-14. Staff is requesting authorization to enter into an agreement with Terracon to provide materials testing such as pile testing.

Mr. Prudhomme offered a motion to adopt Resolution 2023 — 026 to authorize the Executive Director to enter into a service agreement with Terracon Consultants, Inc. for construction materials, engineering and testing services for the new warehouse at City Docks. Mr. Guidry seconded the motion and it carried unanimously.

5. Submission 2023 — 027 authorizing the Executive Director to amend Resolution 2020-049, the professional services agreement with Moffatt & Nichol for construction support services for the City Docks Berth and Shed Reconstruction, Port Project CP20005.

Mr. Self said staff requests the Board of Commissioners to authorize the Executive Director to amend Resolution 2020-049, for a professional services agreement with Moffatt & Nichol to include Construction Support Services for the City Docks Berth and Shed Reconstruction.

This relates to an agreement with Moffat and Nichol for Transit Sheds 4, 5 and 6 to provide construction support services. This is the geotechnical testing.

Mr. Darbone offered a motion to adopt Resolution 2023 — 027 to authorize the Executive Director to amend Resolution 2020-049, the professional services agreement with Moffatt & Nichol for construction support services for the City Docks Berth and Shed Reconstruction, Port Project CP20005. Mr. Guidry seconded the motion and it carried unanimously.

6. Submission 2023 — 028 authorizing the advertisement and receipt of bids for the BT-I Storage Expansion, State Project No. H.011143.

Mr. Self stated staff requests the Board of Commissioners to authorize the advertisement and receipt of bids for the BT-I Storage Expansion in accordance with Louisiana Department of Transportation and Development, Ports Priority Program.

This is a project that will receive funding from the Ports Priority Program. Because of that, it requires the Port to get Board approval to go out for advertising.

Ms. Bayles offered a motion to adopt Resolution 2023 — 028 to authorize the advertisement and receipt of bids for the BT-I Storage Expansion, State Project No. H.011143. Mr. Prudhomme seconded the motion and it carried unanimously.

1. Submission 2023 — 029 accepting the lowest responsive bid of Komatsu for the procurement of a new 2023 Joy Stamler RF-5Q Reclaim Feeder for BT-I, Project CP22012.

Mr. Self stated staff requests the Board of Commissioners to accept the lowest responsive bid from Komatsu for the procurement of a new 2023 Joy Stamler RF-5Q Reclaim Feeder for Bulk Terminal No. 1.

The design phase for this project was authorized in December of 2021. The design phase is nearing completion and the feeder is needed.

Mr. Guidry offered a motion to adopt Resolution 2023 — 029 to accept the lowest responsive bid of Komatsu for the procurement of a new 2023 Joy Stamler RF-5Q Reclaim Feeder for BT-I, Port Project CP22012. Ms. Bayles seconded the motion and it carried unanimously.

1. Submission 2023 030 authorizing the District to enter into a professional service agreement with Boos Navarre, LLC for the procurement assistance of a Mobile Harbor Crane on Rail and to amend the 2023 capital budget.

Mr. Self said staff requests the Board of Commissioners to authorize the Executive Director to enter into a professional service agreement with Boos Navarre for procurement assistance for a new rail mounted mobile harbor crane at BT-I and to amend the 2023 capital budget.

This relates to the professional services agreement with Boos Navarre to provide assistance in procuring one maybe two rail mounted mobile harbor cranes at BT-I. Staff only has one mobile harbor crane and this would help with loading and unloading.

Mr. Darbone offered a motion to adopt Resolution 2023 — 030 to authorize the District to enter into a professional service agreement with Boos Navarre, LLC for the procurement assistance of a Mobile Harbor Crane on Rail and to amend the 2023 capital budget. Mr. Prudhomme seconded the motion and it carried unanimously.

1. Submission 2023 — 031 authorizing the Executive Director to enter into a lease agreement with South Louisiana Rail Facility for the loading of rice and other by-products at the Turning Basin.

Mr. Self said the South Louisiana Rail Facility (SLRF) seeks a lease on property at the Turning Basin load bulk rice-and other-by-products generated by the tenant. They currently have an access agreement to load bulk rice. They are requesting a long-term agreement to allow them to load their rice as opposed to a short agreement.

Mr. Guidry offered a motion to adopt Resolution 2023 — 031 to authorize the Executive Director to enter into a lease agreement with South Louisiana Rail Facility for the loading of rice and other by-products at the Turning Basin. Ms. Bayles seconded the motion and it carried unanimously.

10. April 2023 Financials Briefing Note.

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

11. FEMA/GOHSEP Briefing Note

Mr. Landry stated that projects fluctuate as they go through the process. One of the biggest things this month is after some back and forth, they finally received the last portion of their Delta insurance claim. This means they can start drawing down on that FEMA money. They should be able to close out that storm soon.

Regarding winter storm Yuri, the last payment is in process now. That storm will be closed soon. Once those two storms are closed, Hurricane Laura will be the last storm they will be tracking

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

Offices.

1. Monthly Staff report from Director of Administration and Finance

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

1. Monthly Staff report from Director of Navigation

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

1. Monthly Staff report from Director of Operations

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

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

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

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

Mr. Pestello stated that it will continue to be busy for a while. He will have several submissions next month as well. As one drives in to the building there are numerous projects in progress. Sallier rail is moving along nicely as well as all of the projects at City Docks. They are still pushing hard on the two shiploaders.

Regarding the mobile harbor cranes, those will also be electric and rail mounted to cut emissions and make them more reliable.

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

1. Monthly Staff report from the State Port Lobbyist.

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

18. Monthly Staff report from the Federal Port Lobbyist.

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

Emily Baque DeSilva with The Picard Group addressed the Board. She wanted to give a brief update on what they have been doing for the Port since she last addressed the Board last October.

Back in October, they were right in the middle of FY23 appropriations process, which Congress provides money to the CORPS for the operations and maintenance funding and construction funding for the channel. They were concerned at the time that they would not have sufficient funds because the President's budget had not provided any funding construction dollars for the channel

The appropriations process was finalized in December and there was sufficient funding included. Congressman Higgins and Senator Cassidy included $9 million in construction funding for some of the disposal sites.

In January, they had Port staff come up and did a round of meetings on the hill as well as to the White House Office for Infrastructure. They felt like that was pretty important because there is still so much funding out there. At some point, they do want to focus on a Port Infrastructure Development Program that they are looking into as potential grant funding. They went over there and also spent some time with Senator Cassidy. At that time, they invited Senator Cassidy to come to the Port to see some of the things the Port is doing. He will arrive here this Wednesday to sit down with staff and look at some of the priorities such as what they are doing in terms of offshore wind capabilities.

They are also focused on FY24 appropriations. That just got underway in the last few weeks. Last year, the President's budget request did not include any funding for the Port for construction. This year they are in a much better position. There was funding included. They are working with the Delegation to ensure that funding is included moving forward,

In the news regarding the debt ceiling, it is delaying the appropriations getting underway. It will be somewhere in the last part of the year that they will see some bills in the calendar year.

Two things she wanted the Board to know, Congressman Higgins put in a community project funding request for the City Docks to use for the transloading facility. Hopefully, they will see some funding specifically for that project- Also, Senator Cassidy also put in a $9 million request for construction funding.

They just did another round of D.C. meetings in April. They have users come up and well as Port staff. They met with the CORPS, OMB to talk about FY25 and the Delegation.

19. Other Matters-which-may properly-come-before the Board.

There were no other matters to be discussed

20. Executive Session and appropriate action in any of the following items.

Mr. Lorenzi stated the Board would not need to enter into Executive Session

 IFO 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.

There being no further business to come before the Board, Mr. Lorenzi asked for a motion to adjourn. Mr. Prudhomme offered a motion to adjourn. Mr. Guidry seconded the motion and it carried unanimously. The meeting adjourned at 5:23 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.

THOMAS L. LORENZI, President

ATTEST:

KEVIN D. GUIDRY, Secretary/ Treasurer