

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, May 12, 2022, at 3:01 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

ABSENT: Commissioner Richie Blink

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

The Prayer was said and the Pledge was recited.

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 addressed by Sandy Sanders:

- Numerous meetings were conducted with DOTD and HNTB regarding the Ferry Ramps. The Port is assisting in a rural grant for relocation of the ferry ramps and the access road for the new ramp in WPALH. The scope of this grant also includes the engineering and design of a new ferry. These are very competitive grants and we are pursuing every manner for funding these projects;
- The Port has recently joined efforts Jefferson Parish by providing a supporting role in to reroute the rail;
- Venture Global arranged a number of vendor fairs this week throughout the Parish.
- Over the past week, the Port has assisted with the search for the missing child from New Orleans. In partnership with PPSO Marine Division and Cajun Navy, they are searching the drift line of the river with the assistance of a cadaver dog. Their goal is to give the family some closure.

Chris Fetters from LA23 Development, Co. informed the Council that he had representatives from Volkert to make presentations on the rail and container terminal project.

Mr. Sam Matheny from Volkert provided a PowerPoint presentation on the rail line. He reviewed Design Phase 1, provided his monthly progress update, provided the highlights of Phase 2 and the various tasks included in Phase 2. Mr. Matheny also provided the scheduled target dates for the next 60-90 days. The floor was then opened for questions and comments from the Board and then the public.

Mr. Luke Labat from Volkert provided a PowerPoint presentation on the terminal progress, permit status, procurement of Progressive Design Build Contractor and the 60-90 schedule forecast. The floor was then opened for questions and comments from the Board and then the public.

Mr. Jason Hewitt from Sustainability Partners provided a PowerPoint presentation on trying to clear up some of the language from their contract and to clarify their role in the rail and container project. Mr. Hewitt also explained their plan for Phase 1 and Phase 2 and listed their deliverables for each phase of the project. He further explained their role and the Port's role in this matter, including Port payments to SP, the benefits the Port will receive and what the Port will own. The floor was then opened for questions and comments from the Board and then the public.

There being nothing to report under Agenda Item 3a, “Financial Report/Budget to Actual”, Commissioner Rousselle moved to Agenda Item 4, “Bids and Advertisements”. Without objection, so ordered.

RESOLUTION NO. 22-122

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

A Resolution authorizing the acceptance of bids for a Mobile Maritime Domain Security Trailer for the Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto.

WHEREAS, after due advertisement bids were received on April 19th, 2022, at the Plaquemines Port Harbor & Terminal District office for a Mobile Maritime Domain Security Trailer for the Port use from the following: Satellite Shelters, Inc. all bids are on file in the Port’s Finance Department and made a part hereof by reference to; and

WHEREAS, Maynard Sanders, Executive Director, recommends the acceptance of the bid from Satellite Shelters, Inc.;

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 the Executive Director, Maynard J. Sanders, to accept the bid from Satellite Shelters Inc., for a Mobile Maritime Domain Security Trailer.

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 the 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 5, “Introduction of Ordinances and Resolutions”. The following legislation was introduced:

1. A Resolution authorizing Maynard J. “Sandy” Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District, to enter into a professional service agreement for the purposes of engineering and design services with LA DOTD; and otherwise to provide with respect thereto. COMMISSIONER BARTHELEMY

2. An Ordinance to amend the Plaquemines Port, Harbor & Terminal District’s 2022 Revenue & Operating Expenditure Budget; 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.

There were no items under 6a.

Agenda Item 6b, “A Resolution acknowledging climate change as a threat to both Plaquemines Parish residents and the Parish’s economic interests; expressing the Plaquemines Parish Council’s intent to take measures to enhance community resilience to hurricanes and storms through the support of coastal restoration and hazard risk mitigation programs; expressing the Plaquemines Parish Council’s support and incentivizing the development of solar and wind projects as part of the Parish’s broader economic development plans; and otherwise to provide with respect thereto” was deferred.

RESOLUTION NO. 22-123

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

A Resolution authorizing the Port Executive Director, Maynard J. Sanders, 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.

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, 2022 and ending May 31, 2023;

NOW, THEREFORE:

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

ORDINANCE NO. 22-55

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

An Ordinance to amend the Plaquemines Port, Harbor & Terminal District’s 2022 Revenue & Operating Expenditure Budget; and otherwise to provide with respect thereto.

WHEREAS, amendments to the 2022 Revenue & Operating Expenditure Budgets are necessary;

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 Port, Harbor & Terminal District’s 2022 Operating Expenditure Budget is amended by appropriating \$581,211 from the Unrestricted Fund Balance as follows:

**445 Plaquemines Port, Harbor & Terminal District Fund
490 PPHTD**

2460 Gen - Oper 557.830 Oth Chrg-Rail Usage Fee Inc \$ 581,211

SECTION 2

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.

Commissioner Arbourgh seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners W. Beau Black, Corey Arbourgh, Stuart J. Guey and Trudy Newberry

NAYS: Commissioner Benedict Rousselle, Carlton M. LaFrance, Sr. and Mark Cognevich

ABSENT: Commissioner Richie Blink

PRESENT BUT NOT VOTING: Commissioner John L. Barthelemy, Jr. (ABSTAINED)

And the Ordinance was FAILED on this the 12th day of May, 2022.

RESOLUTION NO. 22-124

On motion of Commissioner Guey, seconded by Commissioner Black, and on roll call all members present and voting "YES", except Commissioners Rousselle, LaFrance and Cognevich who voted "NO", and Commissioner Blink who was "ABSENT", the following Resolution was adopted:

A Resolution authorizing Maynard "Sandy" Sanders, as Executive Director of the Plaquemines Port, Harbor & Terminal District, to accept the Work Production Acceptance which closes Phase 1, and the Certificate of Acceptance which opens Phase 2, per the MUSA contract obligations with Sustainability Partners; and otherwise to provide with respect thereto.

WHEREAS, Resolution No. 21-94 authorized Maynard J. Sanders, Executive Director, to execute an agreement with Sustainability Partners to enhance intermodal connectivity within the Port Jurisdiction; and

WHEREAS, Stage 1- Phase 1 deliverables included the prefeasibility and survey documents necessary to complete the 10 % design and subsequent permit application; and

WHEREAS, the necessary components of Stage 1- Phase 1 (10% Design) are completed and verified; and

WHEREAS, it is the desire of this Council to authorize Maynard J. Sanders, Executive Director, to accept Stage 1- Phase 1 and approve to move to Stage 1- Phase 2 of the Rail Extension Project;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TEMINAL DISTRICT THAT Maynard "Sandy" Sanders, Executive Director, accept the Work Production

Acceptance which closes Phase 1 and the Certificate of Acceptance which opens Phase 2, per the MUSA contract obligations with Sustainability Partners.

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 as the sole governing authority of the Plaquemines Port, Harbor & Terminal District.

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

Under Agenda Item 7a, “Resolutions wherein suspension is being sought”, the following motion was made.

Commissioner Rousselle offered a Motion to Suspend the Rules to add an item to the agenda for consideration today entitled, “A Resolution to move the May 26, 2022, regularly scheduled meeting of the Plaquemines Parish Council as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District from 3:00 p.m. to an earlier time; and otherwise to provide with respect thereto”. The motion was seconded by Commissioner Cognevich and on roll call, all members present voting “YES”, except Commissioner Blink who was “ABSENT”, the motion was adopted by a vote of 8-0.

RESOLUTION NO. 22-125

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

A Resolution to move the May 26, 2022, regularly scheduled meeting of the Plaquemines Parish Council as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District from 3:00 p.m. to an earlier time; and otherwise to provide with respect thereto.

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the May 26, 2022, regularly scheduled Port meeting is moved from 3:00 p.m. to 1:00 p.m.

Under Agenda Item 7b, “Update on PLT”, Sandy Sanders, as recently as this morning, finally got a hold of Matthew Kegg who said there was no update since the last time an update was provide to the Board. He did say that having the Diversion go through that property has scared a lot of prospects; however, PLT continues to pay the PILOT payments. The lease contract provides that PLT is under an obligation to release that portion of the property if CPRA decides it needs the property. The Port can in turn sell the property for fair market value to CPRA and the proceeds will be turned over to PLT as a credit. The lease predicates on PLT verifying a viable project on or after December 22, 2022. Up to this point no suitors have come to lease the property. PLT will continue to make the \$200,000 PILOT payments. If PLT does certify a viable project, the lease can be terminated and the Port can sell the property, less the 50 acres set aside at Ironton, at fair market value. If there is no purchaser at fair market value, the Port & PLT can attempt to lease the property. In that case, proceeds will be turned over to PLT until they have recouped all of their investment cost plus a 12% profit. He sent a copy of the language of “set-aside” adjacent to Ironton this morning.

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

RESOLUTION NO. 22-126

On motion of Commissioner LaFrance, seconded by Commissioner Newberry, and on roll call

all members present and voting “YES”, except Commissioners Black, Arbourgh and Blink who were “ABSENT”, the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby approves the minutes of the April 28, 2022, regular Port Meeting and the May 9, 2022, special 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 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 Commissioner LaFrance, seconded by Commissioner Newberry, and on roll call all members present voting “YES”, Commissioners Black, Arbourgh and Blink who were “ABSENT”, the meeting adjourned at 5:27 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 at www.plaqueminesparish.com or on YouTube.