

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held at the Pointe-a-la-Hache Courthouse Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana on Thursday, March 24, 2022, at 3:03 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner Benedict Rousselle, Chairman  
Commissioner John L. Barthelemy, Jr.  
Commissioner Trudy Newberry  
Commissioner Carlton M. LaFrance, Sr.  
Commissioner Richie Blink  
Commissioner Mark Cognevich

Kim M. Toups, Secretary

ABSENT: Commissioner W. Beau Black  
Commissioner Corey Arbourgh  
Commissioner Stuart J. Guey

Sandy Sanders and Chambrel Riley-Williams were present representing the Port.

The Prayer was said and the Pledge was recited.

There being no matters to address under the following Agenda Item 2, "Executive Session", Commissioner Rousselle moved to Agenda Item 3, "Status Report by the Executive Port Director". Without objection, so ordered. The following topics were addressed by Sandy Sanders:

- Sanders' participation in a Freight Planning Workshop with various transportation industries to provide input in the Regional Freight Mobility Plan. This plan will be used to update the Regional Planning Commission Metropolitan Plan;
- The Port is working with Civil Service on the deckhand and rescue engineer positions to increase the starting pay. Currently the Port is down 7 deckhands and 8 rescue engineers;
- Port staff met with Internal Auditor, Randy Duke for a kick off meeting in regard to the Port Internal Audit. The estimated completion date is May 11<sup>th</sup>; and
- The Port is assisting the Parish in seeking grants from the Federal Government. The two grants they are working on are Broadband in Rural Areas with John Helmers and the access road to the new ferry ramp being headed by Todd Eppley.

Commissioner Black joined the meeting at 3:08 p.m.

Commissioner Rousselle moved to Agenda Item 3a, "Financial Report/Budget to Actual". Without objection, so ordered. Mrs. Riley-Williams stated all Port Commissioners have been provided with a 20ww Total Budget Report and Detailed Budget Report with actual expenditures show as of February 28, 2022. This budget report will be on the Port's website, [www.portofplaquemines.com](http://www.portofplaquemines.com)

There were no matters under Agenda Item 4, "Bids and Advertisements"; therefore, Commissioner Rousselle moved to Agenda Item 5, "Introduction of Ordinances and Resolutions". The following legislation was introduced:

1. An Ordinance to create the Legal Department and the position of Executive Counsel of the Plaquemines Port, Harbor & Terminal District; to amend the 2022 General Fund, Manpower Structure and Operating Expenditure Budget to provide for the Legal Department; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
2. An Ordinance approving two documents, each entitled Amendment and Restated Right-of-Way Instrument (one the "Transmission Amendment", and one the "Distribution Amendment", and collectively the "Amendments"), between Plaquemines Port, Harbor and Terminal District, and Entergy Louisiana, LLC ("Entergy"), and authorizing and directing Maynard Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District (the "Port"), to execute the Amendments whereby land owned by the Port will be subject to two servitudes, the first which is more fully described in the Transmission Amendment, and

its exhibits, an en globo copy of which is attached as Exhibit 1, and the second which is more fully described in the Distribution Amendment, and its exhibits, an en globo copy of which is attached as Exhibit 2; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE

3. An Ordinance to approve the amended Civil Service Pay Plan and Classification Schedule adopted by the Civil Service Commission on March 23, 2022, reallocating the classifications of Rescue Boat Engineer and Deckhand; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
4. An Ordinance approving an Amendment and Restated Right-of-Way Instrument (the "Amendment"), between Plaquemines Port, Harbor and Terminal District, and Southern Bell Telephone and Telegraph Company ("SBT"), and authorizing and directing Maynard Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District (the "Port"), to execute the Amendment whereby certain land owned by the Port will be subject to an amended servitude, entitled "Amendment to General Permit", all as more fully described in the Amendment, and its attached exhibits, an en globo copy of which is attached as Exhibit 1; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
5. An Ordinance authorizing the Executive Director, Maynard J. Sanders, to accept the proposal for engineering and permitting support for the Port Security Vessel Service Dock Project and to amend the Plaquemines Port, Harbor and Terminal District 2022 Operating Budget of Revenue and Expenditures; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE

Commissioner Rousselle moved to Agenda Item 6, "Ordinances and Resolutions on second reading and final passage". Without objection, so ordered.

#### ORDINANCE NO. 22-30

The following Ordinance was offered by Commissioner LaFrance who moved its adoption:

An Ordinance approving an Amendment to an original Servitude Agreement (the "Amendment"), between Plaquemines Port, Harbor and Terminal District, and Plaquemines Parish Government (the "Parish"), and authorizing and directing Maynard Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District (the "Port"), to execute the Amendment whereby certain land owned by the Port will be subject to the original servitude, all as more fully described in the Amendment, a copy of which is attached, Exhibit A; and otherwise to provide with respect thereto.

WHEREAS, the Port is the owner of property (as depicted in attached *en globo* Exhibit B), upon which the Parish desires a modification to its current and both parties seek an amendment to the servitude currently existing between the Port, as successor in interest to the original grantor, CLL Limited Partnership, LTD, and the Parish (a copy of the original Servitude Agreement is attached as Exhibit C); and

WHEREAS, the Parish in turn intends to grant permission to Venture Global Plaquemines LNG, LLC ("VG") for the construction, rerouting, maintenance and operation of certain improvements and crossings by VG, all at no cost to either the Port or the Parish; and

WHEREAS, the granting of approval for the Port and the Parish to enter into the Amendment is without monetary consideration between the parties, but is for a public purpose that comports with governmental purposes for which the Port and the Parish each has legal authority to pursue; the Amendment is not gratuitous, and both the Port and the Parish each has a demonstrable, objective, and reasonable expectation of receiving at least equivalent value in exchange for the execution of the Amendment; and

WHEREAS, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port, Harbor and Terminal District desires to allow Plaquemines Port, Harbor and Terminal

District, through Maynard Sanders, Executive Director, to enter into the referenced Amendment, the terms of which are more fully described in attached Exhibit A.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT:

SECTION 1

It hereby authorizes and directs the Executive Director to execute the Amendment, as set forth in attached Exhibit A.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Commissioner Rousselle seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote; the vote resulted as follows:

YEAS: Commissioners John L. Barthelemy, Jr., Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Commissioners W. Beau Black, Corey Arbourgh and Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 24<sup>th</sup> day of March, 2022.

Commissioner Rousselle offered Item 6b with changes.

ORDINANCE NO. 22-31

The following Ordinance was offered by Commissioner Rousselle who moved its adoption:

An Ordinance to amend and as amended the Plaquemines Parish Port, Harbor & Terminal District 2021 Operating Budget of Revenue and Expenditures; and otherwise to provide with respect thereto.

WHEREAS, the 2021 Operating Budget of Revenue is amended to reflect total revenue and other sources plus projected revenue and other sources for the remainder of the year that are failing to meet total budgeted revenues and other sources by 5% or more; and

WHEREAS, the 2021 Operating Budget of Expenditures is amended to reflect total actual expenditures and other uses plus projected expenditures and other uses for the remainder of the year within a budget category are exceeding the total budgeted expenditures and other uses by 5% or more; and

WHEREAS, the Plaquemines Parish Port, Harbor & Terminal District 2021 Operating Budget of Revenue and Expenditures is amended to reflect the revenue increases and decreases described in the table shown in Section 1 and the expenditure increases and decreases describe in the table shown in Section 2;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

<b>496-Port Security Grant Program</b>			
<b>2470-PSGP-Security Barge</b>			
427.926	Port Security Grant Fed Rd 18 Barge	Dec	(181,575.00)
<b>496-Port Security Grant Program</b>			
<b>2471- PSGP-Security Mobile Trailer</b>			
427.927	Port Security Grant Fed Rd 18 Mobile Trailer	Dec	(27,563.00)
<b>496-Port Security Grant Program</b>			
<b>2472-PSGP-MSOC Security System</b>			
427.931	Port Security Grant Fed Rd 19 MSOC	Dec	(230,382.53)
<b>496-Port Security Grant Program</b>			
<b>2473-PSGP-Backhaul Network</b>			
427.929	Port Security Grant Fed Rd 19 Backhaul	Dec	(38,266.00)
<b>496-Port Security Grant Program</b>			
<b>2474-PSGP-GIS Acquisition</b>			
427.935	Port Security Grant Fed Rd 19 GIS	Dec	(144,059.90)
<b>496-Port Security Grant Program</b>			
<b>2476-PSGP-Drone</b>			
427.939	Port Security Grant Fed Rd 19 Drone	Dec	(13,860.00)
<b>496-Port Security Grant Program</b>			
<b>2477-PSGP-Security Cameras, Upgr &amp; Maint</b>			
427.803	Port Security Grant Fed Rd 20	Dec	(297,239.00)
<b>496-Port Security Grant Program</b>			
<b>2478-Cyber Networks &amp; IT Systems</b>			
427.805	Port Security Grant Fed Rd 20 Cybersecurity	Dec	(149,780.00)
<b>496-Port Security Grant Program</b>			
<b>2479-PSGP Security</b>			
427.807	Port Security Grant Fed Rd 20 Security Dock	Dec	(578,475.00)
<b>496-Port Security Grant Program</b>			
<b>2480-PSGP-Admin Bldg Security</b>			
427.809	Port Security Grant Fed Rd 20 Admin Bld Sec	Dec	(502,125.00)
<b>497-Federal Funds</b>			
<b>2490-Port Energy/Dredging</b>			
429.010	Federal Funds – WRDA 2014	Dec	(2,021,358.69)
	<b>Total Revenue Change</b>		<b><u>(4,184,684.12)</u></b>

SECTION 2

<b>490 - Port, Harbor &amp; Terminal District</b>			
<b>2468-Land Acquisition</b>			
568.110	Property – Acq-Land	Dec	(77,652.00)
<b>496-Port Security Grant Program</b>			
<b>2470-PSGP-Security Barge</b>			
561.210	Vehicles-Other BoatsCA	Dec	(242,100.00)

<b>496-Port Security Grant Program</b>			
<b>2471- PSGP-Security Mobile Trailer</b>			
568.845	Equipment – Mobile Trailer	Dec	(36,750.00)
<b>496-Port Security Grant Program</b>			
<b>2472-PSGP-MSOC Security System</b>			
532.465	Professional Svc Grant Admin	Dec	( 16,518.75)
535.206	Technical Svc – Cybersecurity	Inc	4,775.75
541.030	Supplies – Computer	Inc	36,096.96
565.101	Equip-MSOC Security System	Dec	(331,530.00)
<b>496-Port Security Grant Program</b>			
<b>2473-PSGP-Backhaul Network</b>			
532.465	Professional Svc-Grant Admin	Dec	(2,430.00)
565.102	Equip-Backhaul Network	Dec	(48,590.00)
<b>496-Port Security Grant Program</b>			
<b>2474-PSGP-GIS Acquisition</b>			
532.465	Professional Svc-Grant Admin	Dec	(7,500.00)
532.466	Professional Svc-GIS System	Dec	(115,715.86)
535.110	Technical Svc-GIS Support	Dec	(16,864.00)
565.104	Equip-GIS	Dec	(52,000.00)
<b>496-Port Security Grant Program</b>			
<b>2475-PSGP-CBRNE</b>			
532.465	Professional Svc-Grant Admin	Dec	( 2,430.00)
541.150	Supplies-Fire Protection	Inc	25,297.00
565.105	Equipment-CBRNE	Dec	(22,957.00)
<b>496-Port Security Grant Program</b>			
<b>2476-PSGP-Drone</b>			
532.465	Professional Svc-Grant Admin	Dec	( 660.00)
565.103	Equipment – Drone	Dec	(13,200.00)
<b>496-Port Security Grant Program</b>			
<b>2477-PSGP-Security Cameras, Upgr &amp; Maint</b>			
532.465	Professional Svc-Grant Admin	Dec	(18,000.00)
535.205	Technical Svc-Cameras	Dec	(378,318.00)
<b>496-Port Security Grant Program</b>			
<b>2478-Cyber Networks &amp; IT Systems</b>			
532.465	Professional Svc-Grant Admin	Dec	(9,500.00)
535.205	Technical Svc-Cybersecurity	Dec	(190,206.00)
<b>496-Port Security Grant Program</b>			
<b>2479-PSGP Security</b>			
532.465	Professional Svc-Grant Admin	Dec	(21,300.00)
568.635	Property – Dock	Dec	(750,000.00)
<b>496-Port Security Grant Program</b>			
<b>2480-PSGP-Admin Bldg Security</b>			
532.465	Professional Svc-Grant Admin	Dec	(19,500.00)
568.635	Equipment-Bld Security	Dec	(650,000.00)
<b>497-Federal Funds</b>			
<b>2490-Port Energy/Dredging</b>			
576.101	Grant Expense– WRDA 2014	Dec	(2,021,358.69)
<b>515-Financial Administration</b>			
<b>2500-General Financial Admin</b>			
569.001	Asset Reclassification- General	Dec	( 77,652.00)
569.125	Asset Reclassification – Grant	Dec	<u>( 2,147,127.00)</u>

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Commissioner Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote; the vote resulted as follows:

YEAS: Commissioners John L. Barthelemy, Jr., W. Beau Black, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Commissioners Corey Arbourgh and Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 24<sup>th</sup> day of March, 2022.

RESOLUTION NO. 22-68

On motion of Commissioner LaFrance, seconded by Commissioner Cognevich, and on roll call all members present and voting "YES", except Commissioners Arbourgh and Guey who were "ABSENT", the following Resolution was adopted:

A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District (PPHTD), to enter into a Design Agreement with the U.S. Army Corps of Engineers New Orleans District for the design of the Baptiste Collette Bayou Navigation Channel Deepening project; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Port, Harbor & Terminal District has need of certain design services with regards to the deepening of the Baptiste Collette Navigation Channel to improve navigation in Plaquemines Parish, Louisiana; and

WHEREAS, Federal funds were provided in the FY-2020 work plan to initiate the design of the deepening of Baptiste Collette Navigation Channel;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby authorizes Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District to enter into the Design Agreement with the U.S. Army Corps of Engineers New Orleans District, to provide in-kind design services for the specific purpose of Baptiste Collette Navigation Channel deepening project in Plaquemines Parish, Louisiana.

BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution, both without further

reading and approval by the Plaquemines Parish Council.

Commissioner Rousselle moved to Agenda Item 7, “New Business”.

There were no items for suspension under Agenda Item 7a.

Under Agenda Item 7c, “Presentation by the CORPS Of Engineers on the NOV levee alignment”, was deferred.

Commissioner Rousselle moved to Agenda Item 8, “Approval of the Minutes”. Without objection, so ordered.

RESOLUTION NO. 22-69

On motion of Commissioner LaFrance, seconded by Commissioner Newberry and on roll call all members present and voting “YES”, except Commissioners Arbourgh and Guey who were “ABSENT”, the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby approves the minutes of the March 10, 2022, regular Port Meeting as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution.

There being no further business to come before this Council, on motion Commissioner Barthelemy, seconded by Commissioner Rousselle, and on roll call all members present voting “YES”, except Commissioners Arbourgh and Guey who were “ABSENT”, the meeting adjourned at 3:26 p.m.

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Chairman

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Secretary

For a full transcript of discussions and presentations a video of this meeting is available for viewing on the Parish website [www.plaqueminesparish.com](http://www.plaqueminesparish.com) or on YouTube.