

Minutes of a special meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana, on Tuesday, July 16, 2019, at 6:34 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner John L. Barthelemy, Jr., Chairman
Commissioner W. Beau Black
Commissioner Corey Arbourgh
Commissioner Stuart J. Guey
Commissioner Benedict Rousselle
Commissioner Trudy Newberry
Commissioner Carlton M. LaFrance, Sr.

Kim M. Toups, Secretary

ABSENT: Commissioner Richie Blink
Commissioner Mark Cognevich

General Sandy Sanders, Chambrel Riley, and Donald Durr were present to represent the Port.

The prayer was said and the pledge was recited.

Item 2a for Executive Session, "*Plaquemines Port, Harbor & Terminal District vs. Plaquemines Parish Council*, 25th JDC Case No. 65-218, Division "A" was deferred.

Commissioner Barthelemy moved to Agenda Item 3, "Status Report by the Executive Port Director". Without objection, so ordered. Sandy Sanders reported the following:

- They met with representatives of the Rio Grande and New Orleans Gulf Coast Rail Roads, as well as Gretna Community leaders where the importance of re-routing of the railway was stressed.
- Port personnel were in the EOC during the storm and assets were provided to the government and the Sheriff's office. There was a great co-operative effort between all.
- 911 was called to rescue two people who were kayaking down from Indiana and were not aware of the storm. David Sylve contacted them and told them to stay put at Port Eads and then at day break the next day they were taken out of harm's way. Thanks go out to Capt. Hollier and Rescue Engineer Dana Barrios for the rescue.

Under Item 3b, "Financial Report", Chambrel Riley said there was nothing to report.

There being no Bids or Advertisement, Commissioner Barthelemy moved to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following was introduced:

1. A Resolution authorizing and directing the Plaquemines Port, Harbor and Terminal District Chairman, ("Port Chairman") to enter into an Employment Contract with Maynard "Sandy" Sanders for services as Port Executive Director, by signing the Employment Contract; to enter into said contract for a term of five years; authorizing and directing the Port Chairman to sign the documents to enter into the contract by the close of business on August 2nd, 2019; and otherwise to provide with respect thereto. COMMISSIONER BARTHELEMY

Commissioner Barthelemy moved to Item 6, "Ordinances and Resolutions on Second Reading and Final Passage". Without objection, so ordered.

There were no items listed under 6a.

Item 6b was offered with changes.

RESOLUTION NO. 19-192

On motion of Commissioner Barthelemy, seconded by Commissioner Guey, and on roll call all members present and voting "YES", except Commissioners Blink and Cognevich 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 Cooperative Endeavor Agreement with Greater Baton Rouge Port Commission (GBRPC) for the utilization of the GBRPC's Maritime Security Operations Center; and otherwise to provide with respect thereto.

WHEREAS, PPHTD and GBRPC are deep water ports; and

WHEREAS, PPHTD is desirous of utilizing the GBRPC's Maritime Security Operations Center in the event of a disaster whereby the PPHTD is forced to evacuate and will need temporary shelter for a minimum of 12 hours extending up to 30 days for its personnel to use as an emergency relocation site; and

WHEREAS, the GBRPC is willing to allow the PPHTD to use the MSOC for the purpose stated above; and

WHEREAS, PPHTD desires to utilize the MSOC as a cooperative effort between the GBRPC and PPHTD in accordance with the provisions of Article 6, Section 20 and Article VII, Section 14 (c) of the 1974 Louisiana Constitution; and

WHEREAS, the GBRPC and PPHTD acknowledge that this project constitutes a Public Purpose and will fulfill a public need, all in accordance with Article VII, Section 14 of the Constitution;

NOW, THEREFORE:

BE IT RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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 a Cooperative Endeavor Agreement with Greater Baton Rouge Port Commission for the utilization of the GBRPC's Maritime Security Operations Center.

BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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

RESOLUTION NO. 19-193

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

A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District (the Port) to enter into a Memorandum of Agreement with U.S. Army Engineer, New Orleans District concerning the provision of funds pursuant to the section 2106 of the Water Resources Reform and Development Act of 2014; and otherwise to provide with respect thereto.

WHEREAS, Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238) (hereinafter "Section 2106") authorizes the Secretary of the Army, subject to the availability of funds, to provide funds to donor ports and energy transfer ports to be used for certain purposes; and

WHEREAS, the Port qualifies as an energy transfer port; and

WHEREAS, funds have been appropriated in fiscal year 2016 as well as fiscal years 2017, 2018 and 2019 to carry out Section 2106 and may be appropriated in subsequent fiscal years; and

WHEREAS, the Port will use the funds provided under this MOA to carry out expanded uses, as that term is defined in Section 210(f) of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2238(f)), or environmental remediation related to dredging berths and Federal navigation channels;

NOW, THEREFORE:

BE IT RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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 a design agreement with the Army Corps of Engineers for the Louisiana Coast Area Beneficial Use Dredged Material Program, Mississippi River Outlets at Venice Project in Plaquemines Parish, LA.

BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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.

RESOLUTION NO. 19-194

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

A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District to enter into a design agreement with U.S. Army Engineers, New Orleans District regarding BUDMAT Mississippi River Outlet at Venice; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Port, Harbor & Terminal District recognizes the significance of a dredging Tiger Pass at a navigable depth; and

WHEREAS, Army Corps of Engineers has dedicated funding to dredge Tiger Pass and use the beneficial material for the purpose of coastal restoration;

NOW, THEREFORE:

BE IT RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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 a design agreement with the Army Corps of Engineers for the Louisiana Coast Area Beneficial Use Dredged Material Program, Mississippi River Outlets at Venice Project in Plaquemines Parish, LA.

BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE 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.

Item 6e was offered with changes.

RESOLUTION NO. 19-195

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

A Resolution authorizing the Plaquemines Port, Harbor and Terminal District ("Plaquemines Port") to dispose of disused movable property. Specifically, to dispose of a 2005 Dodge 2500 Pickup truck, on an as-is, where-is basis and in accordance with Louisiana statutes governing the disposal of movable property owned by a political subdivision; and otherwise to provide with respect thereto.

WHEREAS, periodically, Plaquemines Port owns equipment which is disused, surplus, or not in working condition; and

WHEREAS, Plaquemines Port currently owns various items of movable property which for the above reasons need to be disposed of; and

WHEREAS, Louisiana law provides that political subdivisions i.e., the Plaquemines Parish Council-are permitted to dispose of movable property via online auction and sale; and

WHEREAS, Plaquemines Port has been advised to dispose of the above property through the service provider GovDeals.com;

NOW, HEREOFRE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT after advertising the auction and sale in the official Parish journal 15 days prior to its listing, Plaquemines Port is hereby authorized to dispose of the following movable property through an online listing on an as-is, where-is basis for fair market value or better and further authorizes GovDeals.com, on an as-needed basis to list and sell these vessels on its website for a period beginning with the adoption of this resolution and continuing until such time as the vehicle is successfully auctioned. Item to be auctioned: One (1) 2005 Dodge 2500 Pickup truck, VIN#3D7KS28D459828891, Port Asset #2A55.

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.

Agenda Item 6f, "A Resolution to amend Plaquemines Port, Harbor and Terminal District's Accounting and Procedures Manual, to require execution of a written cooperative endeavor agreement, with regards to any task, work, or service provided by any public entity for Plaquemines Port, Harbor and Terminal District, and to require the same regarding any task, work, or service provided by Plaquemines Port, Harbor and Terminal District for any public entity" was deferred.

There being no matters under Item 7, "New Business", Commissioner Barthelemy moved to Agenda Item 8, "Approval of the Minutes". Without objection, so ordered.

RESOLUTION NO. 19-196

On motion of Commissioner Barthelemy, seconded by Commissioner Arbourgh, and on roll call all members present and voting "YES", except Commissioners Blink and Cognevich 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 June 27, 2019 meeting as recorded by the Secretary of this Council.

There being no further business to come before this Council, on motion Commissioner Guey, seconded by Commissioner Arbourgh, and on roll call all members present and voting "Yes", except Commissioners Blink and Cognevich who were "ABSENT", the meeting adjourned at 6:56 p.m.

Chairman

Secretary