

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 26, 2010, in the Board Room of the Port of Lake Charles located at 150 Marine Street, Lake Charles, Louisiana.

In attendance and constituting a quorum, were:

C. Wade Shaddock, Jr, President
Walt M. Sanchez, Vice President
James L. Herford, Secretary/Treasurer
Harry C. Hank, Assistant Secretary/Treasurer
Mark T. Abraham, Commissioner
Kay C. Barnett, Commissioner
John LeBlanc, Commissioner

Absent:

None

Also Present:

Bill Rase, Port Director
Michael K. Dees, General Counsel
Richert Self, Director of Administration and Finance
Donald Brinkman, Director of Engineering, Maintenance and Development
Channing Hayden, Director of Navigation/Security
Dan Loughney, Director of Sales and Marketing
Todd Henderson, Director of Operations
Michelle Bolen, Executive Administrative Assistant

Mr. Shaddock called the meeting to order at 5:00 P.M. Mr. Abraham gave the invocation and Mr. Hank led the Board and audience in the Pledge of Allegiance.

Mr. Shaddock made a statement reminding the Public of the Port's procedure for the Public to address an agenda item to the Board.

Mr. Shaddock recognized the Port's new Commissioner, John LeBlanc, and welcomed him to the Board.

- 1. Approval of the June 28, 2010 Regular Meeting Minutes.

Mr. Sanchez offered a motion to approve the June 28, 2010 Regular Meeting Minutes. Mr. Hank seconded the motion and it carried unanimously.

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2. Submission 2010 – 035 approving and levying for the tax year 2010 an ad valorem millage rate of 2.60 mils.
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Mr. Hank offered a motion to adopt Resolution 2010 – 035 to approve and levy for the tax year 2010 an ad valorem millage rate of 2.60 mils. Ms. Barnett seconded the motion and it carried unanimously.

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3. Submission 2010 – 036 approving amendment No. 3 to the Master Service Agreement for Professional Services with Gahagan and Bryant Associates, Inc.
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Mr. Hank offered a motion to adopt Resolution 2010 – 036 to approve amendment No. 3 to the Master Service Agreement for Professional Services with Gahagan and Bryant Associates, Inc. Mr. LeBlanc seconded the motion and it carried unanimously.

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4. Submission 2010 – 037 making certain findings with respect to the issuance of not to exceed \$400,000,000 Lake Charles Harbor and Terminal District Revenue Bonds (Lake Charles Cogeneration, LLC Project) in one or more series.
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Mr. Sanchez offered a motion to amend Resolution 2010 – 037 to replace Mr. David Darbone’s name on the Resolution with Mr. John LeBlanc. Mr. Herford seconded the motion and it carried unanimously. Mr. Sanchez then offered a motion to adopt Resolution 2010 – 037 to approve to make certain findings with respect to the issuance of not to exceed \$400,000,000 Lake Charles Harbor and Terminal District Revenue Bonds (Lake Charles Cogeneration, LL Project) in one or more series; allowing for issuance of any portion or all of the bonds to be issued as Hurricane Ike Disaster Area Bonds or Gulf Opportunity Bonds; the filing of an application with the State Bond commission regarding same; authorizing the officers and trustees of the District to do all things necessary to effectuate this Resolution; and providing for other matters related thereto. Mr. LeBlanc seconded the motion and it carried unanimously.

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

- 6. Rotary Rail Car Contract Status Briefing Note.

The Briefing Note on the Rotary Rail Car Contract Status was rendered to the Board and is on file in the Executive Offices.

- 7. Forecast II Briefing Note.

The Administration, Personnel and Audit Committee met on July 26, 2010 to discuss the District's Forecast II.

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

- 8. Monthly Staff report from General Counsel.

The General Counsel's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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

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

- 10. Monthly Staff report from Director of Navigation and Security.

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

- 11. Monthly Staff report from Director of Terminal Operations.

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

- 12. Monthly Staff report from Director of Marketing and Trade Development.

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

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

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

- 14. 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.

- 15. Monthly Staff report from the National Port Lobbyist.

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

- 16. Executive Session.

- a. West Cameron Port Authority Litigation
- b. Discussion of Potential Litigation with F. Miller and Sons, LLC., et al

Mr. Shaddock stated the Board would not enter into Executive Session.

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

There being no further business to come before the Board, Mr. Shaddock asked for a motion to adjourn. Ms. Barnett offered a motion to adjourn. Mr. Sanchez seconded the motion and it carried unanimously.

All discussions held on the above items were recorded on Compact Disc Number 1, and filed in the Executive Offices of the District.

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.

C. Wade Shaddock, Jr., President

ATTEST:

James L. Herford, Secretary/ Treasurer