

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 Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, June 8, 2023, at 3:00 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

ABSENT: Commissioner Stuart J. Guey

Charles Tillotson, Melissa Folse, Christie Nielsen and Jalen Brown were present representing the Port.

The Prayer was said and the Pledge was recited.

The following items were deferred:

- Item 6d, “A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a Per Task Order Agreement, identified as Task Order No.2 for project management services with respect to the Sustainability Partners (SP) contract with Infinity Engineering on an as needed per task orders basis as directed by Plaquemines Port Harbor & Terminal District Executive Director; and otherwise to provide with respect thereto”; and
- Item 6e, “A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to authorize Kyle & Associates, LLC to advertise for public bid for improvements to the Alliance Water Booster Station; and otherwise to provide with respect thereto”.

The following items were withdrawn:

- Item 6b, “A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port, Harbor & Terminal District to execute an agreement with Sustainability Partners; and otherwise to provide with respect thereto” and
- Item 6c, “An Ordinance to amend and as amended, readopt the Plaquemines Parish Port, Harbor & Terminal District 2023 Manpower Table; and otherwise to provide with respect thereto”.

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

MOTION TO SUSEND THE RULES

Commissioner Champagne offered a Motion to Suspend the Rules to add an item for Executive Session to the agenda. The motion was seconded by Commissioner McCarty and on roll call, all members present voting “YES”, exception Commissioner Guey who was “ABSENT”, the Motion to Suspend the Rules was adopted by a vote of 8-0.

RESOLUTION NO. 23-168

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby resolves itself into Executive Session at 3:04 p.m. for the Discussion of litigation in accordance with LRS 44:17(A)(2) in regard to Plaquemines Port Harbor & Terminal District, et al vs. Sustainability Partners, LLC, Et al, Docket No. 76739, Div B, 25th Judicial District Court, Parish of

Plaquemines, State of Louisiana.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby came out of Executive Session at 3:43 p.m. with no final or binding action taken.

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

- Senator McMath’s Bill passed appropriations Saturday for a state-wide PORT Strategic Plan, effective July 2024;
- Senator Connick’s bill was amended in conference today and passed. The Bill requires a state-mandated PORT South East Advisory Commission to create individual port master plans that cascade up to a state-master plan. The Board comprises all deep water port Executive Directors and plans to meet twice annually;
- Representative Wright’s House Bill was dead but, was scheduled to be heard Tuesday and seeks to create a LA Port Authority. This bill was not heard and we are monitoring the activity;
- Majority Leader Scalise has received confirmation from the Corps of Engineers that the Corps will spend up to \$50 million to redo the Point Celeste pumps. This is a huge win and follows our important work last year;
- The Legislative Audit for Louisiana Ports has begun and the Auditor advised that the survey should take 30 minutes. The audit should be completed next week;
- The PPHTD 2022 Audit is scheduled to be completed by June 30th;
- The Port continues to make progress in purchasing the properties in its effort to become a Landlord Port. Acquiring six more properties is in the work;
- The Market Analysis is underway with Bridges Group;
- In regard to the Water Booster Station, DOTD requires Council approval to seek sealed bids for the project. Thus, PPHTD is voting today to receive that approval, and we are introducing legislation required by DOTD to ensure that we follow this process. The project is planned to produce over 80 PSI of water pressure.
- We are developing a plan for Lanier Engineering to lead project management under the Port's professional services agreement and CEA with Parish to assist in developing an RV Park Plan. The Parish is providing a list of all current Parish permitted RV sites in an effort to aid the Port in directing potential renters to any open capacity. Current Parish construction workers are under 4,000 and forecasted to exceed 7,500 in the first quarter of 2025;
- Ferry evaluation is under development and a comprehensive review considers parish public safety, community needs, and Port-Parish growth. We have a quote of \$6.8M to replace the West Bank Ferry Landing, including the barge. DOTD is seeking RFQ input to start the design of the new ramp. The Port is actively applying for Passenger Ferry Grant Program and the Rural Transportation Programs. We currently have approximately \$5.5M between grant and bond funding;
- We completed clarifying the verbiage in the SP contract and are confident that it reads as a concessionary agreement;
- The Port hosted a meeting with the Joint Parish Peter's Road Rail By-Pass with the Parish Leadership and the Port last week. Brian Champagne, Keith Hinkley, Mayor Constant, Steve LaChute, Marion Edwards, CSRS, NOGC, and Union Pacific attended the meeting;
- A Port Related Construction Meeting was held on June 7th which focused on sites, roads, canals, and levees;
- The Port continues its hiring efforts and they have hired a Communications Director; and The Port participated in a town hall meeting on June 7th in Districts 6 & 8.

There being no matters under Agenda Item 3a, “Financial Report/Budget to Actual” or Agenda Item 4, “Bids and Advertisements”, Commissioner Champagne moved to Agenda Item 5, “Introduction of Ordinances and Resolutions”. The following legislation was introduced:

1. A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District in accordance with the guidelines set forth by DOTD to allow Kyle Associates, LLC to proceed with advertising for competitive bids to provide upgrades to the Alliance Water Booster Station and Feed Lines; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

2. An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land owned by Husam Odeh; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

3. An Ordinance to amend and as amended, readopt the Plaquemines Parish Code of Ordinances, Article 2, Chapter III, “MEMBERS OF PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PARISH PORT, HARBOR AND TERMINAL DISTRICT; CONDUCT OF BUSINESS” by creating Rule 17(e)(1) and (2); and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

Commissioner Champagne moved to Agenda Item 6, “Ordinances on second reading and final passage”. Without objection, so ordered.

- a. Ordinances and Public Hearings pursuant to Article 6, Section 6.01E of the Plaquemines Parish Charter:

ORDINANCE NO. 23-77

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

An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land owned by Edgar Guillermo Lumbreras; 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 11 currently owned by Edgar Guillermo Lumbreras. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

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

WHEREAS, the negotiations between Posey and the Port recognize a total recommended purchase price of said property for \$199,200 for Lot 11, Pointe Celeste Farms S/D, currently owned by Lumbreras;

NOW, THEREFORE:

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

SECTION 1

It hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District, to acquire the land owned by Edgar Guillermo Lumbreras, more fully described by the legal description attached hereto as Exhibit “A.”

SECTION 2

The acquisition shall be for a purchase price of \$ 199,200 plus closing cost for the transfer of ownership of the land at Lot 11 Pointe Celeste Farms S/D, currently owned by Edgar Guillermo Lumbreras, to the Plaquemines Port, Harbor and Terminal District.

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

NAYS: None

ABSENT: Commissioner Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 8th day of June, 2023.

ORDINANCE NO. 23-78

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

An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land owned by Michelle C. Posey; 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 52B currently owned by Michelle C. Posey. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

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

WHEREAS, the negotiations between Posey and the Port recognize a total recommended purchase price of said property for \$186,000 for Lot 52B, Pointe Celeste Farms S/D, currently owned by Posey;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE GOVERNING AUTHORITY OF THE PLAQUEMINES 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 owned by Michelle C. Posey, more fully described by the legal description attached hereto as Exhibit “A.”

SECTION 2

The acquisition shall be for a purchase price of \$ 186,000 plus closing cost for the transfer of ownership of the land at Lot 52B Pointe Celeste Farms S/D, currently owned by Michelle C. Posey, to the Plaquemines Port, Harbor and Terminal District.

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: Commissioners Tyrone Edwards, Brian Champagne, Chris Schulz, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cogevich

NAYS: None

ABSENT: Commissioner Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 8th day of June, 2023.

Commissioner Champagne reverted back to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered.

1. A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port, Harbor & Terminal District to execute an agreement with Sustainability Partners; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

RESOLUTION NO. 23-169

On motion of Commissioner Champagne, seconded by Commissioner McCarty, and on roll call, all members present and voting "YES", except Commissioner Edwards who voted "NO" and Commissioner Guey who was "ABSENT", the following Resolution was adopted:

A Resolution authorizing the Port Executive Director, Charles D. Tillotson, for and on behalf of the Plaquemines Port, Harbor & Terminal District to name and accept the proposal of the Plaquemines Gazette, as the Official Journal for the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port, Harbor & Terminal District; and otherwise to provide with respect thereto.

DIGEST: The Port must officially name an Official Journal as a matter of procedure each year. The Plaquemines Gazette is the only newspaper in our jurisdiction that meets these requirements. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Gazette is the only newspaper that meets the qualifications outlined in Louisiana Revised Statute §43:142; and

WHEREAS, Louisiana Revised Statute §43:147 limits the rate of compensation of the newspaper for printing the Official Journal; and

WHEREAS, *The Plaquemines Gazette* has submitted a proposal to be selected as the official journal for the Plaquemines Port Harbor and Terminal District for a period of one year beginning June 1, 2023 and ending May 31, 2024;

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 selects Official Journal of the Plaquemines Port, Harbor & Terminal District.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT Charles D. Tillotson for and on behalf of the Plaquemines Port, Harbor & Terminal District, is hereby authorized and directed to accept Plaquemines Newspaper Publishing, Inc. publishers of The Plaquemines Gazette as the Official Journal of the Plaquemines Port, Harbor & Terminal District, which is on file with the Secretary of the Council and under such other terms and conditions as he deems to be in the best interest of the Plaquemines Port, Harbor & Terminal District.

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.

There were no matters to address under Agenda Item 7, "New Business".

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

RESOLUTION NO. 23-170

On motion of Commissioner LaFrance, seconded by Commissioner Schulz and on roll call all members present and voting "YES", except Commissioner Guey who was "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 the May 25, 2023, regular Port Meeting, as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution.

There being no further business to come before this Council, on motion Commissioner Schulz, seconded by Commissioner LaFrance, and on roll call all members present voting "YES", except Commissioner Guey who was "ABSENT", the meeting adjourned at 4:50 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.