

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Pointe-a-la-Hache Council Chambers, 18055 Hwy. 15, Pointe-a-la-Hache, Louisiana on Thursday, July 25, 2024, at 3:43 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner Brian Champagne, Chairman
Commissioner Tyronne Edwards
Commissioner Chris Schulz
Commissioner Stuart J. Guey
Commissioner Patricia McCarty
Commissioner Ronnie Newsom
Commissioner Carlton M. LaFrance, Sr.
Commissioner Mitch Jurisich
Commissioner Mark Cognevich

Kim M. Toups, Council Secretary

ABSENT: NONE

Charles Tillotson and Christie Nielsen were present representing the Port.

The following matters were deferred:

6b, “A Resolution authorizing the execution of a Master Goods and Services Agreement (MSGAs) and Riders to proceed with Phase 3 and Phase 4 of the 11-mile Rail Extension Project and funding the additional cost for the project; and otherwise to provide with respect thereto”;

6c, “A Resolution authorizing the Executive Director of the Plaquemines Port, Harbor, & Terminal District to introduce and implement the Master Plan as a foundation for the strategic planning to secure the Port’s competitive edge and operational excellence; and otherwise to provide with respect thereto”; and

6e, “A Resolution of the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, authorizing and directing the engagement of the Carver Darden law firm as special counsel to supplement legal counsel provided by in-house counsel; and otherwise to provide with respect thereto”.

There being no matters to address under “Bids and Advertisements”, Commissioner Champagne moved to Agenda Item 3, “Status Report by the Executive Port Director”. Without objection, so ordered.

Financial Update:

- o Total Net Position: \$116,866,084
- o Unrestricted Fund Balance: \$8,791,844
- o Land Fund Restricted Balance \$2,196,693
- o Budget vs. Actual:
 - Revenues: \$58,069,480 vs. \$13,884,255
 - Expenses: (\$55,045,133) vs. (\$13,371,241)
- o Introducing Revenue Bond to provide financing options

Port Grant Strategy Success and Progress Receiving Record Grant Awards of \$70 m over the past 18 months. All Public Benefit Related!

- o Alliance to Port Sulphur Water Booster Station \$18 m – LA Port Priority Program
- o Point a la Hache Ferry Landing Replacement \$18 m – DOT
- o New Build Ferry Diesel Electric Boat \$26.5 m – DOT
- o Walker Road Bridge Engineering \$7.4 m – DOT

Note: Waiting for 2024 announcements of \$40 m in additional Grant awards

PALH Ferry Landing Emergency Repair Port Funding \$4.8 m.

- o Executed the Deep South contract for emergency repairs
- o Sent the Notice to Proceed for work to commence Monday
- o Construction and Port Progress signs are posted at the site

Walker Road Vehicle Bridge Grant Funding \$7.4 m:

- o Fund obligation target October 2024 to authorize the start of engineering
- o Groundbreaking set for third quarter 2026
- o Completion planned by fourth quarter 2027

Water Booster Station Port Priority Grant \$18 m

- o Received official funding letter of \$4.02 m for 2024 commitment this week.
- o Waiting for backorder electrical component for phase 1, estimated completion October 1, 2024.
- o Waiting on DOTD approval of Talbot award for Phase 2.

Venture Global Port

- o Administration Building lease was executed
- o Venture Global Land Lease payment of over \$800K for the new lease will be transmitted within the month.
- o Port will participate an operational start-up meeting with Venture Global next Wednesday

Sustainability Partners Agreement:

- o Phases 3 and 4 Commission approvals deferred until August 8
- o Estimated project completion of Intellectual Property 3Q 2024

Peters Road

- o General surveying started
- o Gretna Executed a UP Agreement for the Peters Road realignment last week

There was no “Financial Report/Budget to Actual” nor any “Bids and Advertisements; therefore, Commissioner Champagne moved to Agenda Item 5, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following was introduced:

1. A Resolution authorizing the execution of a Master Goods and Services Agreement (MSGA) and Riders to proceed with Phase 3 and Phase 4 of the 11-mile Rail Extension Project and funding the additional cost for the project; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
2. A Resolution authorizing Plaquemines Port to enter into a lease agreement with the Plaquemines Parish Emergency Operations Center and 911 Dispatch Center for a certain portion of the 3rd Floor of the Popich Building; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
3. An Ordinance to amend the 2024 Plaquemines Port, Harbor & Terminal District Operating Expenditure Budget, General Operations Division; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
4. An Ordinance to amend the Five-Year Capital Improvements Plan, M/V Pride Drydock Project; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
5. A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT TO REIMBURSE ITSELF FOR EXPENDITURES WITH THE PROCEEDS OF ONE OR MORE SERIES OF REVENUE BONDS AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH. COMMISSIONER CHAMPAGNE
6. A Resolution authorizing the Executive Director of the Plaquemines Port Harbor & Terminal District to advertise a Request for Proposals for Professional Legal Services for the Port; and otherwise, to provide with respect thereto. COMMISSIONER CHAMPAGNE
7. A Resolution authorizing the Executive Director of the Plaquemines Port Harbor & Terminal District to advertise a Request for Quotes for Building Maintenance Services for the Port Administrative Buildings and properties; and otherwise, to provide with respect thereto. COMMISSIONER CHAMPAGNE

8. A Resolution authorizing the Executive Director of the Plaquemines Port Harbor & Terminal District to advertise a Request for Quotes for Janitorial Services for the Port; and otherwise, to provide with respect thereto. COMMISSIONER CHAMPAGNE
9. An Ordinance to amend the 2024 Manpower Structure and Operating Expenditure Budget; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

Commissioner Champagne moved to Agenda Item 7a, “New Business”. Without objection, so ordered.

A Motion to Suspend the Rules to add an item to today's agenda for consideration titled, “A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor and Terminal District, to approve the repairs to the mooring pilings at the Scarsdale Ferry Landing on the Eastbank; and otherwise to provide in respect thereto” was offered by Commissioner McCarty. The motion was seconded by Commissioner Newsom and on roll call, all members present voting “YES”, except Commissioner Champagne who was “ABSENT”, the Motion to Suspend the Rules was adopted by a vote of 8-0.

RESOLUTION NO. 24-230

On motion of Commissioner McCarty, seconded by Commissioner Newsom, and on roll call all members present and voting “YES”, except Commissioner Champagne who was “ABSENT”, the following Resolution was adopted:

A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor and Terminal District, to approve the repairs to the mooring pilings at the Scarsdale Ferry Landing on the Eastbank; and otherwise to provide in respect thereto.

DIGEST: Plaquemines Port Harbor and Terminal District needed to repair a missing bumper that had fallen into the river on one of the mooring pilings at the Scarsdale Ferry Landings while the Mississippi River water levels are low. This repair was necessary to prevent damage to the Ferry boat. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Plaquemines Port Harbor and Terminal District need to provide immediate repairs to the mooring pilings at the Scarsdale Ferry Landing; and

WHEREAS, the piling repair is part of the approved Scarsdale Landing repair of bumper project and funds were budgeted for emergency ramp repairs; and

WHEREAS, Plaquemines Port Harbor and Terminal District needed to capitalize on the low river levels to allow for an ease of work with damaged structures usually under water during high water season; and

WHEREAS, the repairs exceed the Executive Director's approval authority of \$50,000 and require Board approval;

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 Charles D. Tillotson to approve piling repair work at the Scarsdale Ferry Landing.

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 Champagne moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final Passage. Without objection, so ordered.

Commissioner Champagne filled in the blanks for 6d and offered changes.

ORDINANCE NO. 24-138

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

An Ordinance to amend and as amended, readopt Ordinance No. 22-39 which created the Legal Department and the position of Executive Counsel of the Plaquemines Port, Harbor & Terminal District; and otherwise to provide with respect thereto.

DIGEST: This Ordinance to make changes to Ordinance No. 22-39 as to length and type of experience required for the Port Executive Counsel position, as well as other changes regarding the application review process and attendance at Port meetings. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Port, Harbor & Terminal District (“Port”) created the position of Executive Counsel; and

WHEREAS, the Port Executive Counsel position is now vacant and it is the desire of this Council to advertise for the open position and make some changes to the requirements for said position;

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

The Legal Department shall include the position of:

Executive Counsel

- a. The position of Executive Counsel shall be a full-time unclassified position, with all of the benefits thereof.
- b. A candidate for Executive Counsel shall hold a valid license to practice law in the State of Louisiana, and have held such license for not less than ten (10) years prior to appointment plus a minimum of five years of Port experience as a practicing attorney prior to appointment.
- c. The Executive Counsel contract shall be approved by the Plaquemines Parish Council which shall be considered the appointing authority.
- d. A committee comprised of the Chairman, Vice-Chairman, the Executive Director of the Plaquemines Port, Harbor and Terminal District and two additional Council Members shall receive all applications; however, no less than three applications shall be submitted to the Board for consideration no later than August 31, 2024.
- e. The applicants shall each appear before the full Council for a final interview, during which the individual Council Members may ask questions to the applicants.
- f. Following the interviews the Council, by a majority vote at a regularly scheduled meeting of the Plaquemines Port, Harbor & Terminal District may select one of the applicants or reject all of the applicants.
- g. The Executive Counsel shall work cooperatively with the Executive Director and other Port staff. The Executive Counsel shall report directly to the Executive Director.
- h. The Executive Counsel shall provide for the day-to-day legal services and provide legal advice to the Port, the Port staff, and the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District.

SECTION 2

The Legal Department and the position of Executive Counsel shall take effect on July 25, 2024; however, this ordinance shall be immediately effective so as to provide for the direction and authorization of various activities to support that the position of Executive Counsel.

To facilitate the recruitment and hiring of the Executive Counsel, the Executive Director shall:

- Direct Port staff to incorporate the Legal Department and the position of Executive Counsel into the adopted 2024 General Fund Budget for the Port, with a beginning salary for the position of based upon experience;
- Direct Port staff to take such efforts as are reasonable and prudent to advertise for the open position of Executive Counsel, including advertisements in regional newspapers and other media within seven days of the adoption of this ordinance.

SECTION 3

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

Commissioner Edwards seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 25th day of July, 2024.

Commissioner Champagne moved to Agenda Item 8, "Approval of the Minutes". Without objection, so ordered.

RESOLUTION NO. 24-231

On motion of Commissioner Cognevich, seconded by Commissioner LaFrance, and on roll call all members present and voting "YES", 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 July 11, 2024, regular Port, Harbor & Terminal District 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 Parish 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 Jurisich, seconded by Commissioner McCarty, and on roll call all members present voting “YES”, except Commissioners Edwards who voted “NO” and Cognevich who was “ABSENT”, the meeting adjourned at 4:35 p.m.

Chairman

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 or on YouTube.