



MINUTES OF THE BOARD OF DIRECTORS MEETING

APRIL 20, 2021

CONFERENCE CALL ONLY

PhilaPort Board Members Present:

Chairman Gerard Sweeney, Yesenia Bane, Rocky Bryan, Boise Butler, Robert Clark, David Cuff, Richard Lazer, James Shacklett, Leigh Whitaker

PhilaPort Board Members Absent:

Paul McNichol, John Skoutelas

PhilaPort Staff Present:

Jeffrey Theobald, Edward Henderson, Colette Pete, James Walsh, Kate Bailey, Lisa Magee, Sean Mahoney, Joseph Petruzzi, Ayanna Williams

Commonwealth of Pennsylvania:

Nedia Ralston, Denise Soisson

Others:

Marcus Brandt, Manny Citron, Captain Patrick Flynn, Peter Winslow

Chairman Sweeney convened a Public Session.

The next order of business was the approval of the Board Meeting Minutes of March 16, 2021. The minutes were moved, seconded and approved.

Chairman Sweeney convened an Executive Session.

RESOLUTIONS:

2021-06 APPROVAL OF FOREIGN-TRADE ZONE BOUNDARY MODIFICATION AND TO ENTER INTO OPERATOR' S AGREEMENT - CSC Sugar, LLC

WHEREAS, the Philadelphia Regional Port Authority ("PhilaPort") was established under the Act of July 10, 1989, P.L. 55 P.S., Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to increase commerce, expand industrial and commercial activities of port related projects and to promote economic growth within the Commonwealth of Pennsylvania as well as to make and enter into contracts; and,

WHEREAS, PhilaPort is the Grantee of Foreign-Trade Zone 35 ("FTZ No. 35") which includes the site identified as 80 Solar Drive Fairless Hills, Pennsylvania; and,

WHEREAS, CSC Sugar, LLC. (“CSC Sugar”) conducts warehousing and distributing raw sugar for CSC refinery facilities at operations as an operator with PhilaPort and expressed an interest in operating a general purpose Foreign-Trade Sub-Zone at 80 Solar Drive Fairless Hills, Pennsylvania; and,

WHEREAS, CSC Sugar sought a minor boundary modification of Foreign Trade Zone 35 along with the right to use PhilaPort’s facilities located at 80 Solar Drive Fairless Hills, Pennsylvania for warehousing and distribution and to have a portion of the facility designated for Foreign-Trade Sub-Zone status and use, a copy of the request is attached hereto and incorporated by reference as Exhibit “A”; and,

WHEREAS, the requested modification to boundaries did not result in an expansion of the scope of authorized zone activity; and,

WHEREAS, the United States Department of Commerce, Foreign Trade Zones Board approved the request to establish a subzone for the sole use of CSC Sugar, designating the subzone as 35 Site 17.; and,

WHEREAS, CSC Sugar desires to enter into an Operator’s Agreement to serve as operator of Foreign Trade Sub-Zone 35 Site 17.; and,

WHEREAS, staff requests approval for PhilaPort to enter into an Operator’s Agreement with CSC Sugar to operate Subzone 35 Site 17, consistent with the mission of PhilaPort.

WHEREAS, the Board of PhilaPort has determined on the basis of information provided to it by staff to approve and permit PhilaPort to enter into an Operator’s Agreement with CSC Sugar for the site identified as Foreign Trade Sub-Zone 35 Site 17.

NOW, THEREFORE, BE IT RESOLVED:

1. That Exhibit “A” is hereby adopted and incorporated herein by reference.
2. The Executive Director and CEO of PhilaPort, with the advice of its Chief Counsel, is hereby authorized to enter into an Operator’s Agreement with CSC Sugar to operate Foreign Trade Sub-Zone 35 Site 17 and is directed to execute, acknowledge and deliver on behalf of PhilaPort any documents or other instruments as may be necessary to effectuate the purposes of this resolution.

The motion was made, seconded and approved. Resolution No. 2021-06 on file with the Authority.

There being no further public business to come before the board, the Public Session was adjourned.

Respectfully Submitted,

Denise M. Brumbaugh

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