

Minutes of a 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 Thursday, January 13, 2022, at 3:01 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner Benedict Rousselle, Chairman
Commissioner W. Beau Black
Commissioner Corey Arbourgh
Commissioner Stuart J. Guey
Commissioner Trudy Newberry
Commissioner Carlton M. LaFrance, Sr.
Commissioner Richie Blink

Kim M. Toups, Secretary

ABSENT: Commissioner John L. Barthelemy, Jr.
Commissioner Mark Cognevich

Sandy Sanders, Chambrel Riley and Christie Nielsen were present representing the Port.

The Prayer was said and the Pledge was recited.

The following items were deferred:

- 6a(1), “An Ordinance establishing ferry toll rates and providing for discounts and exemptions thereof; establishing ferry hours of operation; adopting policies and procedures for ferry operations; and otherwise to provide with respect thereto”; and
- 6b, “An Ordinance to amend the Plaquemines Port, Harbor & Terminal District’s 2022 Revenue & Operating Expenditure Budget; and otherwise to provide with respect thereto”.

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

- He met with Bruce Lambert, the new regional representative for MARRAD covering the Gulf Central Region. They are working on a non-designated project in order to allow the Port to file for a grant from the Maritime Administration;
- The Port has been meeting regularly with PPG for the transfer of the Ferries the Port. The transfer is complete;
- A TEAMS meeting was held with the Chair, Vice-Chair, Damian Daniels and Matthew Keggs from Tall Grass. The property was discussed, along with the PILOT program payments and other details regarding the lease. Commissioner Rousselle said that he wanted to have reports more often than quarterly; therefore, Sanders has provided for the reports to be given monthly;
- A meeting was held with John Helmers, Senators Hewitt and Connick in regard to the Point Celeste Pump Station and efforts to ensure that it is added to the Capital Outlay plan in order for the pump station to be replaced; and
- Sanders participated in the monthly stakeholders meeting. He invited Chris Fetters to provide a report. Mr. Fetters provided a report on some things happening in 2022. The land acquisition papers are ready and he will keep the Port updated. The participants in the monthly stakeholder meeting has grown to 40 people. Jimmy Screen from Volkert, who is working on the mainline extension project, made a PowerPoint presentation which included an overview of the project, organization, scope, deliverables, the schedule and community/stakeholder participation. The second update is from Nigel Nixon, owner and founder of Nigel Nixon & Partners, provided a PowerPoint presentation on the status of the Container Terminal, the impacts of the commercial studies and the new project renderings.

At the request of Commissioner LaFrance, Commissioner Rousselle moved to Item 7b, “PLT discussion and update. Although, this item was covered under the Executive Director’s Report, Commissioner LaFrance had a question for Sandy Sanders in regard to the Port approaching residents of Ironton to discuss a buyout. Sanders said he would speak to Commissioner

LaFrance to name the people who he met with but not in public in case those families did not want their names out in the public. Commissioner Blink asked if anyone else went with Sandy Sanders to speak to the families and he was told Tracy Riley went also. Both Commissioners Rousselle and Newberry had questions regarding the 12%.

There being no matters to discuss under Item 3a, "Financial Report/Budget to Actual" or under Item 4, "Bids and Advertisements, Commissioner Rousselle moved to Agenda Item 5, "Introductions". Without objection, so ordered. The following legislation was introduced:

1. An Ordinance authorizing Sandy Sanders, Executive Director of the Plaquemines Port, Harbor and Terminal District, to purchase land owned by Brian and Vanessa Fisher (the Fishers); and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
2. A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District to execute an agreement with Evalve IQ, LLC; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
3. An Ordinance establishing the policy for Plaquemines Port, Harbor and Terminal District in regard to mandatory terms to be included in all port contracts for professional and other services and all contracts that extend beyond a single fiscal year; establishing the policy for Plaquemines Port, Harbor and Terminal District in regard to submitting all signed contracts to the Council Secretary within two weeks of the document being executed; otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE
4. A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District, to execute a reimbursement agreement with LA DOTD; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE

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

ORDINANCE NO. 22-1

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

An Ordinance authorizing and directing the Plaquemines Port, Harbor and Terminal District ("Port") Executive Director, Maynard J. "Sandy" Sanders, to negotiate and enter into a short-term lease agreement and a separate option for a long-term lease agreement, with Plaquemines Land Ventures, LLC ("PLV"), of approximately 523 acres of that certain Port property, described in *en globo* Exhibit A, upon terms and conditions approved by the Plaquemines Parish Council (the "Council") as the sole governing authority of Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto.

WHEREAS, the Port owns certain immovable property, as depicted in *en globo* Exhibit A (the "Property"); and

WHEREAS, the Council desires to have the Port utilize the Property to continue to induce industrial development, so as to benefit the funding, development, and continued progress of the Port; and

WHEREAS, the Council desires to authorize Executive Director, Maynard "Sandy" Sanders, to enter into a short-term lease agreement of approximately 523 acres of the Property with PLV (as depicted in highlighted yellow on Exhibit A); and

WHEREAS, the terms of the short-term lease agreement include payment of \$14,000/acre/year on a monthly basis, from the effective date of the short term lease agreement, potentially until July 19, 2026; and

WHEREAS, the Council also desires to authorize Executive Director Maynard "Sandy" Sanders to enter into an option for a long-term lease agreement of the same approximately 523 acres; and

WHEREAS, the option to lease the real estate on a long-term basis shall have the same term (namely, potentially to July 19, 2026) as the short-term lease agreement, with the consideration for the option to be granted included as part of the payments made under the short-term lease agreement; and

WHEREAS, if the option to lease on a long-term basis is exercised by the option holder, the long-term lease agreement shall provide for the payment of fourteen thousand dollars (\$14,000.00) per acre, per year, and regular CPI adjustments, for an initial term of thirty (30) years, with options for up to four (4), ten (10) year, lease extension periods;

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 Plaquemines Parish Council (the “Council”) as the sole governing authority of Plaquemines Port, Harbor and Terminal District hereby authorizes the acceptance of the negotiated terms of the short-term lease agreement.

SECTION 2

The Council hereby authorizes the acceptance of the negotiated terms of the option for a long term lease agreement, which term shall be the same as the short-term lease agreement unless the option is exercised earlier than such term.

SECTION 3

The Plaquemines Parish Council hereby authorizes the acceptance of the long-term lease agreement, if the option-holder exercises the option, in the amount of not less than \$14,000 per acre per year for a Term of 30 years, with options for up to four (4) ten (10) year lease extension periods.

SECTION 4

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

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

Council Commissioner Rousselle seconded the motion to adopt the Ordinance.

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

YEAS: Commissioner W. Beau Black, Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., and Richie Blink

NAYS: None

ABSENT: Commissioners John L. Barthelemy, Jr and Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 13th day of January, 2022.

RESOLUTION NO. 22-1

On motion of Commissioner Newberry, seconded by Commissioner Guey, and on roll call all members present and voting “YES”, except Commissioner Blink who voted “NO” and Commissioners Barthelemy and Cognevich who were “ABSENT”, the following Resolution was adopted:

A Resolution authorizing the Executive Director, Maynard "Sandy" Sanders, enter into an agreement with Mercury Public Affairs to provide consulting, advisory, and lobbying services regarding Port representation at the Federal and Regional level for a one-year term; and otherwise to provide with respect thereto.

WHEREAS, Mercury Public Affairs has vast experience with the current U.S. Presidential Administration and expertise in Federal priorities such as the National Flood Insurance Program, FEMA PWs, hurricane and flood protection issues involving the Corps of Engineers, as well as other infrastructure projects that need attention, such as the Peters Road Rail Bypass and Road Extension; and

WHEREAS, it would be in the best interest of the Port to retain the services of Mercury Public Affairs for a term of one year beginning February 24, 2022, for a monthly fee of \$4,500;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Executive Director, Maynard "Sandy" Sanders negotiate and enter into an agreement with Mercury Public Affairs to provide consulting, advisory, and lobbying services regarding Port representation at the Federal and Regional level.

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

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

There were no items under 7a, “Resolutions wherein suspension is being sought”.

Commissioner Rousselle moved to 7c, “Presentation by PABI Board of Directors”. Bobby Thomas, Executive Director of PABI addressed the Commission in regard to the history of PABI, its goals, and its leadership. Betsy Pavlovich, the Chairperson of PABI and President of Nairn Concrete spoke on the range of membership from mom and pop businesses to Fortune 100 businesses and the issues which affect both businesses and the Parish Government. She said that we have a common goal for the good of the Parish and that both PABI and Parish representatives need to work together.

Under Agenda Item 7d, “Presentation by the CORPS of Engineers on the NOV alignment”. The CORP representative who was going to attend the meeting could not attend due to COVID. Commissioner Rousselle handed out a printed update and will have this presentation on the February 10, 2022, agenda.

Commissioner Rousselle moved to Agenda Item 8, “Approval of the Minutes”. .

RESOLUTION NO. 22-2

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the December 9, 2021, regular Port Meeting as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution.

There being no further business to come before this Council, on motion by Commissioner LaFrance, seconded by Commissioner Blink and on roll call all members present voting “YES”, except Commissioners Barthelemy and Cognevich who were “ABSENT”, the meeting adjourned at 4:10 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.