

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, September 26, 2024, at 5:27 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  
Commissioner Mark Cognevich

Crystal Flood, Council Assistant Secretary

ABSENT:

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

The following items were deferred:

- 6c, “An Ordinance to amend and as amended readopt Ordinance 23-100, adopted on July 27, 2023, by the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, authorizing Port Executive Director Charles D. Tillotson to enter into a Cooperative Endeavor Agreement (CEA) by and between the Plaquemines Port, Harbor and Terminal District and Plaquemines Parish Government for shared resources and services; 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. Mr. Tillotson presented a Power Point Presentation for his discussion.

Hurricane Francine

- Ferries-need essential crew
- Generator had challenges/ needs emergency bypass switch
- Rescue Boats
- Communication/ Need to know what channel everyone is on
- Cameras/ to keep an eye on the Ferry Landings

2024 Budget Adjustments

- Data to be provided the day before the meetings
- Biweekly Report
- Very Successful with Grants

Port Ferry Projects (\$49.7 M Grant Funding Available)

- PALH Ferry Landing Emergency Repair \$4.8 M
  - Deep South 8/29 at Harvey Meeting
  - WB Barge moved to Harvey Canal
  - Rip Rap delivery pending
  - Town Hall Meeting 9/17 EB
  - Target completion 1/25
- PALH Landing Replacement \$18.6 M Grant
  - DOTD Negotiating design contract
  - Port direct recipient FTA grant
  - Discussing CMAR with DOTD
  - Target completion 12/28

#### Port Ferry Projects

- New Build Ferry (Diesel Electric)/ cut fuel by 70%
- Awarded DOTD Design Contract
- Plaquemines Pride/ out for at least 6 months
- Running 2 Ferries Peak Time

#### Peters/Walker Road Vehicle Bridge \$7.4 M Grant

- Port recipient \$7.4 M grant
- Fund obligation 10/24 target
- Combined Road/Rail Alignment
- Stakeholder Capital Outlay 10/1
- Groundbreaking target 3Q 2026
- Completion target 4Q 2027

#### Container Terminal Milestones

- SP early termination
- 11-mile extension to continue
- Container Port land purchases
- Deepwater Port Market Study

#### Venture Global

- Maiden Voyage MV Qogir
- Project Update
- Future Vessel Plans

#### Human Resources

- Hired Director of Projects
- Civil Service Special Entry Rates Approved; November Vote to Create Permanent Increase
- Interviewing Executive Counsel - Port Assistant Manager
- Employment Advertising:
- Chief Financial Officer
- Executive Director Contract Discussions underway

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. A Resolution adopting the new Civil Service Employee Handbook for the Plaquemines Port Harbor & Terminal District’s Policies and Procedures; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
2. A Resolution authorizing the Plaquemines Port, Harbor & Terminal District, in accordance with the Louisiana Department of Transportation and Development, to advertise for the construction for Phase II of the Alliance Booster Station: Feedline Extension; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
3. RESOLUTION REQUESTING AUTHORITY TO ADVERTISE with Contingency Port responsible for engineering COMMISSIONER CHAMPAGNE
4. An Ordinance authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor and Terminal District, to enter into an agreement with IEM to enhance the Port’s Security Plan; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
5. A Resolution authorizing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor and Terminal District, to issue Task Order No. 6.1 for Lanier & Associates to provide property boundary and topographic surveys for the Popich building; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE

6. A Resolution approving and authorizing Charles D. Tillotson, Port Executive Director, to enter into a master services agreement with Kyle Associates, LLC for the Pointe a la Hache Access Road project and other services on a task order basis, and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
7. A Resolution adopting the updates and additions to the Operating Policies and Procedures for Plaquemines Port Harbor & Terminal District (the Port); and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
8. A Resolution to authorize Administrators be listed on all Port bank accounts and credit cards; and otherwise to provide with respect thereto. COMMISSIONER CHAMPAGNE
9. A Resolution authorizing the Executive Director of the Plaquemines Port Harbor & Terminal District to advertise a Request for Proposals for Grass Cutting Services for the Port and adjacent properties; 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. 24-189

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

An Ordinance authorizing Plaquemines Port, Harbor and Terminal District to enter into a lease agreement with Bridgette DeChristopher, owner of Bridgette's Barber Shop for a certain portion of the Popich Building South Parking Lot located at 8056 Highway 23 Belle Chasse, LA; and otherwise with respect thereto.

DIGEST: Plaquemines Parish Government currently has a lease with Bridgette's Barber Shop for the usage of the South Parking area at the Popich Building used for customer parking. This Lease will need to transfer to the Port. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Port, Harbor and Terminal District purchased the Popich Building from Plaquemines Parish Government; and

WHEREAS, the Parish Government currently has a lease agreement with Bridgette's Barber Shop to lease the South Parking Area at the Popich Building;

NOW, THEREFORE:

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

SECTION 1

Plaquemines Port, Harbor and Terminal District is hereby authorized to enter into a lease agreement with Bridgette's Barber Shop for the usage of the South Parking area of the Popich Building located at 8056 Highway 23 Belle Chasse, LA.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Commissioner McCarty 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, Stuart J. Guey, Patricia L. McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT:

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of September, 2024.

Commissioner Champagne moved to agenda item 7, “New Business, Introductions of Resolutions wherein suspension is being sought.”

Under Agenda Item 7a(1) & 7a(2), Commissioner Champagne offered A Motion to Suspend the Rules to add “A Resolution amend and is amended Resolution 23-314, that approved the Insurance for the Plaquemines Port Harbor & Terminal District for all departments; Port Assets for 2024; and otherwise to provide with respect thereto.”; A Resolution of the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, authorizing and directing special counsel Dannie P. Garrett, III to seek rehearing of the opinion of the First Circuit Court of Appeals, in the matter of Plaquemines Port, Harbor, and Terminal District versus State of Louisiana, DOTD, and Plenary, Docket No. 2024 CA 0099; and otherwise to provide with respect thereto.” to today’s agenda for consideration. The Motion was seconded by Commissioner Schulz and on roll call all members present and voting “YES”, the motion was adopted by a vote of 9-0.

RESOLUTION NO. 24-287

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 amend and is amended Resolution 23-314, that approved the Insurance for the Plaquemines Port Harbor & Terminal District for all departments; Port Assets for 2024; and otherwise to provide with respect thereto.

DIGEST: The Port purchased the Popich building from Plaquemines Parish Government. The insurance for this building was not included in our original insurance quotes and needs to be added to our policy. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the best quotes were received and reviewed for the Port’s insurance needs and it is the recommendation of the Executive Director of the Port that the Council authorize the acceptance of the insurance coverage for the Popich Building;

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 acceptance of the quote of: Lloyd’s Underwriters for Commercial Property insurance at a cost of \$23,968.71, and LA Citizens Property Insurance Corporation at a cost of \$36,779.00.

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, he purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 24-288

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

A Resolution of the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, authorizing and directing special counsel Dannie P. Garrett, III to seek rehearing of the opinion of the First Circuit Court of Appeals, in the matter of Plaquemines Port, Harbor, and Terminal District versus State of Louisiana, DOTD, and Plenary, Docket No. 2024 CA 0099; and otherwise to provide with respect thereto.

*DIGEST:* To direct special counsel to seek rehearing from the ruling of the Court of Appeals on the Belle Chasse Bridge Project litigation. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Council, serving as the sole governing authority of the Plaquemines Port, Harbor and Terminal District (PPHTD) authorized litigation challenging the validity of the contract between the State of Louisiana, DOTD, and Plenary, under which Plenary would construct a new Belle Chasse Bridge, decommission the existing bridge and tunnel, operate and administer a tolling system on the bridge, and maintain the bridge during the term of the tolling; and

WHEREAS, that cause of action was filed on May 10, 2023 as: Plaquemines Port, Harbor, and Terminal District versus State of Louisiana, DOTD, and Plenary Infrastructure Belle Chasse, LLC, Docket No, 731886, Section 31, 19<sup>th</sup> Judicial District Court, Parish of East Baton Rouge, State of Louisiana; and

WHEREAS, Defendants filed various exceptions, including a Peremptory Exception of Prescription in the matter; and

WHEREAS, the Trial Court held a hearing on October 11, 2023 at which time the Peremptory Exception of Prescription was sustained, dismissing the cause of action with prejudice, and the Defendants withdrew all other pending exceptions, including the DOTD Exception of Mootness; and

WHEREAS, the PPHTD appealed the Trial Court Ruling to the First Circuit Court of Appeals; and

WHEREAS, on September 20, 2024 the First Circuit Court of Appeals issued a ruling in which it held that the cause of action was moot, citing that the construction of the new bridge was almost completed, but did not rule on any of the issue of prescription, which was the subject of the Trial Court ruling being appealed; and

WHEREAS, there lies the potential to request the First Circuit Court of Appeals to consider rehearing this matter on the grounds that the issue of mootness was withdrawn by DOTD at the Trial Court, thus there was no argument or evidence taken thereon, nor was the issue briefed by either party; and

WHEREAS, the deadline to seek a rehearing is 14 days for notice of the Court of Appeal Ruling, which is October 4, 2024, which makes this Resolution time sensitive;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY FOR THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT, Special counsel Dannie P. Garrett, III is hereby authorized and directed to seek a rehearing of the matter of Plaquemines Port, Harbor, and Terminal District versus State of Louisiana, DOTD, and Plenary, Docket No. 2024 CA 0099, First Circuit Court of Appeals, State of Louisiana.

BE IT 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. 24-289

On motion of Commissioner LaFrance, seconded by Commissioner Newsom and on roll call all were 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 August 22, 2024, regular Port, Harbor & Terminal District 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 of Commissioner Schulz, seconded by Commissioner Newsom, and on roll call all members present voting "YES", except Commissioners Edwards who "ABSTAINED" and Commissioner Schulz who voted "NO", the meeting adjourned at 6:09 p.m.

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Chairman

Crystal Flood  
Asst. 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.