

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in Pointe-a-la-Hache Council Chambers, 18055 Hwy. 15, Pointe-a-la-Hache, Louisiana on Thursday, June 26, 2025 at 4:22 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Touns, Secretary

Charles Tillotson and the Port Staff were present.

Agenda Item 6b, “A Resolution to adopt a Cooperative Endeavor Agreement (CEA) between the Plaquemines Port, Harbor and Terminal District d/b/a Louisiana Gateway Port and Plaquemines Parish Government for the purpose economic development collaboration; and authorizing Port Executive Director, Charles D. Tillotson, to enter into a CEA Plaquemines Port, Harbor and Terminal District d/b/a Louisiana Gateway Port and Plaquemines Parish Government for the purpose economic development collaboration; and otherwise to provide with respect thereto” was deferred for a 4th time; therefore it dropped off the agenda. However, this item was reintroduced.

Commissioner Schulz moved to Agenda Item 2, “Executive Session”. Without objection, so ordered.

RESOLUTION NO. 25-197

On motion of Commissioner Schulz, seconded by Commissioner Newsom, 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 resolves itself into Executive Session at 4:23 p.m. pursuant to LRS 42:17(A)(10) to receive attorney-client privileged communications to potential litigation in regard to a Ngyuen lawsuit. From Attorney Steve Dwyer, Dwyer Cambre & Suffern.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby came out of Executive Session at 4:29 p.m. with no final or binding action taken.

Commissioner Schulz moved to Agenda Item 3, “Status Report by Executive Port Director”. Without objection, so ordered. The following was reported by Mr. Tillotson:

Port Ferry and Rescue Boat Projects:

Plaquemines Pride

- Thoma-Sea Marine Shipyard
- Awaiting mufflers; testing underway
- Estimated completion July

Pointe-a-la-Hache

- Returned to service this week in Pointe-a-la-Hache, LA

MV Belle Chasse II

- Entered Dry Dock for an estimated 210 days

New Build Ferry (Diesel Electric) \$26

- Estimated completion 12/2028

New Build Ferry (Diesel Electric) \$26.5M

- Estimated completion 12/2028

- Conceptual Design Phase
- Project is progressing

Critical Infrastructure Update:

- 11-Mile Rail Extension
- Peters Road Rail Bypass
- Peters Road Bridge
- Navy Business Case Analysis

Admin Building Renovation Project:

- Roof replacement beginning June 16th.
- Generator Emergency Bypass Mid July

Financial Update-May 22, 2025:

- Net/Position \$113,252,578
- Unrestricted Fund Balance \$4,685,685
- Land Fund Restricted Fund Balance \$2,115,433
- 25 Budgeted Revenue \$36,135,971
- 25 Actual Revenue \$12,610,041
- 25 Budgeted Expenses \$37,643,977
- 25 Actual Expenses \$16,199,653

There were no matters to address under Agenda Item 4, “Bids and Advertisements”; therefore Commissioner Schulz moved to Agenda Item 5, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following legislation was introduced:

1. A Resolution to adopt a Cooperative Endeavor Agreement (CEA) between the Plaquemines Port, Harbor and Terminal District d/b/a Louisiana Gateway Port and Plaquemines Parish Government for the purpose economic development collaboration; and authorizing Port Executive Director, Charles D. Tillotson, to enter into a CEA Plaquemines Port, Harbor and Terminal District d/b/a Louisiana Gateway Port and Plaquemines Parish Government for the purpose economic development collaboration; and otherwise to provide with respect thereto. COMMISSIONER SCHULZ
2. A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District, to enter into discussions with various Port tenants to activate Federal Trade Zone (FTZ) sites within the boundaries of FTZ 300; and otherwise to provide with respect thereto. COMMISSIONER SCHULZ
3. An Ordinance to amend the 2025 _____ Budget of the Plaquemines Port Harbor and Terminal District to appropriate Water Resources Reform and Development Act (WRRDA) funding; and otherwise provide with respect thereto. COMMISSIONER SCHULZ
4. A Resolution for the establishment of two bank accounts with Regions Bank for the for the issuance and sale of Revenues Bonds, Series 2025, Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto. COMMISSIONER SCHULZ
5. An Ordinance to amend the Plaquemines Port, Harbor and Terminal District Manpower Structure and Operating Expenditure Budget for the classified position of Ferry Captain III; and otherwise provide with respect thereto. COMMISSIONER SCHULZ

Commissioner Schulz moved to Agenda Item 6a, “Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Plaquemines Parish Charter”. Without objection, so ordered.

Commissioner Schulz offered changes to Item 6c.

ORDINANCE NO. 25-119

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

An Ordinance authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District (“the Port”), to issue Task Order #08 to Infinity Engineering Consultants, LLC for engineering and design services associated with the Rail Velocity Study and Simulation for the 11 Mile Rail Extension and Peters Road Rail Bypass projects, in connection with the Container Terminal project; and otherwise, to provide with respect thereto.

DIGEST: The Port will be working with Infinity Engineering Consultants, LLC to engineer and design a Rail Velocity Study and Simulation to evaluate the rail throughput capacity from the Container Terminal to the Dallas Inland Port. *The digest is for information purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, The Port is coordinating with the City of Gretna, Jefferson Parish, Union Pacific, New Orleans Gulf Coast, CSRS, and HDR to design and construct the Peters Road Rail Bypass; and

WHEREAS, The Port will construct an 11 Mile Rail Extension beginning at the end of the current rail near MP 60.5 on the right descending bank of the Mississippi River in Plaquemines Parish to the Container Terminal near MP 51.5 on the right descending bank of the Mississippi River in Plaquemines Parish; and

WHEREAS, The Port will construct a Container Terminal near MP 51.5 on the right descending bank of the Mississippi River in Plaquemines Parish; and

WHEREAS, Infinity Engineering Consultants, LLC, a reputable and qualified firm specializing in engineering related professional services, possesses the experience and resources necessary to assist in completing the Rail Velocity Study and Simulation; and

WHEREAS, Infinity Engineering Consultants, LLC, will subcontract 360 Rail Services to assist with the Rail Velocity Study and Simulation; and

WHEREAS, Issuing Task Order #08 to Infinity Engineering Consultants, LLC for engineering and design services associated with the Rail Velocity Study and Simulation is in the best interest of the Port;

WHEREAS, the total cost for this service is \$434,000.00;

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 the Executive Director of the Port, Charles Tillotson to issue Task Order #08 to Infinity Engineering Consultants, LLC for the Rail Velocity Study and Simulation in connection with the 11 Mile Rail Extension Project and the Peters Road Rail Bypass Project.

SECTION 2

The Plaquemines Port, Harbor & Terminal Fund, 2025 Five-year Capital Improvement budget, is amended by appropriating \$434,000.00 from the Port’s Unrestricted Fund Balance as follows:

Fund: 445- Port, Harbor & Terminal District			
Department: 910- Capital Improvements			
Division: 9021 Rail Rerouting Plan			
Object	Description	Inc/Dec	Amendment
532.001	Professional Services - General	Inc	\$217,000
Fund: 445 Port Harbor Fund			
Department: 910- Capital Improvements			
Division: 9028 11-Mile Rail CAD/Survey/Drawings			
Object	Description	Inc/Dec	Amendment
532.001	Professional Services - General	Inc	\$217,000

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.

Commissioner Newsom seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

ORDINANCE NO. 25-120

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

An Ordinance authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District (“the Port”), to issue Task Order #18 to Lanier & Associates for engineering, survey, and project management services associated with developing a cost estimate for Phase 1 of the Container Terminal Project; and otherwise to provide with respect thereto.

DIGEST: The Port will coordinate with Lanier & Associates for the Pre Front End Engineering Design for Phase 1 of the Container Terminal Project to develop an opinion of probable cost as defined by the scope of work. *The digest is for information purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, The Port will construct a Container Terminal near MP 51.5 on the right descending bank of the Mississippi River in Plaquemines Parish; and

WHEREAS, Lanier & Associates will provide engineering services associated with the conceptual design and drawings, permitting assistance, surveying services, cost estimates, and project schedule; and

WHEREAS, Lanier & Associates will prepare an opinion of probable cost that would be similar to that of an ASTM Class 4 Estimate; and

WHEREAS, Lanier & Associates, a reputable and qualified firm specializing in engineering related professional services, possesses the experience and resources necessary to assist in completing the cost estimate and rendering of the Container Terminal; and

WHEREAS, Issuing Task Order #18 to Lanier & Associates for Pre Front End Engineering Design and opinion of probable cost for Phase 1 of the Container Terminal Project is in the best interest of the Port; and

WHEREAS the total cost for this service is \$344,500.00;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PARISH LOUISIANA GATEWAY PORT THAT:

SECTION 1

It hereby authorizes the Executive Director of the Port, Charles Tillotson, to issue Lanier & Associates Task Order #18 for Pre Front End Engineering Design and opinion of probable cost for Phase 1 of the Container Terminal Project.

SECTION 2

The 2025 Port Harbor & Terminal District Operating Expenditure Budget, General Operations Division, is amended by appropriating \$344,500.000 from the Port’s Unrestricted Fund Balance:

Fund: 445 Port Harbor Fund			
Dept/Div: 490-2460 General Operations			
Object	Description	Inc/Dec	Amendment
532.601	Professional Services- Planning & Engineering	Inc	344,500

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.

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

ORDINANCE NO. 25-121

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

An Ordinance to amend the 2025 Manpower Structure and Operating Expenditure budget for the reallocation of positions within the Ferry and Rescue Boat

Departments; and otherwise to provide with respect thereto.

DIGEST: The Port has worked with Civil Service to reallocate all licensed vessel employees to attract and retain talent. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, it is necessary to amend the 2025 Manpower Structure and Operating Expenditure Budget to optimize operational efficiency and improve service delivery within the Ferry and Rescue Boat Departments; and

WHEREAS, the reallocation of resources will better align staffing levels, operational costs, and departmental responsibilities to meet the strategic goals of the Plaquemines Port, Harbor & Terminal District; and

WHEREAS, the reallocation increases the budget by \$242,676;

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

The 2025 Plaquemines Port, Harbor and Terminal District Manpower Structure and Operating Expenditure budget, is amended by reallocating the appropriating \$242,676 from the Unrestricted Fund Balance as follows:

SECTION 2

The 2025 Plaquemines Port, Harbor and Terminal District, Manpower Structure, Operating Expenditure Budget, Rescue Boats Division and Ferry Division is amended by appropriating \$242,676 from the Unrestricted Fund Balance as follows:

Fund: 445 Port Harbor Fund			
Dept/Div: 490-2462 Rescue Boats Division			
Div - Object	Description	Inc/Dec	Amendment
510.005	Salaries & Wages Regular	Inc	\$133,991
515.005	P/R Taxes-FICA Taxes	Inc	1,943
516.105	Retirement-PERS	Inc	14,739
		TOTAL	\$150,673
Fund: 445 Port Harbor Fund			
Dept/Div: 490-2463 Ferry Division			
Div - Object	Description	Inc/Dec	Amendment
510.005	Salaries & Wages Regular	Inc	\$81,817
515.005	P/R Taxes-FICA Taxes	Inc	1,186
516.105	Retirement-PERS	Inc	9,000
		TOTAL	\$92,003

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.

Commissioner LaFrance seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

Commissioner Schulz offered changes to Item 6f.

RESOLUTION NO. 25-198

The following Resolution was offered by Commissioner Schulz and seconded by Commissioner Guey.

A resolution authorizing the issuance and sale of Thirty-Five Million Dollars (\$35,000,000) of Revenue Bonds, Series 2025, of the Plaquemines Port, Harbor and Terminal District; and providing for other matters in connection therewith.

DIGEST: Plaquemines Port, Harbor and Terminal District requires funding for certain projects. This Resolution provides for the issuance, sale, and delivery of \$35 million of Revenue Bonds for the purpose of financing these projects. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Port, Harbor and Terminal District (the "Issuer"), a political subdivision of the State of Louisiana (the "State"), is authorized and empowered to issue revenue bonds under the authority of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), and to use the funds derived from the sale thereof for the purpose of constructing, acquiring and improving port facilities or for any other authorized purpose; and

WHEREAS, the Issuer desires to incur debt and issue Thirty-Five Million Dollars (\$35,000,000) of Revenue Bonds, Series 2025 (the "Bonds"), in the manner authorized and provided by the Act, for the purpose of (i) acquiring, constructing, rehabilitating, developing, improving and equipping capital improvements, equipment, and infrastructure for the Issuer, including the acquisition of land therefore, and (ii) paying costs of issuance of the Bonds; and

WHEREAS, the Bonds shall be secured by and payable from a pledge of all funds or revenues received or to be received by the Issuer to the extent legally available for the payment of debt service on the Bonds, provided that no such funds or revenues shall be so included which have been or are in the future legally dedicated and required for purposes inconsistent therewith by the electorate, by the terms of specific grants, by the terms of particular obligations issued or to be issued or by operation of law (such amount being the "Available Funds"); and

WHEREAS, it is expressly provided that the full faith and credit of the Issuer shall not be pledged, and there shall be no obligation on the Issuer to levy or increase taxes or other sources of revenue in order to pay debt service on the Bonds or to transfer any funds for the payment of debt service that may result in a violation of any law, ruling, regulation, contract or agreement applicable to the Issuer; and

WHEREAS, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Available Funds herein pledged; and

WHEREAS, the State Bond Commission approved the issuance of the Bonds at its meeting on March 20, 2025; and

WHEREAS, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Bonds and to provide for the authorization and issuance thereof; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Bonds to the Lender (hereinafter defined) at the price and in the manner hereinafter provided;

NOW, THEREFORE, BE IT RESOLVED by the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, that:

SECTION 1. Definitions. The following terms as used in this Resolution shall have the following respective meanings, such definitions being equally applicable to both the singular and plural sense of any of such terms.

"Act" means Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

"Additional Parity Obligations" means any additional obligations which may hereafter be issued on a parity with the Bonds pursuant to Section 9 hereof.

"Agreement" means the agreement to be entered into between the Issuer and the Paying Agent pursuant to this Resolution.

"Available Funds" means all funds or revenues received or to be received by the Issuer to the extent legally available for the payment of debt service on the Bonds, provided that no such funds or revenues shall be so included which have been or are in the future legally dedicated and required for purposes inconsistent therewith by the electorate, by the terms of specific grants, by the terms of particular obligations issued or to be issued or by operation of law.

"Bond" or **"Bonds"** means any or all of the Issuer's Revenue Bonds, Series 2025, authorized by this Resolution, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any Bond previously issued.

"Bond Proceeds Fund" means the special fund of the Issuer to be known as the "Revenue Bond Proceeds Fund" as created pursuant to Section 2 hereof.

"Bond Register" means the records kept by the Paying Agent at its designated office in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Business Day" means a day of the year other than a Saturday, Sunday or legal holiday for the Issuer.

"Costs of Issuance" means all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of the Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, filing and recording fees, initial fees and charges of any fiduciary, legal fees and charges, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Bonds, costs and expenses of refunding, premiums for the insurance of the payment of the Bonds, if any, and any other cost, charge or fee paid or payable by the Issuer in connection with the original issuance of Bonds.

"Delivery Date" means the date on which the Bonds are delivered to the Lender in exchange for payment therefor, which is anticipated to be July 10, 2025.

"Event of Default" shall have the meaning given such term in Section 11 hereof.

"Executive Officers" shall mean, collectively, the Executive Director of the Issuer and the Chairman, Vice Chairman, Council Secretary or Assistant Council Secretary of the Governing Authority.

"Final Maturity Date" means July 1, 2035.

"Fiscal Year" means the one-year period commencing on January 1 of each year, or such other one-year period as may be designated by the Governing Authority as the fiscal year of the Issuer.

"Governing Authority" means the Plaquemines Parish Council.

"Government Securities" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which are non-callable prior to their maturity, may be United States Treasury obligations, and may be in book-entry form.

"Interest Payment Date" means each January 1 and July 1 of each year the Bonds are Outstanding, commencing January 1, 2026.

"Issuer" means the Plaquemines Port, Harbor and Terminal District.

"Lender" means Regions Commercial Equipment Finance, LLC, Birmingham, Alabama, the original purchaser of the Bonds.

"Maximum Rate" shall mean 8.50% per annum, provided that such rate shall not exceed the maximum rate allowed pursuant to Louisiana law.

"Outstanding" when used with respect to Bonds means, as of the date of determination, all Bonds or portions thereof theretofore issued and delivered under this Resolution, except:

1. Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
2. Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this Resolution;
3. Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Resolution or by law; and
4. Bonds or portions thereof which have actually been paid or for the payment of the principal of and interest on which money or Government Securities or both are held in trust with the effect specified in this Resolution.

"Owner" or **"Owners"** when used with respect to any Bond means the Person in whose name such Bond is registered in the Bond Register.

"Paying Agent" means Regions Bank, Baton Rouge, Louisiana, unless and until a successor Paying Agent shall have been appointed pursuant to the applicable provisions of this Resolution, and thereafter "Paying Agent" shall mean such successor Paying Agent.

"Person" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization or government or any agency or political subdivision thereof.

"Principal Payment Date" means July 1 of each year the Bonds are Outstanding, commencing July 1, 2026.

"Record Date" for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such Interest Payment Date.

"Resolution" means this resolution authorizing the issuance of the Bonds, as it may be supplemented and amended.

SECTION 2. Authorization of Bonds; Maturities. In compliance with the terms and provisions of the Act, there is hereby authorized the incurring of an indebtedness of Thirty-Five Million Dollars (\$35,000,000) for, on behalf of, and in the name of the Issuer, for the purpose of (i) acquiring, constructing, rehabilitating, developing, improving and equipping capital improvements, equipment, and infrastructure for the Issuer, including the acquisition of land therefor, and (ii) paying Costs of Issuance of the Bonds, and to represent said indebtedness, this

Governing Authority does hereby authorize the issuance of Thirty-Five Million Dollars (\$35,000,000) of Revenue Bonds, Series 2025, of the Issuer.

The Bonds shall be initially issued in the form of a single, fully-registered term Bond numbered R-1 in the principal amount of \$35,000,000 and shall be dated the Delivery Date. The purchase price shall equal the principal amount of the Bonds and shall be advanced by the Lender to the Issuer on the Delivery Date of the Bonds and deposited by the Issuer in a special fund of the Issuer to be known as the "Revenue Bond Proceeds Fund," hereby created to be held by the Paying Agent.

The unpaid principal of the Bonds shall bear interest at the rate of 5.56% per annum, calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on the Bonds shall accrue from the Delivery Date or from the most recent Interest Payment Date to which interest has been paid or duly provided for and shall be payable on each Interest Payment Date. Notwithstanding the foregoing, upon occurrence of an Event of Default, the applicable rate of interest on the Bonds shall be adjusted as set forth in Section 11, not to exceed the Maximum Rate.

The principal of the Bonds shall mature in installments on each Principal Payment Date without necessity of notice in the years and in the principal amounts set forth below, subject to adjustment as set forth in Section 3 hereof:

<u>Year</u> <u>(July 1)</u>	<u>Principal Amount</u>
2026	\$2,715,000
2027	2,830,000
2028	2,995,000
2029	3,170,000
2030	3,355,000
2031	3,550,000
2032	3,755,000
2033	3,975,000
2034	4,205,000
2035*	4,450,000

** Final Maturity Date.*

To the extent not previously paid, all principal and interest shall become immediately due and payable by the Issuer to the Owner on the Final Maturity Date.

The installments of principal of the Bonds, as they fall due, and interest on the Bonds shall be payable by check of the Paying Agent mailed by said Paying Agent to the Owner (determined as of the close of business on the Record Date) at the address shown on the Bond Register, except that the payment of the final principal installment on the Final Maturity Date or upon full prepayment shall be made upon presentment and surrender of the Bonds to the Paying Agent. Each Bond delivered under this Resolution upon transfer of, in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so neither gain nor loss in interest shall result from such transfer, exchange or substitution.

No Bond shall be entitled to any right or benefit under this Resolution, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Resolution, executed by the Paying Agent by manual signature.

SECTION 3. Prepayment Provisions.

- (a) *Optional Prepayment.*
 - (i) On or after July 1, 2027, the Issuer may prepay up to \$9,000,000 of the Outstanding principal of the Bonds in whole, or in part in minimum payment amounts of \$1,000,000, each of which shall be applied (A) first, to the principal, if any, due on and interest accrued on the Bonds to such

date, and (B) then, to reduce the remaining principal maturities of the Bonds in inverse order; provided, however, that the Issuer may designate one such optional prepayment as pro rata, in which case such prepayment shall be applied (A) first, to the principal, if any, due on and interest accrued on the Bonds to such date, and (B) then, to reduce on a pro rata basis the remaining principal maturities of the Bonds otherwise due.

- (ii) On or after July 1, 2032, the Issuer may make at any time optional prepayments, as it may designate, in minimum amounts of \$1,000,000 each, which shall be applied (A) first, to the principal, if any, due on and interest accrued on the Bonds to such date, and (B) then, to reduce the remaining principal maturities of the Bonds in inverse order.

(b) *Notice of Prepayment.* Official notice of the call of any of the Bonds for prepayment shall be given by the Paying Agent by means of (i) first class mail, postage prepaid, by notice deposited in the United States mails not less than five (5) days prior to the prepayment date or (ii) electronic transmission not later than five (5) days prior to the prepayment date.

(c) *Contingent Prepayment.* Any prepayment of the Bonds or any portion thereof may be made expressly contingent upon the availability of funds therefor.

SECTION 4. Registration and Transfer. The Issuer shall cause the Bond Register to be kept by the Paying Agent. The Bonds may be transferred, registered and assigned only on the Bond Register, which such registration shall be at the expense of the Issuer, and only by the execution of an assignment form on the Bonds being transferred. A new Bond or Bonds, may, upon request, be delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bond or Bonds after receipt of the Bond(s) to be transferred in proper form. Such new Bond or Bonds shall be in an authorized denomination of the same maturity and like principal. The Paying Agent shall not be required to issue, register the transfer of, or exchange any Bond during a period beginning at the opening of business on a Record Date and ending at the close of business on the Interest Payment Date.

SECTION 5. Form of Bonds. The Bonds and the endorsements to appear thereon shall be in substantially the forms attached as **Exhibit B** hereto.

SECTION 6. Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of and under the corporate seal of the Issuer, which signatures and corporate seal may be either manual or facsimile.

SECTION 7. Pledge and Dedication of Revenues. Pursuant to the Act, the Bonds shall be secured by and payable from a pledge and dedication of the Available Funds of the Issuer, and there is hereby irrevocably pledged and dedicated to the payment of the Bonds an amount of such Available Funds sufficient to pay the same in principal and interest as they respectively mature. Until the Bonds shall have been paid in full in principal and interest, this Governing Authority does hereby obligate the Issuer, itself, and its successors in office to budget annually a sum of money sufficient to pay the Bonds and the interest thereon as they respectively mature, including any principal and/or interest theretofore matured and then unpaid, sufficient to pay the principal of and interest on the Bonds. Pursuant to Section 1430.1 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, the pledge of the Available Funds provided for herein shall be valid, binding, and perfected from the time when the pledge is made, and any Available Funds so pledged and hereafter received by the Issuer or any fiduciary shall immediately be subject to the lien of such pledge and security interest without any physical delivery thereof or further act.

SECTION 8. Particular Covenants of the Issuer. (a) So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the Available Funds. Not later than six (6) months after the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by the Legislative Auditor of the State of Louisiana (or his successor) or by a recognized independent firm of certified public accountants showing the receipts of and disbursements of the Available Funds. The Issuer agrees to provide

to the Lender, or if the Lender is not the Owner of 100% of the Outstanding Bonds, then to the Paying Agent, its audited financial statements within 210 days after the end of each Fiscal Year, unless a later time for completion has been granted to the Issuer by the Louisiana Legislative Auditor, then when accepted by the Louisiana Legislative Auditor. The Issuer further agrees that the Paying Agent and any Owner shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Available Funds.

(b) The Issuer agrees to maintain liquidity of \$4,600,000 (including cash, cash equivalents, and investments) to be tested based upon its annual audit.

(c) In compliance with the approval of the State Bond Commission, the Issuer agrees to comply with the provisions of La. R.S. 33:4712.10 prior to expenditure of Bond proceeds for the purchase of immovable property.

(d) The Issuer hereby acknowledges the following:

(i) The Lender and its representatives are not registered municipal advisors and do not provide advice to municipal entities or obligated persons with respect to municipal financial products or the issuance of municipal securities (including regarding the structure, timing, terms and similar matters concerning municipal financial products or municipal securities issuances) or engage in the solicitation of municipal entities or obligated persons for the provision by non-affiliated persons of municipal advisory services and/or investment advisory services. With respect to the Term Sheet (as hereinafter defined) and any other information, materials or communications provided by the Lender: (a) the Lender and its representatives are not recommending an action to any municipal entity or obligated person; (b) the Lender and its representatives are not acting as an advisor to any municipal entity or obligated person and do not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to any municipal entity or obligated person with respect to the Term Sheet, information, materials or communications; (c) the Lender and its representatives are acting for their own interests; and (d) the Issuer has been informed that the Issuer should discuss the Term Sheet and any such other information, materials or communications with any and all internal and external advisors and experts that the Issuer deems appropriate before acting on the Term Sheet or any such other information, materials or communications.

(ii) The Lender is purchasing the Bonds as evidence of a privately negotiated loan and in that connection the Bonds shall not be (i) assigned a separate rating by any municipal securities rating agency; (ii) registered with The Depository Trust Company or any other securities depository; (iii) issued pursuant to any type of offering document or official statement; or (iv) assigned a CUSIP number by Standard & Poor's CUSIP Service.

(iii) The Issuer represents and warrants to the Lender that neither it nor any of its principals, shareholders, members, partners or affiliates, as applicable, is a Person named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of such person. The Issuer further represents and warrants to the Lender that the Issuer and its principals, shareholders, members, partners or affiliates, as applicable, are not directly or indirectly, engaged in, nor facilitating, the transactions contemplated by this transaction on behalf of any Person named as a Specially Designated National and Blocked Person.

SECTION 9. Additional Parity Obligations. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the revenues of the Available Funds having priority over or parity with the Bonds, except that Additional Parity Obligations may hereafter be issued on a parity with the Bonds under any of the following conditions:

(1) The Bonds herein authorized or any part thereof, including the interest thereon, may be refunded, and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be

any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues may have been enjoyed by the Bonds refunded; provided, however, that if only a portion of the Bonds outstanding is so refunded and the refunding bonds require total principal and interest payments during any year in excess of the principal and interest which would have been required in such year to pay the Bonds refunded thereby, then such Bonds may not be refunded without the consent of the Owner of the unrefunded portion of the Bonds issued hereunder (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause 2 of this Section).

(2) Additional Parity Obligations may be issued on a parity with the Bonds with respect to the Available Funds of the Issuer, provided that the estimated Available Funds of the Issuer in the year in which such Additional Parity Obligations are issued are at least 1.20 times the highest amount of combined principal and interest requirements on the Bonds, any outstanding Additional Parity Obligations and the proposed Additional Parity Obligations in any future year, the Issuer is in full compliance with all covenants and undertakings in connection with the Bonds, and the Issuer is not currently delinquent with respect to any payments required to be made in connection therewith.

Notwithstanding the foregoing, the Issuer may without restriction enter into additional obligations or issue other bonds secured by a separately-identified source or sources of revenues that comprise a portion of the Available Funds, provided, however, that the Issuer may not pledge or otherwise encumber its authorized, but unlevied, ad valorem tax without consent of the Lender. Junior and subordinate bonds may be issued without restriction.

SECTION 10. Sinking Fund. For the payment of the principal of and the interest on the Bonds, there is hereby created a special fund known as "Revenue Bonds (2025) Sinking Fund," said Sinking Fund to be established and maintained with the Paying Agent or the regularly designated fiscal agent bank of the Issuer. The Issuer shall deposit in the Sinking Fund at least two (2) days in advance of the date on which each payment of principal and/or interest on the Bonds falls due, funds fully sufficient to promptly pay the maturing principal and/or interest so falling due on such date; provided, however, that if the Issuer does not possess sufficient Available Funds at the time such deposit is required, the Issuer shall (a) deposit all Available Funds it does possess at such time on a *pro rata* basis to the credit of the Sinking Fund and any sinking fund established for the payment of any Additional Parity Obligations, and (b) thereafter deposit on a *pro rata* basis to the Sinking Fund and any sinking fund established for the payment of any Additional Parity Obligations any and all Available Funds received in the future to the extent necessary to cure such insufficiency. The depository for the Sinking Fund shall transfer from the Sinking Fund to the Paying Agent funds fully sufficient to pay promptly the principal and interest falling due on the Bonds on such date.

It shall be specifically understood and agreed, however, and this provision shall be a part of this contract, that after the funds have been budgeted out of the Available Funds for any year sufficient to pay the principal and interest on the Bonds and any Additional Parity Obligations for that period, then any Available Funds remaining in that year shall be free for expenditure by the Issuer for any lawful purpose.

All moneys deposited with the regularly designated fiscal agent bank or banks of the Issuer or the Paying Agent under the terms of this Resolution shall constitute sacred funds for the benefit of the Owners of the Bonds and shall be secured by said fiduciaries at all times to the full extent thereof in the manner required by law for the securing of deposits of public funds.

All or any part of the moneys in the Sinking Fund shall, at the written request of the Issuer, be invested in accordance with the provisions of the laws of the State of Louisiana.

SECTION 11. Default. Upon the Issuer's (i) failure to timely make any payment due hereunder, or (ii) breach or violation of any covenant contained herein, which breach or violation shall continue for a period of thirty (30) days following written notice thereof from either the Paying Agent or the Owners of a majority of the Outstanding principal amount of the Bonds (provided, however, that if such breach or violation is of a type that cannot reasonably be cured within said 30-day period, then such period shall be continued until the earliest such date as such

breach or violation may reasonably be cured), either of which shall be an "Event of Default," then any Owner of such bonds or any trustee appointed to represent such Owners as hereinafter provided, shall be authorized to exercise any remedy afforded such person by law, and further provided that the unpaid principal of the Bonds shall, until such Event of Default is cured, bear interest at the Maximum Rate.

SECTION 12. Application of Proceeds. The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Resolution, to cause the necessary Bonds to be printed, to issue, execute and seal the Bonds, and to effect delivery thereof as hereinafter provided. The proceeds derived from the sale of the Bonds shall be used only for the purpose for which the Bonds are issued.

SECTION 13. Bonds Legal Obligations. The Bonds shall constitute legal, binding and valid obligations of the Issuer and shall be the only representations of the indebtedness as herein authorized and created.

SECTION 14. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Issuer, or its successor, and the Owner or Owners from time to time of the Bonds, and any such Owner or Owners may at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by this Governing Authority or the Issuer as a result of issuing the Bonds.

No material modification or amendment of this Resolution, or of any Resolution amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then Outstanding; provided, however, that no modification or amendment shall permit a change in the maturity provisions of the Bonds, or a reduction in the rate of interest thereon, or in the amount of the principal obligation thereof, or affecting the obligation of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the revenues appropriated, pledged and dedicated to the payment thereof by this Resolution, or reduce the percentage of the Owners required to consent to any material modification or amendment of this Resolution, without the consent of the Owners of all of the Outstanding Bonds.

SECTION 15. Severability; Application of Subsequently Enacted Laws. In case any one or more of the provisions of this Resolution or of the Bonds shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Resolution or of the Bonds, but this Resolution and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this Resolution which validate or make legal any provision of this Resolution and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Resolution and to the Bonds.

SECTION 16. Recital of Regularity. This Governing Authority having investigated the regularity of the proceedings had in connection with the Bonds and having determined the same to be regular, the Bonds shall contain the following recital, to-wit:

"It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana."

SECTION 17. Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 18. Notices to Owners. Wherever this Resolution provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first-class postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular

Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Resolution provides for notice in any manner, such notice may be waived in writing by the Owner or Owners entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 19. Cancellation of Bonds. All Bonds surrendered for payment, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly canceled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already canceled, shall be promptly canceled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly canceled by the Paying Agent. All canceled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 20. Mutilated, Destroyed, Lost or Stolen Bonds. If (1) any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss or theft of any Bond, and (2) there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute, and upon its request the Paying Agent shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Bond, a new Bond of the same maturity and of like tenor, interest rate and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost or stolen bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost or stolen Bond shall be at any time enforceable by anyone and shall be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds. Any additional procedures set forth in the Agreement, authorized in this Resolution, shall also be available with respect to mutilated, destroyed, lost or stolen Bonds. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 21. Discharge of Resolution; Defeasance. If the Issuer shall pay or cause to be paid, or there shall otherwise be paid to the Owners of all of the Bonds, the principal of and interest on the Bonds, at the times and in the manner stipulated in this Resolution, then the pledge of the money, securities, and funds pledged under this Resolution and all covenants, agreements, and other obligations of the Issuer to the Owner shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Resolution to the Issuer.

Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section if they are defeased in the manner provided by Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 22. Successor Paying Agent; Paying Agent Agreement. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of the initial Paying Agent in this Resolution is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by (a) filing with the Person then performing such function a certified copy of a resolution or ordinance giving notice of the termination of the Agreement and appointing a successor and (b) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business

under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. The Executive Officers are hereby authorized and directed to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 23. Waiver of Jury Trial. The Issuer irrevocably and voluntarily waives any right it may have to a trial by jury with respect to any controversy or claim between the Issuer and the Lender, whether arising in contract or tort or by statute, including but not limited to any controversy or claim that arises out of or relates to the Bonds or any of the other loan documents. This provision is a material inducement for the Lender's determination to make the loan and for the parties to enter into the loan documents.

SECTION 24. Disclosure Under SEC Rule 15c2-12. The Issuer will *not* be required to comply with the continuing disclosure requirements described in Rule 15c2-12 of the Securities and Exchange Commission [17 CFR §240.15c2-12].

SECTION 25. Publication. A copy of this Resolution shall be published immediately after its adoption in one issue of the official journal of the Issuer; however, it shall not be necessary to publish any exhibits hereto if the same are available for public inspection and such fact is stated in the publication.

SECTION 26. Award of Bonds. The Issuer hereby accepts the offer of the Lender for the Bonds, which offer is contained in the term sheet attached as **Exhibit A** hereto (the "Term Sheet"), and any Executive Officer is hereby authorized and directed to execute said offer on behalf of the Issuer. As a condition to the delivery of the Bonds to the Lender, the Lender will execute a standard letter, acceptable to it and the Issuer, indicating it has conducted its own analysis with respect to the Bonds and is extending credit in the form of the Bonds as a vehicle for making a commercial loan to the Issuer.

SECTION 27. Execution of Documents. In connection with the issuance and sale of the Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this Resolution, the signatures of the Executive Officers on such documents, certificates and instruments to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 28. Headings. The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 29. Effective Date. This Resolution shall take effect immediately.

The foregoing having been submitted to a vote, the vote thereon was as follows:

YEAS: Commissioners Edwards, Champagne, Schulz, Guey, Newsom, LaFrance, Jurisich and Cognevich

NAYS: Commissioners McCarty

ABSTAIN: None

ABSENT: None

And the resolution was declared adopted on this, the 26th day of June, 2025.

Commissioner LaFrance offered item 6g with changes.

ORDINANCE NO. 25-122

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

An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land and property, more fully described in Exhibit A, which is owned by Celeste D. Ancar and the Succession of Larry Thomas Ancar; and otherwise to provide with respect thereto.

DIGEST: The Port is working to finish the acquisition of the “piano keys” properties for Port development. The Port is seeking approval to move forward with the purchase of Lot 7, which is currently owned by Celeste D. Ancar and the Succession of Larry Thomas Ancar. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, through negotiations with Ancar, a recommendation is being made to approve the acquisition of property owned by Ancar, which is known as one of the “piano keys”; and

WHEREAS, the negotiations between Ancar and the Port recognize a total recommended purchase price of \$372,000 for Lot 7, Pointe Celeste Farms S/D, which is currently owned by Ancar;

NOW, THEREFORE:

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

SECTION 1

It hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District, to acquire the land, more fully described as Lot 7, Pointe Celeste Farms S/D, which is currently owned by Ancar.

SECTION 2

The acquisition shall be for a purchase price of \$372,000 plus the closing cost for the transfer of ownership of the land at Lot 7, Pointe Celeste Farms S/D, which is currently owned by Ancar, to the Plaquemines Port, Harbor and Terminal District.

Commissioner Schulz seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

Commissioner LaFrance offered 6h with changes.

ORDINANCE NO. 25-123

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

An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land and property, more fully described in Exhibit A, owned by James and Sheila McGuire with respect to Lots 35 and 36; and otherwise to provide with respect thereto.

DIGEST: The Port is working to finish the acquisition of the “piano keys” properties for Port development. The Port is seeking approval to move forward with the purchase of Lots 35 and 36, which are currently owned by James and Sheila McGuire. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, through negotiations with McGuire, a recommendation is being made to approve the acquisition of properties owned by McGuire, each of which is known as one of the “piano keys”; and

WHEREAS, the negotiations between McGuire and the Port recognize a total recommended purchase price of \$1,425,600 for Lots 35 and 36, Pointe Celeste Farms S/D, which are currently owned by James and Sheila McGuire;

NOW, THEREFORE

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

SECTION 1

It hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District, to acquire the land, more fully described as Lots 35 and 36, Pointe Celeste Farms S/D, which are currently owned by James and Sheila McGuire.

SECTION 2

The acquisition shall be for a purchase price of \$1,425,600 , plus the closing cost for the transfer of ownership of the land at Lots 35 and 36, Pointe Celeste Farms S/D, which are currently owned by James and Sheila McGuire, to the Plaquemines Port, Harbor and Terminal District

Commissioner Schulz seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

ORDINANCE NO. 25-124

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

An Ordinance to award and fund the Five-Year Capital Improvements Plan for M/V Belle Chasse II Drydock Project; and otherwise to provide with respect thereto.

DIGEST: An Ordinance to award and fund the M/V Belle Chasse II Drydock Project in the amount of \$1,500,000 from the Port’s 2025 Unrestricted Fund Balance. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Federal Transit Administration (FTA) grants funding will cover 80% of the cost of the project and the Port will fund 20% for the local match; and

WHEREAS, the contract is awarded to the low bidder, Thoma Sea Marine; and

WHEREAS, the cost of the project is \$1,500,000 with the FTA share projected at \$1,200,000 and the Port's share at \$300,000; and

WHEREAS, amending the Port’s 2025 Five-Year Capital Improvements Plan by appropriating \$1,500,000 to the M/V Belle Chasse II Drydock Project is requested;

NOW, THEREFORE:

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

SECTION 1

It hereby authorizes the Executive Director of the Port, Charles Tillotson to award and fund the Port’s 2025 Five-Year Capital Improvements Plan for the M/V Belle Chasse II Drydock Project and for the work to proceed immediately.

SECTION 2

The Port’s 2025 Five-Year Capital Improvements Plan is amended by appropriating \$1,500,000 to the M/V Belle Chasse II Drydock Project from the Port’s Unrestricted Fund Balance; funding year 2025 and to record the FTA’s share of the project \$1,200,000 as follows:

Fund: 445 Port Harbor Fund			
Dept/Div: 910-9033 Capital Project – MV Belle Chasse II Drydock			
Object	Description	Inc/Dec	Amendment
429.030	Federal Funds FTA – MV Belle Chasse II	Inc	\$1,200,000
568.505	Property – Major Repairs	Inc	\$1,500,000

SECTION 3

The contract for the M/V Belle Chasse II Drydock Project is awarded to the low bidder, Thoma Sea Marine.

SECTION 4

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

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of June, 2025.

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

Under Agenda Item 7a(1), “Introduction of Resolutions wherein suspension is being sought”, Commissioner Schulz offered a Motion to Suspend the Rules to add an item titled, “A Resolution authorizing and directing the Executive Director to authorize legal counsel to seek a writ to the Louisiana Supreme Court to review the ruling by the Court of Appeals in the matter of PPHTD vs. Tuan Nguyen, Docket No. 2024-CA-0614; and to provide with respect thereto”. The Motion was seconded by Commissioner McCarty and on roll call, all members present and voting “YES”, except Commissioner LaFrance who “ABSTAINED”, the Motion was adopted by a vote of 8-0-1.

RESOLUTION NO. 25-199

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

A Resolution authorizing and directing the Executive Director to authorize legal counsel to seek a writ to the Louisiana Supreme Court to review the ruling by the Court of Appeals in the matter of PPHTD vs. Tuan Nguyen, Docket No. 2024-CA-0614; and to provide with respect thereto.

DIGEST: To authorize and direct the Executive Director to appeal the Court of Appeals ruling in the Nguyen litigation. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Fourth Circuit Court of Appeals ruled adverse to the Plaquemines Port, Harbor, and Terminal District in the matter of PPHTD vs. Tuan Nguyen, Docket No. 2024-CA-0614; and

WHEREAS, legal counsel has recommended that the PPHTD seek a review of the ruling of the Fourth Court of Appeals by the Louisiana Supreme Court; and

WHEREAS, the deadline to seek such review is about to expire which requires the consideration of this Resolution under suspension;

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 and directs the Executive Director to direct legal counsel to pursue review by the Louisiana Supreme Court of the ruling of the Fourth Circuit Court of Appeals in the matter of PPHTD vs. Tuan Nguyen, Docket No. 2024-CA-0614.

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, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Schulz moved to Agenda Item 8, “Approval of minutes”. Without objection, so ordered.

RESOLUTION NO. 25-200

On motion of Commissioner Newsom, seconded by Commissioner Cognevich, 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 from June 12, 2025, regular meeting.

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 Cognevich, seconded by Commissioner Newsom, and on roll call all members present voting “YES, except Commissioner Edwards who voted “NO”, the meeting adjourned at 5:22 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.