

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, June 22, 2023, at 3:03 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

ABSENT: Commissioner Stuart J. Guey, Chairman

Charles Tillotson and Christie Nielsen were present representing the Port.

The Prayer was said and the Pledge was recited.

Commissioner Champagne 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 is ready to work with the legislators in regard to the 2 Port bills recently passed;
- The Legislative Audit for Louisiana Ports have been completed;
- The Port continues working towards seeking funds up to \$50 million to redo the Point Celeste pumps.
- Venture Global is deploying two temporary pumps with 24" lines within the next week and, over the next year, Venture Global will be seeking additional pump capacity as a stop-gap measure;
- PPHTD will provide a redacted Executive Summary, Digest, and CEA amendment as soon as cleared by legal. Today's vote will accomplish completion of the permits and design, AKA, "Intellectual Property", replaces LA 23 from the role as Project Manager with Infinity Engineering, provides financial off-ramp if the Port needs to stop the project and contract verbiage change clarifying concession agreement terms. What is not included in the vote is a commitment to build the rail;
- After a comprehensive review of the PPHTD Ferry System, it is apparent that Plaquemines Parish requires two ferries to maintain its way of life and keep up with future growth. The three areas reviewed for this determination included public safety, community input, and economics. The evidence overwhelmingly revealed that the distance between Belle Chasse and Point-A-La-Hache ferry ramps strategically facilitates public transportation flow that supports health and safety, public access, and an alternate transportation route to Highway 23. This strategic benefit outweighs the 3.9-million-dollar operating loss reported in 2022. We learned that LA DOTD indefinitely condemned the Point-A-La-Hache west bank ferry ramp on January 25, 2023. This report initiated PPHTD's comprehensive review of the future of the ferry system to include the possibility of only running one ferry at the Belle Chasse location. PPHTD's recommendation to the Port Commission is based on receiving feedback from five town hall meetings over the past five months, reviewing the port growth needs for public transportation, and ensuring alternate transportation routes for emergencies.
- The Port has worked closely with the six other landowners to reach an amicable resolution. Our efforts were fair and just; however, unfortunately, the Port was unable to reach an agreement. Therefore, the Port must exercise its rights granted to it by the State and seek alternative legal methods to secure the parcels. This effort is part of a longtime port strategy to own the balance of the Point Celeste Farms area to continue the buildout of the Port for future expansion;
- A Market Analysis is underway with the Bridges Group;
- The 2022 PPHTD Audit is scheduled to be completed by June 30<sup>th</sup>;
- The Port received notification of DOTD's intent to raise LA 39 at Caernarvon Levee; and

- DOTD requires PPHTD to receive Council approval to seek sealed bids for the Water Booster Station 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 20" line at 80 PSI of water pressure. We are seeking the ability to keep the Port Sulphur Plant on-line online for additional pressure support.

Commissioners and the Port Administration then discussed the following:

- Commissioner McCarty expressed her concern about providing responsible transparency and the Parish protecting it's confidential information;
- Commissioner Cognevich inquired about LA23's name still being on permit and he was told by Mr. Tillotson the Port cannot stop any private company from filling permits. Commissioner Cognevich stated he was told by the CORPS, that LA23 would have to agree to the change; and
- Commission Edwards appreciated the fact that the Port is supporting the continuation of 2 ferry locations in the Parish and he told Mr. Tillotson he believes if Venture Global will require a certain amount of water, they need to give us the money it would cost to provide said amount.

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

### RESOLUTION NO. 23-182

On motion of Commissioner Schulz, seconded by Commissioner McCarty, 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 resolves itself into Executive Session at 3:49 p.m. for the Discussion of ongoing litigation under LRS 4217(A)(2): PPHTD vs. State of Louisiana, DOTD and Plenary Infrastructure Belle Chasse, LLC, Docket No. C-731886, Section 31, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby came out of Executive Session at 4:18 p.m. with no final or binding action taken.

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 Champagne moved to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following legislation was introduced:

1. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the "Port") to have the Port's Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a "taking", that certain land, owned by Nelvin J. Perrin, III, or their successor(s) in title, which property is commonly referred to as LOT 61, totaling 15.35 acres and with a legal description of LOT 61, POINTE CELESTE FARMS, PHASE II - 385' X 1,739.40' X 384.93' X 1,734.69', with the more formal legal description of said property attached hereto as Exhibit "A"; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
2. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the "Port") to have the Port's Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a "taking", that certain land, owned by Kyle A. Fleming., or their successor(s) in title, which property is commonly referred to as LOT 58A, totaling 7.51 acres and with a legal description of LOT 58A, POINT CELESTE FARM S/D - 190' FRONT ON HWY 23 X 1,720.01' X 189.97' X 1,724.91', with the more formal legal description of said property attached hereto as

Exhibit “A”; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

3. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Carl S. and Robin M. Woodall, or their successor(s) in title, which property is commonly referred to as LOT 54, totaling 14.43 acres and with a legal description of LOT 54, POINT CELESTE FARMS S/D, PH II - 369' ON R/DESC SIDE OF HWY 23 X 1,705.78' X 368.93' X 1,701.27'., with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
4. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Tuan Nguyen, or their successor(s) in title, which property is commonly referred to as LOTS 55 & 56, totaling 29.39 acres and with a legal description of LOT 55, POINT CELESTE FARMS S/D, PHASE II - 354' FRONT ON HWY 23 X 1,710.11' X 353.94' X 1,705.78' and LOT 56, POINTE CELESTE FARMS, PHASE II - 395' FRONT ON HWY 23 X 1,714.94' X 1,710.11' X 394.93', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
5. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Kevin M. and Melanie C. Horner, or their successor(s) in title, which property is commonly referred to as LOT 51, totaling 10.36 acres and with a legal description of LOT 51, POINTE CELESTE FARMS S/D #2 - 248' ON R/DESC R/W OF HWY 23 X 1,685.62'/1658.62' X 293.78', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
6. An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Norman C . Rouse., or their successor(s) in title, which property is commonly referred to as LOT 53, totaling 13.28 acres and with a legal description of FARM LOT 53, POINT CELESTE FARMS S/D, PH II - 340' FRONT ON R/DESC R/W OF HWY 23 X 1,701.27' X 339.94' X 1,697.11', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

Commissioner Champagne advanced to Agenda Item 6f.

#### RESOLUTION NO. 23-183

On motion of Commissioner Champagne, seconded by Commissioner Newsom, and on roll call, all members present and voting “YES”, except Commissioner LaFrance & Cognevich who voted “NO” and Commissioner Guey who was “ABSENT”, the following Resolution was adopted:

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.

Digest: To execute a mutually agreed upon amended contract agreement between Sustainability Partners and the Port as discussed in the recently proposed dismissal of the

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

WHEREAS, the Plaquemines Port, Harbor & Terminal District (the "Port") seeks to connect the eleven (11) mile rail line to the proposed Container Terminal site; and

WHEREAS, the Port recognizes intermodal connectivity is critical to the Business Development opportunities within the Port jurisdiction;

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 execute an agreement with Sustainability Partners to enhance intermodal connectivity within the Port Jurisdiction.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT & 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 Champagne moved to Agenda Item 6a, "Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Plaquemines Parish Charter". Without objection, so ordered.

#### ORDINANCE NO. 23-84

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 Husam Odeh; 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 59 currently owned by Husam Odeh. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

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

WHEREAS, the negotiations between Odeh and the Port recognize a total recommended purchase price of said property for \$270,000 for Lot 59, Pointe Celeste Farms S/D, currently owned by Odeh; and

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE 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 Husam Odeh, more fully described by the legal description attached hereto as Exhibit "A."

SECTION 2

The acquisition shall be for a purchase price of \$ 270,000 plus closing cost for the transfer of ownership of the land at Lot 59 Pointe Celeste Farms S/D, currently owned by Husam Odeh, 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.

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

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 22<sup>nd</sup> day of June, 2023.

RESOLUTION NO. 23-184

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

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.

DIGEST: Plaquemines Port Harbor & Terminal District would like Infinity Engineering on an as needed basis per Task Order No. 2 to provide project management service with respect to the Sustainability Partners (SP) contract, to be funded from the SP contract. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, it is the desire of the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor & Terminal District to implement the Port’s development objectives, specifically with regards to contracting for professional consulting services on an as needed basis per task orders as directed by the Executive Director, Charles Tillotson;

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 project management services 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.

RESOLUTION NO. 23-185

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

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.

*DIGEST:* Kyle & Associates is the engineer of record to assist the Port in upgrading the Alliance Water Booster Station. These upgrades will increase the current water pressure to accommodate for the growing industry needs. This project is being funded by DOTD through a Port Priority Grant program. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Port Harbor & Terminal District has need of certain professional services which benefits Port development; and

WHEREAS, the Plaquemines Port Harbor and Terminal District seeks to support construction of enhanced infrastructure that will support the residence, growing industrial services, as well as the surrounding communities within Plaquemines Parish;

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 professional services agreement with Kyle & Associates to perform project planning, scoping, engineering design, environmental, permitting, preparation of specifications and construction bid packages, and other related services for the upgrades to the Alliance Water Booster Station..

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.

RESOLUTION NO. 23 -186

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

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.

*DIGEST:* DOTD is contributing funds to the Alliance Booster Station project. To adhere to the guidelines, as set forth by DOTD, the Resolution is necessary for Kyle Associates, LLC to

proceed with advertising for competitive bids for upgrades to the Alliance Water Booster Station and Feed Lines, a port improvement project under the Port Construction and Development Priority Program. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Plaquemines Port Harbor and Terminal District has submitted an application for funding of the Alliance Water Booster Station and Feed Lines Upgrades port improvement project under the Port Construction and Development Priority Program; and

WHEREAS, Alliance Water Booster Station and Feed Lines Upgrades has been recommended to the Louisiana Joint Legislative Committee of Transportation, Highways, and Public Works by the Department of Transportation and Development for funding by the Port Construction and Development Priority Program; and

WHEREAS, no funds have been made available by the State for construction of the project and the Plaquemines Port Harbor and Terminal District has available local funds in an amount of not less than one hundred (100%) percent to insure construction of the project; and

WHEREAS, Plaquemines Port Harbor and Terminal District desires to utilize its own funds for the construction of this Project and to be reimbursed by the Port Construction and Development Priority Program once funding becomes available, in accordance with R.S. 34:3457; and

WHEREAS, at the request of this Plaquemines Port Harbor and Terminal District, Kyle Associates, L.L.C. has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. H.014966 (321); and

WHEREAS, this Plaquemines Port Harbor and Terminal District has reviewed the final plans, specifications and cost estimate and has submitted them to the Department of Transportation and Development. The Plaquemines Port Harbor and Terminal District will accept the final plans and specifications contingent on the Department of Transportation and Development's final approval inasmuch as they comply with the requirements of the Port Construction and Development Priority Program; and

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by this Plaquemines Port Harbor and Terminal District, and the titles thereto are valid and indefeasible; and

WHEREAS, this Plaquemines Port Harbor and Terminal District has obtained all necessary permits required for the construction of this project; and

WHEREAS, Plaquemines Port Harbor and Terminal District has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project; and

WHEREAS, the Official Journal for the Plaquemines Port Harbor and Terminal District is The Plaquemines Gazette, whose mailing address is P.O. Box 700 Belle Chasse, LA 70037, and whose telephone number is (504) 392-1619; and

WHEREAS, this Plaquemines Port Harbor and Terminal District desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the (Public Entity), and furnish engineering services during the progress of the work;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT in Regular session assembled on this 22<sup>nd</sup> day of June, 2023, that the Department of Transportation and Development be and hereby is requested to authorize the Plaquemines Port Harbor and Terminal District to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of Plaquemines Port Harbor and Terminal District, covering the aforesaid improvements.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Department of Transportation and Development be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by Plaquemines Port Harbor and Terminal District, and the titles thereto are valid and indefeasible and Plaquemines Port Harbor and Terminal District expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and Plaquemines Port Harbor and Terminal District does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Department of Transportation and Development be and hereby is assured that all required permits have been obtained by Plaquemines Port Harbor and 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 Department of Transportation and Development be and hereby is assured that Plaquemines Port Harbor and Terminal District has available its local matching funds in an amount not less than one hundred (100%) percent of the total project cost to insure construction of this project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Plaquemines Port Harbor and Terminal District will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Plaquemines Port Harbor and Terminal District does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by Activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation & Development, and pay any judgment which may result from said suit as it relates to this project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT & 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.

#### ORDINANCE NO. 23-85

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

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.

DIGEST: The purpose of this Ordinance to establish a deadline for the submission of changes and fill in the blanks for legislation already on the agenda and to define the differences between the two. Creating deadlines for the submission of these items would allow Commissioners ample time to review the changes and ask any questions concerning the new version of the legislation. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, in order to have ample time to properly prepare for Port meetings, it is the desire of this Council to establish deadlines for any altered version of legislation already on the agenda;



and

WHEREAS, there is also a need to define the differences between “changes” and “fill in the blanks” for legislation already on the agenda;

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

Chapter III, “MEMBERS OF PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PARISH PORT, HARBOR AND TERMINAL DISTRICT; CONDUCT OF BUSINESS” Rule 17e is hereby created as follows:

“17(e):

- (1) Items for executive session and new business shall be submitted in writing to the council secretary's office by the close of business on the Monday prior to the council meeting.
- (2) All changes and items that require fill in the blanks for legislation already on the agenda shall be submitted to the Council Secretary's Office and to the Council Member who sponsored the legislation by noon on the Monday prior to the meeting. The Council Secretary's office shall then submit all changes and fill in the blanks to the Commissioners by the end of day on the Monday prior to the meeting.
  - a. Definitions:
    - CHANGES shall be defined as a small, limited number of changes to a piece of legislation which does not substantially change the introduced legislation which is currently on the agenda.
    - FILL IN BLANKS are defined as only filling in information which was left blank in the legislation upon introduction. Examples are dates, names and funding amounts.”

#### 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 Schulz 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 Cognevich

NAYS: None

ABSENT: Commissioner Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of June, 2023.

Commissioner Champagne moved to Agenda Item 7, “New Business”; however, there were no matters to address.

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

RESOLUTION NO. 23-187

On motion of Commissioner LaFrance, 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 AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby approves the minutes of the June 8, 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 Newsom, and on roll call all members present voting "YES", except Commissioner Guey who was "ABSENT", the meeting adjourned at 5:00 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](http://www.plaqueminesparish.com) or on YouTube.

