

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Pointe-a-la-Hache Council Chambers, 18055 Hwy. 15, Pointe-a-la-Hache, Louisiana on Thursday, April 27, 2023, at 3:00 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

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

The Prayer was said and the Pledge was recited.

There being no matters for Agenda Item 2, "Executive Session", Commissioner Guey moved to Agenda Item 3, "Status Report by the Executive Port Director". Without objection, so ordered. The following was reported by Mr. Tillotson:

- The Port had a busy two weeks in Baton Rouge and Washington, D.C.;
- While in DC they met with Venture Global;
- Joint meeting was held between Plaquemines and Jefferson Parishes with Maersk, APM and the railway;
- There is a Townhall meeting scheduled on the East Bank on May 9th;
- The Port removed LA23 as Project Manager for the Terminal Project.
- The Port Attorney and Ken Rathburn will get together next week to go over the language the revision to the SP contract;
- The Port had a conversation with a bond attorney about seeking bonds to purchase land and possibly on the rail side. Another meeting is scheduled for next week to take the conversation further;
- A lot of time was spent in Baton Rouge with two bills that may affect the Port;
- In DC the Port also met with the House, Senate and the Maritime Association;
- Port Administration met with Gretna's Mayor, Belinda Constant about the Peter's Road By-Pass project and they hope to start monthly meetings regarding this matter; and
- A townhall meeting was held about the Ferry but, no decisions were made about the future; however the Port thinks a single ferry would be the right choice.

Commissioners and the Port Administration then discussed the following:

- Commissioner Cognevich asked how long the Port intends to have Ken Rathburn working for them and he was told by Mr. Tillotson that he intends to keep him engaged with what the Port is doing with the land. He said there is a lot of history with the property purchase and they are trying to be prudent with what there are alternates moving forward.
- Commissioner Cognevich said that with the Port Bills moving forward in Baton Rouge, someone should have been at the meetings at the Capital and a card should have been filed. Mr. Tillotson said although the Port Administration was in DC, the Lobbyist was not in the room he was there.
- Commissioner Edwards inquired about when the Pride would be back in service. Mr. Tillotson said that the inspection will be done. Commissioner Edwards asked if both small boats could be run and Tillotson said they have looked into it but, there are not enough captains to run both.

There was no report provided under Agenda Item 3a, "Financial Report/Budget to Actual" and there were no matters under Agenda Item 4, "Bids and Advertisements". Therefore, Commissioner Guey moved to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following legislation was introduced:

1. An Ordinance to amend the Port, Harbor & Terminal Fund, 2022 Operating Expenditure Budget, Port Harbor & Terminal District Department, line-item Professional Services Engineering; and otherwise to provide with respect thereto. COMMISSIONER GUEY
2. An Ordinance to amend and as amended, readopt the Plaquemines Parish Port, Harbor & Terminal District 2023 Operating Budget of Revenue and Expenditures; and otherwise to provide with respect thereto. COMMISSIONER GUEY
3. An Ordinance to amend the Plaquemines Port, Harbor and Terminal District Manpower Structure to create and fund the unclassified position of Port Public Information Officer; and otherwise provide with respect thereto. COMMISSIONER GUEY

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

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

ORDINANCE NO. 23-45

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

An Ordinance to amend and as amended readopt Ordinance 22-167, adopted December 8, 2022, to the Plaquemines Port, Harbor & Terminal District, Terminal Tariff #1 Rates, Charges, Rules & Regulations: Rule 34, Subrule 135 Sections A., B., B (1), C, C (1), D, D(1); and to otherwise to provide with respect thereto.

DIGEST: There was an typographical error in the original ordinance that must be corrected. The Tariff has been billed properly since this effective change on January 1, 2023, however this legislation needed to be corrected to match. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, La. Revised Statute 34:1356 provides that in order to enhance the safety and facilitate the movement of vessels within the district, the district may charge a reasonable fee to each vessel anchoring or transferring cargo within the district, arriving or departing the district in ballast, or carrying cargo of any kind, based either on length of the vessel, its volume of registered tonnage, or its volume of cargo actually carried. The district may charge reasonable fees for any and all costs of regulation and services rendered in aid of interstate or foreign commerce or provided on a standby basis, such as fire and police protection, rescue services, and port communication systems for vessels, privately and publicly owned wharves, docks, warehouses, elevators, and all other facilities within the district, and

WHEREAS, Resolution No 21-95 authorize the Executive Director to seek partnership with the University of New Orleans to review and provide recommendations to the Port regarding the current PPHTD Tariff schedule and compare current and recommended schedule to the tariff schedule of all ports operation on the lower Mississippi River and all Ports operation on the Gulf Coast; and

WHEREAS, the Port recommends the tariff schedule be adjusted as a result of the comparison as follows:

A. Harbor Fee-
Self-powered Commercial Vessels and Ocean Barges:
Fee per vessel for Port Entry and Usage

16’ and under 100’ in length	\$ 11.04 per day
100’ and under 250’ in length	\$ 22.08 per day
250’ and under 500’ in length	\$ 66.30 per day
500’ and over in length	\$ 165.81 per day

Maximum Harbor Fees under Section A

Vessels 16' and under 100' in length

- a. for 30 days \$165.65
- b. for 90 days \$441.71
- c. for 180 days \$662.56
- d. for 365 days \$883.43

Vessels 100' and under 250' in length

- a. for 30 days \$331.97
- b. for 90 days \$885.27
- c. for 180 days \$1,327.91
- d. for 365 days \$1,770.54

Vessels 250' and under 500'

- a. for 30 days \$994.54
- b. for 90 days \$2,652.12
- c. for 180 days \$3,978.18
- d. for 365 days \$5,304.23

Vessels 500' and over

- a. for 30 days \$2,487.17
- b. for 90 days \$6,632.45
- c. for 180 days \$9,948.67
- d. for 365 days \$13,264.89

Administrative overhead cost

Minimum charge of no less than \$11.04 per vessel per month, or \$11.04 per entire tow per month, or \$11.04 per facility per month, for all fees set forth in Subrule 135 Section A, B, C, and D inclusively).

Supplemental Harbor Fees

B. Ocean Vessels

- Non-liquid \$0.0551 per ton
- Liquid \$0.0109 per barrel

C. Inland vessels & Barges

- Non-liquid \$0.01623 per ton
- Liquid \$0.0109 per ton

D. Facilities

- Non-liquid \$0.01623 per ton
- Liquid \$0.0028 per barrel

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

Plaquemines Parish Port, Harbor & Terminal District amends the Plaquemines Port, Harbor & Terminal District Terminal Tariff #1 Rates, Charges, Rules & Regulations: Rule 34, Subrule 135 Sections A, B, B(1), C, C(1), D, D(1).

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 Cognevich 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, Stuart J. Guey, Patricia 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 27th day of April, 2023.

Agenda 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" was deferred.

ORDINANCE NO. 23-46

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

An Ordinance to create the unclassified position of Legal Assistant to the Port Executive Counsel and amend the Plaquemines Port, Harbor and Terminal District Manpower Structure, and otherwise provide with respect thereto.

DIGEST: With the volume and growth of the economic development of the Port with lease and contract creation and development, it has become necessary to create the position of Legal Assistant to assist the Executive Counsel /Deputy Director with any and all Port legal documentation processing. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Council as the sole governing authority of the District has determined that in order to carry out the purposes of advancing Port development in Plaquemines Parish it is necessary to create the position of Legal Assistant and to hire a full-time employee to fill that position; and

WHEREAS, the Plaquemines Parish Port, Harbor and Terminal District hereby request the Civil Service Commission to create the unclassified position of Legal Assistant to the Executive Counsel / Deputy Director and amend their Pay Plan and Classification Schedule to add the Classification of Legal Assistant; and

WHEREAS, the base yearly salary of the newly created position of the Legal Assistant, not including FICA Taxes, Retirement and group insurance is \$50,000 per year;

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

In accordance with Louisiana Revised Statute 34:1351 et seq, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port, Harbor & Terminal District does hereby request the Civil Service Commission to create the classified position of Legal Assistant whose job responsibilities may include, but not be limited to:

- Conduct legal research and gather pertinent legal information.
- Interpret laws, rulings, and regulations in legal documents.
- Compile, proofread and edit drafts of contracts, leases, licenses, policies, and other legal documents.
- Assist with case preparation including opening and closing arguments and aiding in court motions or pleadings.
- Daily record keeping with electronic and physical filing of legal documentation.
- Analyze and summarize documents.
- Assist with the administration and management of workflow.
- General legal administrative duties, including drafting legal correspondences.

SECTION 2

The Legal Assistant shall work directly for the Plaquemines Port, Harbor & Terminal District under the direct supervision of the Deputy Port Director subject to all Civil Service Rules and Regulations.

SECTION 3

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.

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

Commissioner McCarty 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, Stuart J. Guey, Patricia 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 27th day of April, 2023.

R E S O L U T I O N N O . 2 3 - 1 2 9

On motion of Commissioner Champagne, seconded by Commissioner McCarty, and on roll call, all members present and voting "YES", the following Resolution was adopted:

A Resolution authorizing the Plaquemines Port, Harbor and Terminal District ("Plaquemines Port") to dispose of surplus movable property. Specifically, electronic computer equipment in unusable condition and miscellaneous materials in accordance with Louisiana statutes governing the disposal of movable property owned by a political subdivision of the state; and otherwise, to provide with respect thereto.

Digest: The Plaquemines Port upgraded Port computers and equipment and must properly dispose of surplus equipment, not in working condition and properly decommissioned according to procedure. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS Louisiana R.S. 33:4711.1, provides those political subdivisions of the state-i.e., the Plaquemines Port Harbor Terminal District Parish is permitted to dispose of movable property via online auction and sale; and

WHEREAS, the Plaquemines Port recommends to dispose of the above property through service provider, GovDeals.com;

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 authorized to dispose of various electronic equipment in unusable condition.

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 Guey moved to Agenda Item 7, "New Business"; however, there were no matters to address.

On Motion of Commissioner Guey, seconded by Commissioner Schulz and on roll call, all members present voting "YES", the following Motion to Suspend the Rules was adopted:

A Motion to suspend the Rules to add an item for consideration at today's meeting, titled, "A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a Professional Services Agreement for Ferry Assessments, Improvements and Design with Infinity Engineering on an as needed basis per task orders as directed by the Plaquemines Port Harbor & Terminal District Executive Director; and otherwise to provide with respect thereto.

RESOLUTION NO. 23-130

On motion of Commissioner Guey, with a unanimous second, and on roll call, all members present and voting "YES", the following Resolution was adopted:

A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a Professional Services Agreement for Ferry Assessments, Improvements and Design with Infinity Engineering on an as needed basis per task orders as directed by the Plaquemines Port Harbor & Terminal District Executive Director; and otherwise to provide with respect thereto.

DIGEST: Plaquemines Port Harbor & Terminal District would like Infinity Engineering on an as needed basis per task order to conduct ferry improvements to include, ferry ramp assessments, ferry relocation analysis, provide recommendations for constructing a new ferry, as well as engage with DOTD. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Resolution 23-113 approved and authorized the Port to enter into a Professional Services Agreement with Infinity Engineering Consultants for Professional Port Engineering, Architectural & Construction Administrative Services; and

WHEREAS, it is the desire of the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor & Terminal District to utilize the expertise of Infinity Engineering Consultants to provide on an as needed basis per task order their recommendations for ferry improvements, ramp assessments, ferry relocation analysis and recommendations for constructing a new ferry vessel;

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 Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a Per Task Order Agreement for Ferry Improvements with Infinity Engineering.

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 Guey move to Agenda Item 8, "Approval of minutes". Without objection, so ordered.

RESOLUTION NO. 23-131

On motion of Commissioner Cognevich, seconded by Commissioner Schulz, 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 of the April 13, 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 Cognevich, with a unanimous second, and on roll call all members present voting "YES", the meeting adjourned at 4:05 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.