

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 Courthouse Council Chambers, 18055 Highway 15, Pointe Louisiana on Thursday, February 25, 2021, at 3:00 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

ABSENT: Commissioner Stuart J. Guey

Sandy Sanders, Paul Matthews, Christie Nielsen and Chambrel Riley Williams were present to represent the Port.

The Prayer was said and the Pledge was recited.

Agenda Item 6d, “ A Resolution affirming support for continued efforts towards construction of a container terminal within the jurisdiction of the Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto” was deferred.

There being no items for Executive Session, Commissioner Blink moved to Agenda Item 3, “Status Report by the Executive Port Director. Without objection, so ordered. The following was reported by Sandy Sanders:

- Port Staff met with David Vitter, President Lepine and John Helmers regarding the Pointe Celeste Pump station and the dire need of replacement of the 4 pumps, all the housing and arterial support. The estimated cost is approximately \$20 million. It is the primary source of drainage on the Citrus Lands property and is a must have for future Port development;
- A suspension will be made today to apply to the Louisiana Port Construction and Development Priority program for assistance State funds purpose of constructing a booster station near the Alliance Refinery which is needed by Venture Global. The total cost can be anywhere from \$4-5 million. The Port is also seeking Capital Outlay funds for this project; and
- Paul Matthews has been named Chairman of the GNO, Inc Next Generation.

Commissioners raised the following questions and made the following comments:

- Commissioner Cognevich stated that at an Audit Committee meeting held two weeks ago, the Port Audit Follow Up Report was discussed. When questioned about the Port’s compliance with the Internal Auditor’s recommendations, Mr. Duke stated that it did not look like they were following any of his recommendations. Chambrel Riley Williams, responded that she had communicated with the Auditor and had not received feedback regarding the Follow Up Report so she was not aware of any issues. She further stated that there were issues with some contracts that were no longer in effect; therefore, the recommendations were not an issue any longer. Mrs. Williams said that he can contact her to investigate any issues;
- Commissioner Rousselle said that they can all agree that the Pointe Celeste Pump Station is needed and asked if the Port had a plan of action regarding this project. Sanders responded that he has spoken with David Vitter and the Lt. Governor regarding the need for Capital Outlay funding. Commissioner Rousselle asked if the Port is taking on these infrastructure items and if the Port owns the Pump Station and the Booster Station will they maintain and operate it lessening the burden on the Parish? The reply by Sanders was yes, if the Port owns it then they will maintain it;
- Commissioner LaFrance asked for the status of the graveyard on the PLT property and was told by Mr. Sanders that Tallgrass has not completed their environmental study with it. Sanders further stated that they spoke with Tallgrass about getting an ambassador from the Ironton area to be part of this process. Commissioner LaFrance suggested inviting Rev. Johnson and Rev. Brooks, who are ancestors of some of the deceased which are in the graveyard. Mr. Sanders took note of LaFrance’s suggestions and said they plan to memorialize the deceased in the graveyard.
- Commissioner Blink asked if there was a way to continue with the project as planned without interfering with the graveyard and Sandy Sanders said yes.

Commissioner Blink moved to Agenda Item 3b, "Financial Report/Budget to Actual". Without objection, so ordered. Chambrel Riley Williams informed the Commission that the 2021 Adopted Budget was distributed to each of them along with financial reports. The 2021 Budget is also available on the Port website and all public libraries. As of December 31, 2020, there are no categories in the budget with 5% or more of unfavorable results. The 2020 Budget Performance Report is not final and will not be until the figures are released from the 2020 Year End Audit. From this point forward, Mrs. Williams will provide a Month End Cash Balance Report, as well as a Summary Report as requested by Commissioner Rousselle. At next month's meeting she should be able to report on 2021 figures.

There being no Bids or Advertisements, Commissioner Blink moved to Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following items were introduced:

1. A Resolution authorizing the acceptance of proposal for providing Actuarial services for the Plaquemines Port, Harbor and Terminal District for a period of one year with the option to renew for two (2) additional terms; and otherwise to provide with respect thereto. COMMISSIONER BLINK
2. A Resolution authorizing Maynard "Sandy" Sanders, as Executive Director of the Plaquemines Port, Harbor & Terminal District, to extend the current Consulting agreement with Latter & Blum; and other wise to provide with respect thereto. COMMISSIONER NEWBERRY
3. A Resolution of the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, authorizing and directing the initiation of litigation related to the proposed Belle Chasse Bridge Project; authorizing and directing the Port Chairman, Richie Blink, to engage special counsel for such litigation; and otherwise to provide with respect thereto. COMMISSIONER ROUSSELLE

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

There were no items listed under 6a, "Ordinances and Public Hearings pursuant to Article 6, Section 6.01E of the Parish Charter.

Commissioner Blink offered Agenda Item 6b and the lease agreement with changes.

#### RESOLUTION NO. 21-42

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

A Resolution authorizing the Port Director, or his designee, to sign, execute, and enforce the attached (Exhibit A) Lease Agreement between the Plaquemines Parish Port, Harbor & Terminal District and Plaquemines Parish Government.

WHEREAS, the Plaquemines Parish Council, in consultation with the Administration, has determined that space is available for leasing at the Plaquemines Parish Government building, located at 8056 Highway 23, Belle Chasse, and Louisiana; and

WHEREAS, Plaquemines Parish Port, Harbor, & Terminal District has need of rental space for the housing of its administrative offices;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PARISH PORT, HARBOR & TERMINAL DISTRICT, that the Port Director, or his designee, is hereby authorized to do all things necessary and proper to sign, execute, and enforce the attached Lease Agreement (Exhibit A) memorializing the lease of building space within the structure designated as the Popich Building having a municipal address of 8056 Highway 23, Belle Chasse, Louisiana between the Plaquemines Parish Port, Harbor & Terminal District and Plaquemines Parish Government.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PARISH PORT, HARBOR & TERMINAL DISTRICT that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Parish Port, Harbor & Terminal District.

RESOLUTION NO. 21-43

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

The following Resolution was offered by Commissioner Blink who moved its adoption:

A Resolution authorizing the Plaquemines Port, Harbor and Terminal District ("Plaquemines Port") to dispose of disused movable property. Specifically, to dispose of a 2012 Ford F-250 Utility truck, on an as-is, where-is basis and 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.

WHEREAS, periodically, Plaquemines Port owns equipment which is disused, surplus, or not in working condition; and

WHEREAS, Plaquemines Port currently owns various items of movable property which for the above reasons need to be disposed of; and

WHEREAS, Louisiana law provides that political subdivisions of the state-i.e., the Plaquemines Parish Council-are permitted to dispose of movable property via online auction and sale; and

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

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT after advertising the auction and sale in the official Parish Journal 15 days prior to its listing, Plaquemines Port is hereby authorized to dispose of the following movable property through an online listing on an as-is, where-is basis for fair market value or better and further authorizes GovDeals.com, on an as-needed basis to list and sell these vessels on its website for a period beginning with the adoption of this resolution and continuing until such time as the vehicle is successfully auctioned. Item to be auctioned:., One (1) 2012 Ford F-250 Utility Pickup VIN#1FTBF2A60CEB17994, Port Asset #2C28.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port 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 Newberry offered changes to Agenda Item 6e and the contract.

ORDINANCE NO. 21-14

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

An Ordinance to amend, and as amended to approve, contract with Mercury Public Affairs; and otherwise to provide with respect thereto.

WHEREAS, Resolution No. 20-126 authorized the Plaquemines Port, Harbor & Terminal District to enter into a contract with Mercury Public Affairs to provide consulting, advisory and lobbying services at the Federal level for the contract period of June 1, 2020 to January 3, 2022; and

WHEREAS, the 2021 Operating Budget of Revenue should be amended to reflect the authorization set forth in Resolution No. 20-126, and provide funding for consulting, advisory and lobbying services at the Federal level; and

WHEREAS, the Plaquemines Parish Port, Harbor & Terminal District 2021 Operating Budget of Revenue and Expenditures should be amended to reflect the funding of these services by appropriating \$54,000 to Consultants-Lobbyist from the Port's unrestricted balance 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

Plaquemines Port, Harbor and Terminal District amend the term of the current contract with Mercury Public Affairs to one-year effective February 25, 2021 to February 25, 2022.

SECTION 2

Plaquemines Port, Harbor Terminal District 2021 Revenue and Expenditure Budget is hereby amended by appropriating \$54,000 to Consultants-Lobbyist for Lobbying Services from the Port's unrestricted balance.

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 Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Commissioners John L. Barthelemy, Jr., W. Beau Black, Corey Arbourgh, Benedict Rousselle, Trudy Newberry and Mark Cognevich

NAYS: Commissioner Carlton M. LaFrance, Sr.

ABSENT: Commissioner Stuart J. Guey

PRESENT BUT NOT VOTING: Commissioner Richie Blink (ABSTAINED)

And the Ordinance was adopted on this the 25<sup>th</sup> day of February 2021.

ORDINANCE NO. 21-15

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

An Ordinance to amend and as amended the Plaquemines Parish Port, Harbor & Terminal District 2020 Operating Budget of Revenue and Expenditures; and otherwise to provide with respect thereto.

WHEREAS, Port Security Grant Revenue has not been earned and expenditures will not be incurred due to a 2021 start date of the designated projects; and

WHEREAS, the 2020 Operating Budget of Revenue & Expenditures is amended to reflect the decreases grant revenue and expenditures; and

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 2020 Revenue and Expenditure Budget is hereby amended by:

**496-Port Security Grant Program**

**2470-PSGP- Security Barge EMW-2018-PU-00023**

427.926	Port Security Grant- Fed Rd 18 Barge	Dec	231,000
561.210	Vehicles- Other BoatsCA	Dec	308,000

**496-Port Security Grant Program**

**2471-PSGP- Security Mobile Trailer EMW-2018-PU-00023**

427.927	Port Security Grant- Fed Rd 18 Mobile Trailer	Dec	27,563
565.845	Equipment- Mobile Trailer	Dec	36,750

**496-Port Security Grant Program**

**2472-PSGP- MSOC Security System EMW-2019-PU-00030**

427.931	Port Security Grant- Rd 19 MSOC	Dec	354,398
532.460	Professional Service- MSOC	Dec	123,000
532.465	Professional Service- Grant Admin	Dec	18,000
565.101	Equip- MSOC Security System	Dec	331,530

**496-Port Security Grant Program**

**2473-PSGP- Backhaul Network EMW-2019-PU-00030**

427.933	Port Security Grant- Rd 19 Backhaul	Dec	38,266
532.465	Professional Services- Grant Admin	Dec	2,430
565.102	Equip- Backhaul Network	Dec	48,590

**496-Port Security Grant Program**

**2474-PSGP- GIS Acquisition EMW-2019-PU-00030**

427.935	Port Security Grant-Rd. 19 GIS	Dec	193,125
532.465	Professional Service- Grant Admin	Dec	7,500
532.466	Professional Service- GIS System	Dec	178,000
535.110	Professional Service- GIS Support	Dec	20,000
565.104	Equipment- GIS	Dec	52,000

**496-Port Security Grant Program**

**2475-PSGP- CBRNE EMW-2019-PU-00030**

427.937	Port Security Grant-Rd. 19 CBRNE Detection	Dec	18,973
532.465	Professional Service- Grant Admin	Dec	2,340
565.105	Equipment- CBRNE	Dec	22,957

**496-Port Security Grant Program**

**2476-PSGP- Drone EMW-2019-PU-00030**

427.939	Port Security Grant-Rd. 19 Drone	Dec	13,860
532.465	Professional Service- Grant Admin	Dec	660
565.105	Equipment- Drone	Dec	13,200

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 John L. Barthelemy, Jr., W. Corey Arbourgh, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Commissioners W. Beau Black and Stuart J. Guey

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 25<sup>th</sup> day of February 2021.

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

Under Item 7a, "Resolutions wherein suspension is being sought", Commissioner Newberry offered a Motion to Suspend the Rules to add an item for consideration at today's meeting entitled, "A Resolution authorizing the Plaquemines Port Harbor and Terminal District to prepare and submit an application to the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and otherwise to provide with respect thereto". The motion was seconded by Commissioner Blink, and on roll call all members present and voting "YES", except Commissioner Guey who was "ABSENT", the Motion to Suspend the Rules was adopted by a vote of 8-0.

#### RESOLUTION NO. 21-44

On motion of Commissioner Newberry, seconded by Commissioner Blink, and on roll call all members present and voting "YES", except Commissioner Guey who was "ABSENT", the following Resolution was adopted:

A Resolution authorizing the Plaquemines Port Harbor and Terminal District to prepare and submit an application to the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Port, Harbor and Terminal District has a need for port improvements; and

WHEREAS, Plaquemines Port, Harbor and Terminal District desires to apply for State matching funds pursuant to Chapter 47 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, to implement a project to improve its port operation and the (port authority) is fully aware of its obligations under said Statute; and

WHEREAS, Plaquemines Port, Harbor and Terminal District is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it acknowledges that a formal application will be prepared and submitted to the Louisiana Port Construction and Development Priority Program.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT at the appropriate time and upon approval of funding assistance and prior to commencement of work on the project Plaquemines Port Harbor and Terminal District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT Maynard J, Sanders, Executive Director, is hereby designated Authorized Representative for Plaquemines Port Harbor and Terminal District to effect the preparation of an application to the Louisiana Port Construction and Development Priority Program for funding assistance of a port improvement project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the 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 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.

Commissioner Blink moved to Agenda Item 8, "Approval of the Minutes". Without objection, so ordered.

RESOLUTION NO. 21-45

On motion of Commissioner LaFrance, seconded by Commissioner Cognevich, 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 THAT it hereby approves the minutes of the January 28, 2021, regular Port 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 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.

There being no further business to come before this Council, on motion Commissioner Cognevich, seconded by Commissioner LaFrance and on roll call all members present voting "YES", except Commissioner Guey who was "ABSENT", the meeting adjourned at 3: 56 p.m.

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Chairman

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Secretary