

**AGENDA FOR THE MARCH 9, 2023,  
MEETING OF THE PLAQUEMINES PARISH COUNCIL,  
AS THE SOLE GOVERNING AUTHORITY OF THE  
PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT,  
3:00 P.M., BELLE CHASSE COUNCIL CHAMBERS  
333 F. EDWARD HEBERT BLVD., BLDG. 203, BELLE CHASSE, LOUISIANA  
ALSO STREAMED LIVE ON YOUTUBE**

1. Roll Call, Prayer, and Pledge of Allegiance
2. Executive Session
3. Status Report by the Executive Port Director
  - a. Financial Report/Budget to Actual
4. Bids and Advertisements
5. Introduction of Ordinances and Resolutions
6. Ordinances and Resolutions on Second Reading and Final Passage:
  - a. Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Plaquemines Parish Charter: NONE
  - b. An Ordinance to amend the Plaquemines Port, Harbor & Terminal District's 2023 Revenue & Operating Expenditure Budget to reinstate the budgeted fee to complete all four phases of the Sustainability Partners (SP) contract; otherwise, to provide with respect thereto. COMMISSIONER GUEY

DIGEST The 2023 Adopted Budget omitted the remainder of the PPHTD contracted Payment for Intellectual Property development services rendered. PPHTD committed to a payment plan of \$871,713 between 2021 and 2022 towards a contract agreement for SP to invest \$8 million for the development of the PPPHTD's Rail connect intellectual property. The Port paid \$573,588.98 in fees before suspension of the contract in 2022, leaving \$298,124.02 of unpaid fees. This ordinance allocates these unpaid fees back to PPHTD's 2023 Adopted budget as an amendment. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- c. A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port, Harbor & Terminal District to seek a Motion to Dismiss the Petition for Declaratory Judgment, as well as the Amended and Supplemental Petition for Declaratory Judgment, entitled "Plaquemines Port, Harbor and Terminal District, et al vs. Sustainability Partners, LLC, et al, Docket No. 76739, Div. B, 25<sup>th</sup> Judicial District Court, Parish of Plaquemines, State of Louisiana"; and otherwise to provide with respect thereto. COMMISSIONER GUEY

DIGEST: The Port filed a Declaratory Judgment against Sustainability Partners, et al. on September 19, 2023. However, in an attempt to amicably resolve this matter and explore all economic development options, the Port is considering filing a Motion to Dismiss the Petition for Declaratory Judgment. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- d. A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a Professional Services Agreement with The Bridges Group International, LLC for Professional Services to offer advice, guidance and consulting services concerning the execution of Public-Private- Partnerships; and otherwise to provide with respect thereto. COMMISSIONER GUEY

DIGEST: The Bridges Group International, LLC is an expert in Public-Private-Partnership ("P3"), and the Port seeks their advice and consulting services. The hourly rate for their services shall not exceed \$90 per hour. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- e. An Ordinance to appropriate funds to the Plaquemines Port, Harbor & Terminal District's 2023 Revenue & Operating Expenditure Budget, line-item Professional Services – General to onboard Rockwood Steel (RWS); and otherwise to provide with respect thereto. COMMISSIONER GUEY

DIGEST – Rockwood Steel (RWS) is currently engaged with Rio Grande Pacific Corporation (RGPC) /New Orleans & Gulf Coast (NOGC) providing grant administration services for Consolidated Rail Infrastructure and Safety Improvements (CRISI), Port Infrastructure Development Grants (PIDP), Rebuilding American Infrastructure with Sustainability and Equity (RAISE) and other rail specific grants. We would share the fifty percent (50%) of grant writing, preparation, and administration cost with RGPC/NOGC to support our infrastructure development aimed at off-setting private or public cost for container rail connections. The Port's fifty percent (50%) contribution is expected to be \$30,000. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- f. An Ordinance to amend the Plaquemines Port, Harbor & Terminal District's 2023 Revenue Budget to add lease payments from Phylway Construction LLC; and otherwise to provide with respect thereto. COMMISSIONER GUEY

DIGEST: Phylway Construction currently leases property from the Port. Pursuant to the terms of their lease, they are currently leasing property on a month to month basis. This adjustment in rental income will be included in the 2023 Budget. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- g. An Ordinance to amend, and as amended, readopt Ordinance No. 20-77 which established a policy of the Plaquemines Port, Harbor & Terminal District relative to the solicitation and receipt of proposals for professional services for the Port prior to employment; and otherwise to provide with respect thereto. COMMISSIONER GUEY

DIGEST: Whereas, Ordinance No. 15-138 established a professional services policy with respect to seeking, including but not limited to legal, engineering, consulting and architectural services exceeding \$50,000. Ordinance No. 20-77 amended Ordinance No. 15-138, removing the ability for the Executive Director to approve any emergency contracts with prior consent of the Council at the discretion of the Executive Director. This Ordinance will allow the Executive Director the immediate opportunity and ability to act in the best interest of the Port when an emergency arises. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- h. An Ordinance to amend, and as amended readopt, the Plaquemines Parish Code of Ordinances, Section 2-18, ARules for Transaction of Business Before the Council As the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District@, Chapter 1, AMeetings of the Plaquemines Parish Council As the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District@; and otherwise to provide with respect thereto. COMMISSIONER JURISICH

DIGEST: Rule 1 of Section 2-18 in Chapter 1 of the Code of Ordinances provides for the Plaquemines Parish Council As the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District to meet twice a month at certain locations at 3:00 p.m. and it is the desire of the Council to change the time of the Plaquemines Port, Harbor & Terminal District meetings to \_\_\_\_\_ a.m./ p.m. or immediately before the meetings of the Plaquemines Parish Council and to change the days of the Council Meetings to \_\_\_\_\_.*The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- i. A Resolution approving and authorizing Dr. Stuart Guey Jr., Port Chairman, and Charles D. Tillotson, Port Executive Director to execute a Louisiana Compliance Questionnaire to Camnetar and Company, CPA's; and other wise to provide with respect thereto. COMMISSIONER SCHULZ

DIGEST: The Louisiana Compliance Questionnaire is a required part of a financial audit of Louisiana and state and local government agencies. This Questionnaire must be approved by means of a formal Resolution in accordance with the Louisiana Open

Meetings Law. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

- j. 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 initiation of litigation related to the proposed Belle Chasse Bridge Project; authorizing and directing the Port Chairman, Stuart J. Guey, to engage special counsel for such litigation; and otherwise to provide with respect thereto.

DIGEST: The State of Louisiana began a project to remove the existing Bridge and Tunnel and construct a new bridge in LA HWY23. The contract for this project falls under the authority for a Public-Private-Partnership. State law provides that since the project is in the geographic jurisdiction of the Port, then DOTD must obtain written approval of the Port. DOTD contends that the written approval from the Port was not needed so the project moved forward. This resolution will authorize the Port Chairman to engage special counsel to the Court to review the law and determine if the project requires the written approval of the Port. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

7. New Business

- a. Introduction of Resolutions wherein suspension is being sought:

8. Approval of the February 23, 2023, regular meeting minutes.

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