

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 27, 2024, at 3:54 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Council Secretary

ABSENT: Commissioner Mark Cognevich

Charles Tillotson, Jalen Brown and Angelina Vicknair were present representing the Port.

The following items were deferred:

- 6b, “A Resolution certifying that the Plaquemines Port Harbor & Terminal complied with public bid laws in regards to the Alliance Water Booster Station and Feed Lines project; and otherwise to provide with respect thereto”;
- 6c, “RESOLUTION CERTIFYING COMPLIANCE WITH THE PUBLIC BID LAWS”;
- 6d, “A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a construction contract with _____ to provide upgrades to the Alliance Water Booster Station and Feed Lines as outlined in Phase I of the project; and otherwise to provide with respect thereto.
- 6e, “RESOLUTION – AWARD PROJECT”;
- 6f, “A Resolution authorizing the execution of a Master Goods and Services Agreement (MSGA) and Riders to proceed with Phase 3 and Phase 4 of the 11-mile Rail Extension Project and funding the additional cost for the project; and otherwise to provide with respect thereto”; and
- 6k, “A Resolution authorizing the Executive Director of the Plaquemines Port, Harbor, & Terminal District to introduce and implement the Master Plan as a foundation for the strategic planning to secure the Port’s competitive edge and operational excellence; and otherwise to provide with respect thereto”.

There being no matters to address under “Bids and Advertisements”, Commissioner Champagne moved to Agenda Item 3, “Status Report by the Executive Port Director”. Without objection, so ordered.

- Good afternoon, honored Commissioners. It's my pleasure to provide an update on the Port's key priorities, starting with our international gateway in the Gulf of Mexico;
- Regarding financials, including the 2023 Audit, we submitted our response to the findings to the Auditor yesterday and anticipate completing an interview tomorrow. You received the June Financials earlier, and I welcome any questions you might have. Post-audit completion, some adjustments will be included in the final numbers, which we will forward in July. We are aiming for a mid-year Budget to Actual review in August;
- We've hit substantial milestones with the container terminal. The Port has been awarded a RAISE Grant from the U.S. Department of Transportation amounting to \$7,363,098 for engineering the Peters Road/Walker Road Vehicle Bridge. This grant also allocates about \$677,000 for project administrative fees. A coordination meeting is set for July 18 with the Parish, Representative Braud, and David Vitter;
- Today, we are casting votes to ratify the first two Purchase Sale Agreements for Piano Key II. Progress on the Peters Road Rail Bypass includes Union Pacific nearing completion of a 3rd Party contract, pending a site visit. Mayor Constant is ready to advance talks with Union Pacific and its consultant. Meanwhile, CSRS, representing Gretna, has begun collecting survey data;

- Additionally, the Commission will vote on initiating phases 3 and 4 of the Sustainability Partners 11-Mile Extension Rider Agreements, which include an increase in costs for intellectual property rights. This final agreement between SP, the Port, and Infinity Engineering completes the last steps in the ownership of Intellectual Property. The increase in the SP intellectual property cost is attributable to a 16% rise due to contractor turnover, inflationary pressure, and mobilization expenses. Initially pegged at \$8 million in 2021, the intellectual property cost—which encompasses the engineering, design, and permitting of the rail extension—has escalated to \$9.2 million in 2024. Funded by Sustainability Partners under the concession agreement, the project should conclude within a year. With the 11-mile rail extension serving as a critical benchmark, it is imperative that we finalize the intellectual property by next summer;
- I'm also pleased to report that the Master Plan and Executive Summary, along with the Critical Infrastructure Plan, have been finalized. Each Commissioner has digital access to these documents and the Market Study. Finalizing this plan, which will anchor our strategic planning and growth, is a significant achievement. These documents embody our shared vision for the Port and will be pivotal in guiding our decisions going forward;
- As we navigate today's competitive environment, establishing global brand recognition and advancing the Port's branding initiatives are essential. Capitalizing on its prime location and rebranding itself as a formidable economic force, the Port is well-positioned to bolster its international profile, thereby fostering regional recognition and prosperity;
- This week's progress for contracts and agreements includes:
 - The Palmer Agency Rebranding Agreement was signed.
 - The Five-Deep-Water Ports Joint Market Study contract was signed.
 - The Venture Global Lease for an additional 584 acres was completed.
 - By tomorrow, Deep South is expected to sign the PALH Ferry emergency repair contract, accompanied by a notice to proceed.
 - In July, the RTA Board Meeting will likely approve the RTA Bareboat Charter for Belle Chasse II. However, the vessel may not see use as their own ship is set to return by month-end.

Please be reminded that the mandatory drydocking of MV Plaquemines Pride is scheduled for September and is anticipated to last six to eight weeks. Thank you for your attention, and I look forward to addressing any questions you may have.

There was no “Financial Report/Budget to Actual” nor any “Bids and Advertisements; therefore, Commissioner Champagne moved to Agenda Item 5, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following was introduced:

1. An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District (“Port”) to assume the Lease between the Plaquemines Parish Government (“PPG”) and Plaquemines Land Ventures, LLC; 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 David Roshto; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
3. An Ordinance authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor and Terminal District, to enter into an agreement with T. Baker Smith, LLC for biological, cultural, and survey assessments of Parcel 1 (Tract DR-2A) located in Plaquemines Parish and to amend the 2024 Plaquemines Port, Harbor & Terminal District Operating Expenditure Budget, General Operations Division; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

Commissioner Champagne moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final Passage. Without objection, so ordered.

ORDINANCE NO. 24-120

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 Raynold P. Thompson and Maja F. Thompson; and otherwise to provide with respect thereto.

DIGEST: The Port is seeking to purchase parcels located in the “Piano Keys II” for Port development. The Port is seeking approval to move forward with the purchase of Lots 33 & 34 currently owned by Raynold P. Thompson and Maja F. Thompson. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, through negotiations with Thompson, a recommendation is being made to approve the acquisition of property owned by Thompson, known as one of the “Piano Keys II”; and

WHEREAS, the negotiations between Thompson and the Port recognize a total recommended purchase price of said property for \$1,140,000 for Lots 33 & 34, Pointe Celeste Farms S/D, currently owned by Thompson;

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

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

SECTION 2

The acquisition shall be for a purchase price of \$1,140,000 plus closing cost from the Port Land Fund for the transfer of ownership of the land at Lots 33 & 34, Pointe Celeste Farms S/D, currently owned by Raynold P. Thompson and Maja F. Thompson, 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 Guey seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.

ORDINANCE NO. 24-121

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 Danny K. Fisher and Linda R. Fisher; and otherwise to provide with respect thereto.

DIGEST: The Port is seeking to purchase a parcel located in the “Piano Keys II” for Port development. The Port is seeking approval to move forward with the purchase of Lot 47, currently owned by Danny K. Fisher and Linda R. Fisher. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, through negotiations with Fisher, a recommendation is being made to approve the acquisition of property owned by Fisher, known as one of the “Piano Keys II”; and

WHEREAS, the negotiations between Fisher and the Port recognize a total recommended purchase price of said property for \$630,000 for Lot 47, Pointe Celeste Farms S/D, currently owned by Fisher;

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

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

SECTION 2

The acquisition shall be for a purchase price of \$630,000 plus closing cost from the Port Land Fund for the transfer of ownership of the land at Lot 47, Pointe Celeste Farms S/D, currently owned by Danny K. Fisher and Linda R. Fisher, 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 McCarty seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.

ORDINANCE NO. 24-122

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

An Ordinance to amend the 2024 Plaquemines Port, Harbor & Terminal District Operating Expenditure Budget, Land Acquisition Division; and otherwise to provide with respect thereto.

DIGEST: An ordinance to appropriate \$2,000,000 to the Land Acquisition Division for the purchase of additional parcels of land in 2024. The current 2024 Plaquemines Port, Harbor & Terminal District expenditure budget for land acquisition will be underbudgeted if the purchase of additional land is authorized. The funding source for this appropriation is the Port, Harbor & Terminal District Land Fund Balance. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, an amendment to the 2024 Port, Harbor & Terminal District; Land Acquisition Division is requested;

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

The 2024 Port, Harbor and Terminal District, Operating Expenditure Budget, Land Acquisition Division, is amended by appropriating \$2,000,000 from the Port, Harbor & Terminal District Land Fund Balance as follows:

Fund: 445 Port, Harbor & Terminal			
Dept/Div: 490-2468 Land Acquisition Division			
Object	Description	Inc/ Dec	Amendment
568.110	Property-Acq-Land	Inc	2,000,000

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 McCarty seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.

RESOLUTION NO. 24-208

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

A Resolution authorizing the Executive Director of the Plaquemines Port, Harbor, & Terminal District to extend the current agreement for Professional Service with Dwyer, Cambre, and Suffern to assist the Port with land acquisitions and provide legal services; and otherwise to provide with respect thereto.

Digest: The Port wishes to extend the Professional Service agreement with Dwyer, Cambre, and Suffern to assist the Port with land acquisitions and provide legal services for six months ending December 31, 2024. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Resolution No. 23-12 authorized the Port Executive Director to enter into a contract for Professional Services with Dwyer, Cambre & Suffern to provide legal counsel and services for one year, ending December 31, 2023; and

WHEREAS, Resolution 24-25 granted the Port approval to extend the contract for six (6) additional months ending June 30, 2024; and

WHEREAS, the Port seeks approval to extend the legal contract an additional six (6) months ending December 31, 2024; and

WHEREAS, upon completion of the contract term ending December 31, 2024, both parties will have the option to consider two distinct one-year contract extensions;

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 of the Port, Charles Tillotson, to enter into a one-year Professional Services Agreement with Dwyer, Cambre, & Suffern.

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.

ORDINANCE NO. 24-123

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

An Ordinance authorizing Executive Director, Charles D. Tillotson, of the Plaquemines Port, Harbor & Terminal District to enter into a six-month professional services contract with GLO Resources to assist in staffing maritime positions including but not limited to Ferry Captains as deemed necessary by the Port, both parties will have the option to consider one six-month contract extension; and otherwise to provide with respect thereto.

Digest: The Port wishes to enter into a 12- six-month professional services contract with GLO Resources to assist in supplying personnel to fill including but not limited to Ferry Captain positions for the effective operation of the ferries by the Port. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS the Plaquemines Parish Council ("Council"), as the sole governing authority of the Plaquemines Port, Harbor and Terminal District (the "Port"), wishes to request that authority be given to enter into a professional services agreement with GLO Resources to assist

supplying personnel to fill Ferry Captain openings for the Port; and

WHEREAS, GLO Resources under this agreement shall be responsible for overseeing and managing all aspects of the contract employee, including but not limited:

- Recruit, screen, interview, hire, and assign its employees to perform the job functions of specified positions;
- Pay Assigned Employees' wages and benefits that GLO offers;
- Pay, withhold, and transmit payroll taxes; provide unemployment insurance and workers' compensation benefits and handle unemployment and workers' compensation claims involving Assigned Employees;
- Provide and outfit each Assigned Employee with all initially required personal protective equipment;
- Onboard each Assigned Employee by conducting all necessary and appropriate drug screening, i9 verification, and other screening that are specific to a particular job requirement;

WHEREAS, the original contract with GLO was established through Ordinance 24-25 for a duration of 6 months; and

WHEREAS, the Port has determined that additional time is necessary to complete the projects services outlined in the original agreement with GLO; and

WHEREAS, GLO has provided valuable services that are essential to the ongoing operation of the Ferry; and

WHEREAS, it is in the best interest of the optimal functioning of the Ferry to extend the contract;

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

It hereby authorizes the Executive Director of the Port, Charles Tillotson, to extend the Professional Services Agreement with GLO Resources to assist in staffing maritime positions including but not limited to Ferry Captains as deemed necessary by the Port pursuant to the contract terms in Exhibit A.

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 Newsom seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.
Commissioner Champagne offered 9j with changes.

ORDINANCE NO. 24-124

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

An Ordinance authorizing Executive Director, Charles D. Tillotson, of the Plaquemines Port, Harbor & Terminal District to enter into a twelve-month Professional Services Agreement with Rockwood Steel to provide grant administration services; and otherwise to provide with respect thereto.

Digest: The Port wishes to enter into a 12- six-month Professional Services Agreement with Rockwood Steel to assist in acquiring grant funds to support the Port's infrastructure growth and development projects. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS the Plaquemines Parish Council ("Council"), as the sole governing authority of the Plaquemines Port, Harbor and Terminal District (the "Port), wishes to request that authority be given to enter into a Professional Services Agreement with Rockwood Steel to provide grant administration services; and

WHEREAS, the Port previously established a Professional Services Agreement with Rockwood Steel which expired on March 22, 2024; and

WHEREAS, the previous contract established through Ordinance 23-31 appropriated \$30,000 to pay fees to Rockwood Steel as the grant work was done; and

WHEREAS, the services provided by Rockwood Steel under this agreement have been integral to the Port's successful acquisition of extensive grant funding, resulting in the awarding of millions of dollars in grant funds; and

WHEREAS, the Port has been operating on a month-to-month basis with Rockwood Steel since the expiration of the original Professional Services Agreement on March 22, 2024; and

WHEREAS, the Port recognizes the necessity of continuing these services to sustain and further the progress made in acquiring grant funding; and

WHEREAS, it is in the best interest of the Port to extend the contract with Rockwood Steel for an additional 12 months and to appropriate \$100,000 for fees to ensure the continuity and efficiency of seeking grant funding;

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 Professional Services Agreement with Rockwood Steel expired on March 22, 2024, is hereby extended for an additional 12 months.

SECTION 2

The Port is appropriating \$100,000 for fees payable to Rockwood Steel as the grant administration work is done.

SECTION 3

The Executive Director of the Port, Charles Tillotson, is authorized to execute all necessary documents and agreements to effectuate this extension, ensuring the continuation of services provided by Rockwood Steel.

SECTION 4

The extension is based on the significant accomplishments and contributions of Rockwood Steel related to the Port being awarded substantial grant funding.

SECTION 5

It hereby authorizes the Executive Director of the Port, Charles Tillotson, to extend the Professional Services Agreement of Rockwood Steel for 12 months and appropriate \$100,000 for fees related to grant administration services.

SECTION 6

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 McCarty seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.

ORDINANCE NO. 24-125

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

An Ordinance to amend the Five-Year Capital Improvements Plan, CORP of Engineers-Baptiste Collette Deepening Design Project; and otherwise to provide with respect thereto.

DIGEST: An ordinance to amend the 2024 Five-Year Capital Improvements Plan to fund the CORP of Engineers-Baptiste Collette Deepening Design Project in the amount of \$300,000 from the 2024 Port, Harbor and Terminal District Unrestricted Fund Balance. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Resolution 22-68 authorized the Executive Director to enter into a design agreement with the U.S. Army Corps of Engineers New Orleans District for the design of the Baptiste Collette Bayou Navigation Channel Deepening Project; and

WHEREAS, the design agreement between the Corp of Engineers and Plaquemines Port, Harbor and Terminal District for the design for the Baptiste Collette Bayou Deepening was entered into on September 1, 2022; and

WHEREAS, the design costs projected in the agreement totaled \$1,200,000 with the CORPS share projected at \$900,000 and the Port's share at \$300,000; and

WHEREAS, the CORPS has completed approximately 60% of this project (design) as stated in the agreement and is requiring the Port to pay its share of project before additional work is completed; and,

WHEREAS, amending the Plaquemines Port, Harbor, and Terminal District 2024 Five-Year Capital Improvements Plan by appropriating \$300,000 to the CORP of Engineers-Baptiste Collette Deepening Design Project is requested;

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 Five-Year Capital Improvements plan is amended by appropriating \$300,000 to the CORP of Engineers-Baptiste Collette Deepening Design Project from the Plaquemines Port, Harbor and Terminal District, Unrestricted Fund Balance; funding year 2024.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port officials and employees 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 Jurisich seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance and Mitch Jurisich

NAYS: None

ABSENT: Commissioner Mark Cognevich

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of June, 2024.

RESOLUTION NO. 24-209

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

A Resolution authorizing Executive Director, Charles D. Tillotson, of the Plaquemines Port, Harbor & Terminal District to move forward with continuing legal efforts in securing the property owned by Tuan Nguyen; and otherwise with respect thereto

DIGEST: The Port filed suit in the expropriation of property owned by Mr. Tuan Nguyen. The trial court ruled in favor of Mr. Nguyen. The Port now seeks to move forward with an appeal. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Port has determined that there is a need and opportunity, and it will be in the public interest, to expand its current holdings of immovable property in Plaquemines Parish for the purpose of facilitating and expanding development. This expropriation, therefore, is in alignment with the Port's mission of growing its economic capabilities and thus will benefit the public interest by continuing to build a foundation of Plaquemines Parish's economic recovery and growth through revenues and jobs being brought into the community; and

WHEREAS, this matter was heard before the Court on May 14, 2024, on Mr. Nguyen's Motion to Dismiss, filed on April 1, 2024; and

WHEREAS, the Court granted Mr. Nguyen's Motion to Dismiss, based on no cause of action; and

WHEREAS, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port Harbor, and Terminal District seeks to authorize and direct Plaquemines Port, Harbor and Terminal District, through Charles Tillotson, Executive Director to have its legal counsel file the appropriate appeal 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", the Property, more fully described in attached Exhibit "A", and which is currently owned by Tuan Nguyen, or their successor(s) in title 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 Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby declares, as required by law, that the taking of said Property is both necessary and useful for the purposes for which the Port was created, namely, but not necessarily limited to the following public purposes: (1) in order to induce and encourage economic expansion within the Port's District, which is co-extensive with the boundary lines of Plaquemines Parish, and which would have a positive economic impact upon the Port, Plaquemines Parish, and thereby the State of Louisiana; (2) to facilitate the operation of 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 Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the "Port") to have the Port's legal counsel file an appeal following the Judgment ruling from the 25th Judicial District Court, 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 property (the "Property"), owned Tuan Nguyen, or their successor(s) in title, which Property is commonly referred to as LOTS 55 & 56, totaling 29.39 acres, as further described on the legal description of said Property attached hereto as Exhibit "A",

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 Champagne moved to Agenda Item 7, "New Business". Without objection, so ordered.

Commissioner Champagne offered a Motion to Suspend the Rules to add an item to the agenda for consideration at today's meeting, titled "A Resolution to declare Friday, July 5, 2024, as an approved Holiday for Plaquemines Port, Harbor & Terminal District Employees; and otherwise to provide with respect thereto". The motion was seconded by Commissioner Schulz and on roll call, all members present voting "YES", except Commissioner Cognevich who was "ABSENT", the Motion passed by a vote of 8-0.

RESOLUTION NO. 24-210

On motion of Commissioner Champagne, with a unanimous second and on roll call all members present and voting “YES”, except Commissioner Cognevich who was “ABSENT”, the following Resolution was adopted:

A Resolution to declare Friday, July 5, 2024, as an approved Holiday for Plaquemines Port, Harbor & Terminal District Employees; and otherwise to provide with respect thereto.

WHEREAS, Governor Landry has declared July 5th as a State Holiday, and it is the sense of this Council that it grants its employees July 5th as a Holiday;

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 declares Friday, July 5, 2024, as a one time approved Holiday for Plaquemines Port, Harbor & Terminal District Employees.

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.

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

RESOLUTION NO. 24-211

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the June 13, 2024, regular Port, Harbor & Terminal District 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 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 Jurisich, seconded by Commissioner LaFrance, and on roll call all members present voting “YES”, except Commissioners Edwards and Schulz who voted “NO” and Cognevich who was “ABSENT”, the meeting adjourned at 4:40 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.