

Minutes of a meeting of the Plaquemines Parish Council, held in the Pointe-a-la-Hache Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana on Thursday, May 28, 2020, at 6:50 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Carlton M. LaFrance, Sr., Chairman  
Council Member John L. Barthelemy, Jr.  
Council Member Corey Arbourgh  
Council Member Stuart J. Guey  
Council Member Benedict Rousselle  
Council Member Trudy Newberry  
Council Member Richie Blink  
Council Member Mark Cognevich

Kim M. Toups, Secretary

ABSENT: Council Member W. Beau Black

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine, Directors Todd Eppley, Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9a(1), “An Ordinance to amend Section XII. Amendments and Petitions of Ordinance No. 142, the Comprehensive Zoning Ordinance, to authorize the Plaquemines Parish Council to establish rules, regulations, procedures and requirements for the issuance of temporary permits for the placement and operation of R/V parks, R/V sites, campgrounds, and other temporary housing units or facilities in any zoning district and temporarily suspend any and all map change (rezone petition) requirements related thereto; and otherwise to provide with respect thereto”;
- 9a(6), “An Ordinance by the Plaquemines Parish Council, as and on behalf of the West Bank Levee District, to acquire a new Perpetual Flood Protection Levee, Floodwall Easement, in certain portions of lands in Plaquemines Parish, Louisiana by donation, purchase, appropriation and/or expropriation to construct the New Orleans to Venice NOV-NF-W-05a.1, LaReusitte to Myrtle Grove, Plaquemines Parish, Louisiana for levee, floodwall, drainage, flood, access and hurricane protection purposes; and otherwise to provide with respect thereto”;
- 9a(7), “An Ordinance pursuant to Article III, Plaquemines Parish Boat Harbors, Section 6-41, to set fees for lifting, blocking, storage and stationary lifts at the Empire, Venice and Pointe-a-la-Hache Shipyards; and otherwise to provide with respect thereto” was offered and seconded for a discussion. A discussion was held and then the matter was deferred;
- 9a(12), “An Ordinance to rescind, annul and set aside Ordinance No. 403, adopted December 8, 1982; rescind, annul and set aside Section 6 and Section 7 of Ordinance No. 40, adopted April 9, 1964; establish Article IX to be titled “Mosquito Control” of Chapter 13 of the Parish Code of Ordinances; establish a user fee for Mosquito Control in order to continue to abate, control, eradicate, and study mosquitoes and other arthropods of public health importance and all activities incidental thereto; and otherwise to provide with respect thereto” was offered and seconded for discussion only. A discussion was held and then the matter was deferred;
- 9b, “An Ordinance to declare certain Parish property as surplus and to initiate the process for disposition thereof; and otherwise to provide with respect thereto”;
- 9c, “An Ordinance to amend the 2020 Operating Expenditure Budget, General Fund, Engineering & Public Works Department; and otherwise to provide with respect thereto” ;
- 9d, “A Resolution directing the termination of the Cooperative Endeavor Agreement by and between Plaquemines Parish Government and Port Eads Fishing Refuge, Inc.; and otherwise to provide with respect thereto” was offered and seconded, a discussion was held and then the matter was deferred”;
- 9f, “A Resolution giving preliminary approval to the issuance of not exceeding Seven Million Five Hundred Thousand Dollars (\$7,500,000) of Revenue Notes, in one or more series, of the Parish of Plaquemines, State of Louisiana; making application to the State Bond

Commission for approval of and providing for the sale and certain terms of said Revenue Notes; and providing for other matters in connection therewith”;

- 9g, “A Resolution giving preliminary approval to the issuance of not exceeding Eight Million Dollars (\$8,000,000) of Revenue Anticipation Notes of the Parish of Plaquemines, State of Louisiana; providing certain terms of said Notes; making application to the State Bond Commission for approval of said Notes; and providing for other matters in connection therewith”;
- 9l, “An Ordinance to amend the Five-Year Capital Improvements Plan, Waterline Replacement-Highway 39 Project; and otherwise to provide with respect thereto”;
- 9n, “An Ordinance to amend the Five-Year Capital Improvements Plan, Renovations-Government Complex Building 200 Project; and otherwise to provide with respect thereto”;
- 9o, “An Ordinance authorizing the Parish President or his designee to do all things necessary and proper to effectuate a lease between Plaquemines Parish Government and Equiland, Inc., attached hereto as Exhibit “1;” and otherwise to provide with respect thereto”;
- 9p, “An Ordinance authorizing the Parish President or his designee to do all things necessary and proper to effectuate a lease between Plaquemines Parish Government and First Equity, Inc. and Equiland, Inc., attached hereto as Exhibit “1;” and otherwise to provide with respect thereto”;
- 9q, “A Resolution approving and authorizing Thomas J. Serpas, Finance Manager, to execute a Louisiana Compliance Questionnaire to Kolder, Slaven & Company, LLC; and otherwise to provide with respect thereto”;
- 9r, “An Ordinance authorizing the acceptance of a donation for the Homeland Security/Emergency Preparedness Department and to amend the General Fund, 2020 Operating Revenue and Expenditure Budgets, Homeland Security/Emergency Preparedness Department; and otherwise to provide with respect thereto”;
- 9x, “An Ordinance to amend the 2020 general fund, operating expenditure budget, recreation department, by transferring \$250,000 to the newly created line item identified as the Belle Chasse recreation program and to authorize the Plaquemines Parish President or his director of public service to seek out and negotiate with a professional firm for the purpose of managing said program; and otherwise to provide with respect thereto”;
- 10b, “District 9 update”;
- 10c, “District 5 update-Suzie Bayou update”;
- 10d, “District 8 update”;
- 10e, “District 3 update”;
- 10f, “District 1 update” and
- 10g, “District 7 update”.

Agenda Item 9t, “A Resolution to reject the portion bid of Hilcorp Energy I, L.P. for mineral lease purposes on Parish Tract No. 20-2 covering Parish - owned property located in N ½ of the NW ¼ of Section 1 in T21S R26E, Buras, Buras Levee District, Plaquemines Parish, Louisiana, estimated to contain approximately 34 acres out of a total of 400 acres, more or less; and otherwise to provide with respect thereto” was withdrawn.

There being no “Executive Session”, no “Proclamations, nothing to report by the Parish President or Directors, no bids or advertisements, nor any Beer or Liquor permits, Council Member LaFrance moved to Agenda Item 7, “Building Permits”. Without objection, so ordered.

Agenda Items 7a(1) through 7a(7) were taken *en globo*:

#### RESOLUTION NO. 20-129

On motion of Council Member LaFrance, seconded by Council Member Newberry, and on roll call all members present and voting “YES”, except Council Member Black who was “ABSENT”, and Council Member Cognevich who “ABSTAINED” the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following applications for construction permit in the Parish of Plaquemines are hereby conditionally approved: Hilcorp Energy Company, Application No. 2020-328, dated May 8, 2020, prop-wash,

install pile clusters, drill the Abu Prospect Well 1, and install well head protector, 6-inch flowline and 3-inch gas lift line, Bay Long Area; Hilcorp Energy Company, Application No. 2020-329, dated May 8, 2020, prop-wash, install pile clusters, drill the Abu Prospect Well 2, and install well head protector, 6-inch flowline and 3-inch gas lift line, Bay Long Area; Hilcorp Energy Company, Application No. 2020-330, dated May 8, 2020, prop-wash, install pile clusters, drill the Abu Prospect Well 4, and install well head protector, 6-inch flowline and 3-inch gas lift line, Bay Long Area; Hilcorp Energy Company, Application No. 2020-331, dated May 8, 2020, prop-wash, install pile clusters, drill the WP1 Prospect Well, and install well head protector, 4-inch flowline and 2-inch gas lift line, Rattlesnake Bayou; Hilcorp Energy Company, Application No. 2020-332, dated May 8, 2020, prop-wash, install pile clusters, drill the WP3 Prospect Well, and install well head protector, 4-inch flowline and 2-inch gas lift line, Rattlesnake Bayou; S2 Energy Operating, LLC, Application No. 2020-350, dated May 15, 2020, hydraulically dredge an access channel, Near Southwest Pass Area; Ardaman & Associates, Inc., Application No. 2020-267, dated April 20, 2020, drill one soil boring for proposed radio tower, Phillips 66 Refinery Area.

BE IT 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, both without further reading and approval by the Plaquemines Parish Council.

Council Member LaFrance moved to Agenda Item 7b.

#### RESOLUTION NO. 20-130

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present and voting "YES", except Council Member Black who was "ABSENT", the following Resolution was adopted:

A Resolution approving the Final Approval for a new trailer park for 12 spaces to Brandon Dodson, (Providence Estates) located in a MH (Mobile Home) Zoning District on 40551 Highway 23, Boothville, Louisiana, all in accordance with Application No. 2018-467, dated May 22, 2013.

WHEREAS, Brandon Dodson, (Providence Estates), applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No 2018-467, dated May 22, 2013) for the Final Approval for a new trailer park for 12 spaces for (Providence Estates) located on 40551 Highway 23, Boothville, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the Final Approval for a new trailer park for 12 spaces to Brandon Dodson, (Providence Estates) located in MH (Mobile Home) Zoning District on 40551 Highway 23, Boothville, Louisiana, all in accordance with Application No. 2018-467, dated May 22, 2013.

BE IT 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, both without further reading and approval by the Plaquemines Parish Council.

Council Member LaFrance moved to Agenda Item 8, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following items were introduced:

1. An Ordinance approving a plan of resubdivision of a portion of Tract 5-E, Belle Chasse Plantation, Plaquemines Parish, Louisiana, as shown on the plat of survey of Cypress Park Subdivision, Phase 1B, by Bryant Hammett and Associates, certified by Hugh McCurdy, III, P.L.S., dated April 28, 2020, the owner having fulfilled all the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER BLACK

2. An Ordinance approving a plan of resubdivision of the property of Camille and Michael Chudzinski, Plaquemines Parish, Louisiana, as shown on the Map of Resubdivision, a portions of Plots 22 and 27 into Lots 22A and 27A, Belle Chasse Section “D”, by Hugh McCurdy, III, P.L.S., dated September 17, 2015, amended April 14, 2020, the owners having fulfilled all the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines without cot to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH
  
3. An Ordinance approving a plan of resubdivision of Lots A-6 and A-10, Sarah Plantation, Belle Chasse, Plaquemines Parish, Louisiana, into Lots A-6A and A-10A, Sarah Plantation, Belle Chasse, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated July 6, 2018 revised February 11, 2020, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER NEWBERRY
  
4. An Ordinance, pursuant to Act 665 of the 2016 Regular Session of the Louisiana Legislature relative to Communication Districts, to levy emergency telephone service charges (911 service charges); and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
  
5. A Resolution to authorize the Parish President, Kirk Lepine, to establish a checking account at Regions Bank for the LASAFE Harbor Refuge Project; and otherwise to provide with respect thereto. COUNCIL MEMBER BLINK

Council Member LaFrance moved to Agenda Item 6a, “Ordinances and Public Hearings pursuant to Article 6, section 6.01E of the Plaquemines Parish Charter. Without objection so ordered.

Items 9a(2) through 9a(5) were taken en globo. The items were offered by Council Member Barthelemy for discussion only and they were seconded by Council Member Blink. Mr. Blake Jones presented the Council with a binder and separate packet of documents concerning the proposed housing and its construction. A video presentation was also made by Mr. Jones consisting of a number of citizens who were in favor of the project. After the presentation, the floor was open to the public to make comments regarding these agenda items.

#### ORDINANCE NO. 20-41

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

An Ordinance to amend and amended to readopt Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Map” therein adopted by reference and which is paraphed thereto, with reference to Application No. 2019-419, dated November 25, 2019.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

#### SECTION 1

Subsection 2 of Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Maps” therein adopted by reference and which is paraphed thereto, are hereby amended and as amended readopted so that the following described property is hereby rezoned from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Number 1 of the St. Clair Estate Subdivision lot measuring 135.76' front on undedicated street by a depth of 145' and rear by 175' by a depth on Highway 39 of 97.26'.

Lot Numbers 3 & 5 of the St. Clair Estate Subdivision each lot measuring 175' front on an undedicated street and same width in the rear by a depth of 145'.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

## 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.

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

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Member Richie Blink

NAYS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Mark Cognevich

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance FAILED on this the 28<sup>th</sup> day of May, 2020.

## ORDINANCE NO. 20-42

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

An Ordinance to amend and amended to readopt Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the "Comprehensive Zoning District Map" therein adopted by reference and which is paraphed thereto, with reference to Application No. 2019-420, dated November 25, 2019.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

## SECTION 1

Subsection 2 of Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Maps” therein adopted by reference and which is paraphed thereto, are hereby amended and as amended readopted so that the following described property is hereby rezoned from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Number 4 of the St. Clair Estate Subdivision, lot measures 175’ front on an undedicated street and same width in the rear by a depth of 165’.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

## 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.

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

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Member Richie Blink

NAYS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Mark Cognevich

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance FAILED on this the 28<sup>th</sup> day of May, 2020.

## ORDINANCE NO. 20-43

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

An Ordinance to amend and amended to readopt Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Map” therein adopted by reference and which is paraphed thereto, with reference to Application No. 2019-421, dated November 25, 2019.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

## SECTION 1

Subsection 2 of Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Maps” therein adopted by reference and which is paraphed thereto, are hereby amended and as amended readopted so that the following described property is hereby rezoned from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Numbers 7, 9, 11, & 13 of the St. Clair Estate Subdivision each lot measuring 175’ front on an undedicated street and same width in the rear by a depth of 145’.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

## 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.

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

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Member Richie Blink

NAYS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Mark Cognevich

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance FAILED on this the 28<sup>th</sup> day of May, 2020.

## ORDINANCE NO. 20-44

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

An Ordinance to amend and amended to readopt Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Map” therein adopted by reference and which is paraphed thereto, with reference to Application No. 2019-422, dated November 25, 2019.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

## SECTION 1

Subsection 2 of Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Maps” therein adopted by reference and which is paraphed thereto, are hereby amended and as amended readopted so that the following described property is hereby rezoned from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Numbers 10, 12 & 14 of the St. Clair Estate Subdivision each lot measuring 175’ front on an undedicated street and same width in the rear by a depth of 165’.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

## 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.

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

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Member Richie Blink

NAYS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Mark Cognevich

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance FAILED on this the 28<sup>th</sup> day of May, 2020.

At the request of Council Member Barthelemy, Council Member LaFrance advanced to Agenda Items 9h through 9k.

## RESOLUTION NO. 20-131

On motion of Council Member Barthelemy, seconded by Council Member Blink and on roll call all members present and voting “YES”, except Council Member Black who was “ABSENT” and Council Member Blink who voted “NO”, the following Resolution was adopted:

A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 1, 3 & 5 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-419, dated November 25, 2019.



WHEREAS, Stacie Rowland, applied to the Plaquemines Parish Development Board (Application No. 2019-419, dated November 25, 2019) for map change from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District Lots 1, 3 & 5 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana; and

WHEREAS, a public hearing was held on Tuesday, January 21, 2020, to hear any and all parties interested in favor of or opposed to this requested Map Change, and there were objections to this request at the public hearing; and

WHEREAS, the Plaquemines Parish Development Board made a recommendation to deny as per Resolution No. 01-20, dated January 21, 2020.

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby denies the requested Map Change by Stacie Rowland from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 1, 3, & 5 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-419, dated November 25, 2019 described as follows:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Number 1 of the St. Clair Estate Subdivision lot measuring 135.76' front on undedicated street by a depth of 145' and rear by 175' by a depth on Highway 39 of 97.26'.

Lot Numbers 3 & 5 of the St. Clair Estate Subdivision each lot measuring 175' front on an undedicated street and same width in the rear by a depth of 145'.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

#### RESOLUTION NO. 20-132

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

A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lot 4 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-420, dated November 25, 2019.

WHEREAS, Stacie Rowland, applied to the Plaquemines Parish Development Board (Application No. 2019-420, dated November 25, 2019) for map change from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District Lot 4 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana; and

WHEREAS, a public hearing was held on Tuesday, January 21, 2020, to hear any and all parties interested in favor of or opposed to this requested Map Change, and there were objections to this request at the public hearing; and

WHEREAS, the Plaquemines Parish Development Board made a recommendation to deny as per Resolution No. 02-20, dated January 21, 2020.

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby denies the requested Map Change by Stacie Rowland from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lot 4 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-420, dated November 25, 2019 described as follows:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Number 4 of the St. Clair Estate Subdivision, lot measures 175' front on an undedicated street and same width in the rear by a depth of 165'.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

#### RESOLUTION NO. 20-133

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

A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 7, 9, 11, & 13 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-421, dated November 25, 2019.

WHEREAS, Stacie Rowland, applied to the Plaquemines Parish Development Board (Application No. 2019-421, dated November 25, 2019) for map change from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District Lots 7, 9, 11, & 13 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana; and

WHEREAS, a public hearing was held on Tuesday, January 21, 2020, to hear any and all parties interested in favor of or opposed to this requested Map Change, and there were objections to this request at the public hearing; and

WHEREAS, the Plaquemines Parish Development Board made a recommendation to deny as per Resolution No. 03-20, dated January 21, 2020.

NOW, THEREFORE:

BE IT RESOLVED BY PLAQUEMINES PARISH COUNCIL THAT it hereby denies the requested Map Change by Stacie Rowland from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 7, 9, 11, & 13 of the St. Clair Estate

Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-421, dated November 25, 2019 described as follows:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Numbers 7, 9, 11, & 13 of the St. Clair Estate Subdivision each lot measuring 175' front on an undedicated street and same width in the rear by a depth of 145'.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

#### RESOLUTION NO. 20-134

On motion of Council Member Barthelemy, seconded by Council Member Arbourgh and all members present and voting "YES", except Council Member Blink who voted "NO" and Council Member Black who was "ABSENT", the following Resolution was adopted:

A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 10, 12, & 14 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-422, dated November 25, 2019.

WHEREAS, Stacie Rowland, applied to the Plaquemines Parish Development Board (Application No. 2019-422, dated November 25, 2019) for map change from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District Lots 10, 12, & 14 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana; and

WHEREAS, a public hearing was held on Tuesday, January 21, 2020, to hear any and all parties interested in favor of, or opposed to this requested Map Change, and there were objections to this request at the public hearing; and

WHEREAS, the Plaquemines Parish Development Board made a recommendation to deny as per Resolution No. 04-20, dated January 21, 2020;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby denies the requested Map Change by Stacie Rowland from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 10, 12, & 14 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-422, dated November 25, 2019 described as follows:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages State of Louisiana, in that part thereof known as St. Clair Estate Subdivision, as shown on the plan of subdivision by Estopinal Surveying and Engineering, Inc., dated July 31, 2001, Sections 5 & 6, Township 13 South, Range 12 East, Braithwaite, Louisiana and being more fully described as follows:

Lot Numbers 10, 12 & 14 of the St. Clair Estate Subdivision each lot measuring 175' front on an undedicated street and same width in the rear by a depth of 165'.

Being a portion of the same property acquired by St. Clair Land, LLC from Anthony J. Bazile, et al by act before Allen J. Tillery, Notary Public, dated September 23, 2002 and registered in COB 1032, folio 570.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member LaFrance moved to Agenda Item 9a(8)

ORDINANCE NO. 20-45

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

An Ordinance to amend Chapter 14, Article III, Section 14-80 of the Plaquemines Parish Code of Ordinances; to provide for the sales taxes retained by a dealer; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council wishes to amend Section 14-80 of the Plaquemines Parish Code of Ordinances, and to specifically change the amount a dealer is allowed to retain in compensation for collecting the sales tax levied by Plaquemines Parish Government to align with the amount provided for the collection of State sales taxes;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Chapter 14, Article III, Section 14-80 of the Plaquemines Parish Code of Ordinance be and is hereby enacted to read as follows:

Sec. 14-80. – Dealer allowed to retain percentage.

For the purpose of compensating the dealer in accounting for and remitting the tax levied for this article, each dealer shall be allowed the lesser of one thousand five hundred dollars or 0.935 percent of the amount of tax due and accounted for and remitted to the collector in the form of a deduction in submitting his report and paying the amount due by him if the amount due was not delinquent at the time of payment.

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.

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

Council Member Newberry seconded the motion to adopt the Ordinance.

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

YEAS: Council Member John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

ORDINANCE NO. 20-46

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

An Ordinance to amend Chapter 14, Article III, Section 14-61 of the Plaquemines Parish Code of Ordinances; to provide for the collection of a portion of the sales tax on certain transactions; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council wishes to amend Section 14-61 of the Plaquemines Parish Code of Ordinances, and to specifically remove certain sales transactions from the list of transactions on which the Plaquemines Parish sales tax is not collected;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Chapter 14, Article III, Section 14-61 of the Plaquemines Parish Code of Ordinance be and is hereby enacted to read as follows:

Sec. 14-61. - Tax inapplicable to certain transactions.

The taxes imposed by this article shall not apply to transactions involving the following tangible personal property:

- A. (1) The gross proceeds derived from the sale in this parish of livestock, poultry and other farm products direct from the farm, provided that such sales are made directly by the producers. When sales of livestock, poultry and other farm products are made to consumers by any person, other than a producer, they are not exempt from the tax imposed by this article, provided, however, that every agricultural commodity sold by any person, other than a producer, to any other person who purchases not for direct consumption but for the purpose of acquiring raw products for use or for sale in the process of preparing, finishing or manufacturing such agricultural commodity for the ultimate retail consumer trade, shall be exempted from any and all provisions of this article, including payment of the tax applicable to the sale, storage, use, transfer or any other utilization of or handling thereof, except when such agricultural commodity is actually sold as a marketable or finished product to the ultimate consumer, and in no case shall more than one tax be exacted.

\* \* \*

(24) The first fifty thousand dollars (\$50,000.00) for each item of farm equipment. "Farm equipment" shall include the following:

- a. Rubber tired farm tractors, cane harvesters, cane loaders, cotton pickers, combines, haybalers, and attachments and sprayers.
- b. Clippers, cultivators, discs, plows and spreaders.
- c. Irrigation wells, drives, motors and equipment.
- d. Other farm implements and equipment used for agricultural purposes in the production of food and fiber.

e. On the farm facilities used to dry or store grain or any materials used to construct such on the farm facilities.

(25) Certain self-propelled vehicles removed from inventory, defined as follows: A Louisiana retail dealer who ordinarily purchases for resale equipment of a type not subject to titling under R.S. Title 32, such equipment having a dealer's cost of not less than three thousand dollars (\$3,000.00) per unit, and such equipment being: (1) mobile, motorized self-propelled farm equipment and attachments thereto; (2) mobile, motorized self-propelled earth moving equipment and attachments thereto; and/or (3) mobile, motorized self-propelled construction equipment and attachments thereto; and who withdraws an item of such equipment from inventory, for rental, as a method of promoting sales, shall be exempt from the payment of a sales or use tax on the purchase price of the property when withdrawn from inventory for such rental. Such retail dealer shall be liable for the tax levied on the rental income, and a sales tax upon any ultimate sale of said item.

## 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.

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

Council Member Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

## ORDINANCE NO. 20-47

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

An Ordinance approving a plan of resubdivision of Lots S1, S3 and S6, Blane Sutton Division, Empire Plaquemines Parish, Louisiana, into Lot S1A, Blane Sutton Division, Empire, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated March 17, 2020 revised April 23, 2020, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto.

WHEREAS, Casey J. Devillier, is the owner of Lots S1, S3, and S6, Blane Sutton Division, Empire, the Parish of Plaquemines, State of Louisiana, as more fully shown on the plan and plat of resubdivision by Dufrene Surveying & Engineering, Inc., dated March 17, 2020 revised April 23, 2020 a print whereof is annexed hereto and made part hereof; and

WHEREAS, Casey J. Devillier, as the owner of said property, have proposed the resubdivision of Lots S1, S3, and S6, Blane Sutton Division, Empire, Plaquemines Parish, Louisiana, into Lot S1A, Blane Sutton Division, Empire, Plaquemines Parish, Louisiana, as more fully shown on said plan; and

WHEREAS, all streets, utilities, drainage structures and other improvements shown on the aforementioned map of survey are in place; and

WHEREAS, the owner/developer understands that he and subsequent owners of the property is responsible for the cost, installation, maintenance or improvements of the sewerage and water infrastructure to connect to the public utilities shown on the aforementioned map; and

WHEREAS, the owner/developer understands that he and subsequent owners of the property will be responsible for the maintenance of future and all existing non-dedicated streets, roads, right of ways, utilities, drainage and structures and other improvements shown on the aforementioned plan and plat of survey are in place; and

WHEREAS, the Plaquemines Parish Government accepts no responsibility or liability for the construction, maintenance or improvements of any future or now existing non-dedicated streets, roads, right of ways, utilities, drainage structure and other improvements that may be shown on the aforementioned plan and plat of survey; and

WHEREAS, the owner/developer and subsequent owners of the property shall be responsible for the construction and maintenance of future and all existing non-dedicated streets, roads, rights of ways, utilities, drainage structures and other improvements that may be shown on the aforementioned plan and plat of survey;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

#### SECTION 1

The aforesaid plan of resubdivision Lots S1, S3, and S6, Blane Sutton Division, Empire, Plaquemines Parish, Louisiana into Lot S1A, Blane Sutton Division, Empire, Plaquemines Parish, Louisiana, as shown on the plat and plan of survey by Dufrene Surveying & Engineering, Inc., dated March 17, 2020, revised April 23, 2020, a print whereof is annexed hereto and made a part hereof, is hereby approved, and that the approval of the Parish President, Directors and all appropriate Parish Department Heads of the aforesaid plan and plat of survey be ratified.

#### SECTION 2

The Parish President be and is hereby authorized to appear before a Notary Public, and execute the approved aforesaid plan or resubdivision of owner as depicted on plan and plat of survey by Dufrene Surveying & Engineering, Inc., March 20, 2020, revised April 23, 2020, for the Parish of Plaquemines and the Plaquemines Parish Government, and to execute any and all acts and documents necessary and proper in the premises to give full force and effect to aforesaid Ordinance.

#### SECTION 3

The Plaquemines Parish Government accepts no responsibility or liability for construction, maintenance or improvements of any future or now existing non-dedicated streets, roads, right of ways, utilities, drainage structures and other improvements that may or may not be shown on the aforementioned plan and plat of survey or later developed.

#### SECTION 4

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.

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

Council Member Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

#### ORDINANCE NO. 20-48

The following ordinance was offered by Council Member Blink who moved its adoption:

An Ordinance to amend and as amended, readopt Plaquemines Parish Code of Ordinances Chapter 22, "Water, Sewer & Refuse", Section 22-8, "Usage Rates", Subsection (3); to rescind, annul and set-aside Ordinance No. 07-15; and otherwise to provide with respect thereto.

WHEREAS, Ordinance No. 07-15 was adopted on January 25, 2007, setting forth a manner in which to charge for water usage in commercial property wherein there is more than one user using water from the same meter; and

WHEREAS, the current system of billing places undue hardship on operators that utilize multiple trailers/trailer spaces, RVs/RV spaces and buildings rather than a single building; and

WHEREAS, a system of billing, which presumes a consistent level of occupancy that may not be accurate during periods of economic downturn and based on actual consumption not, arbitrarily off the number of connections on the property, is needed; and

WHEREAS, it is the desire of this Council to rescind, annul and set-aside Ordinance No. 07-15 which set for the above described manner of billing; and

WHEREAS, it is also the desire of this Council to amend and as amended, readopt Plaquemines Parish Code of Ordinances Chapter 22, "Water, Sewer & Refuse", Section 22-8, "Usage Rates", Subsection (3) to create a new manner of billing for water usage in commercial property wherein there is more than one user using water from the same meter;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT

#### SECTION 1

It hereby amends Chapter 22, section 22-8, (3) of the Code of Ordinances to now read as follows:

"(3) When there is more than one (1) user using water from the same meter, the Water Department shall read the meter and bill the property owner as set forth in the billing chart in Code of Ordinances Chapter 22, Section 22-8(b)(3)

#### SECTION 2

It hereby rescinds, annuls and sets-aside Ordinance No. 07-15.

#### SECTION 3

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.

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

Council Member Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Member Richie Blink

NAYS: Council Members Corey Arbourgh, Stuart J. Guey, Benedict Rousselle and Trudy Newberry

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: John L. Barthelemy, Jr., Carlton M. LaFrance and Mark Cognevich  
(ALL ABSTAINED)

And the Ordinance FAILED on this the 28<sup>th</sup> day of May, 2020.

9e was offered with changes:

RESOLUTION NO. 20-135

The following Resolution was offered by Council Member LaFrance who moved its adoption:

A Resolution giving preliminary approval to the issuance of not to exceed Seventy-five Million Dollars (\$75,000,000) aggregate principal amount of Revenue Refunding Bonds of the Parish of Plaquemines, State of Louisiana, for the purpose of refinancing outstanding debt of the Issuer; providing certain terms of said bonds; making application to the State Bond Commission for approval of said bonds; and providing for other matters in connection therewith.

WHEREAS, pursuant to the provisions of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Louisiana Local Government Environmental Facilities and Community Development Authority (the "LCDA") has heretofore issued its Revenue Bonds (Parish of Plaquemines Project), Series 2012 (the "Series 2012 Coastal Bonds"), of which \$51,185,000 is outstanding; and Revenue Bonds (Parish of Plaquemines Courthouse Project), Series 2012 (the "Series 2012 Courthouse Bonds"), of which \$21,090,000 is outstanding; and

WHEREAS, the LCDA loaned the proceeds of the Series 2012 Coastal Bonds to the Parish of Plaquemines, State of Louisiana (the "Issuer") pursuant to a Loan Agreement dated as of September 1, 2012 by and between the LCDA and the Issuer (the "2012 Coastal Loan Agreement"); and

WHEREAS, the LCDA loaned the proceeds of the Series 2012 Courthouse Bonds to the Issuer pursuant to a Loan Agreement dated as of November 1, 2012 by and between the LCDA and the Issuer (the "2012 Courthouse Loan Agreement"); and

WHEREAS, in order to provide debt service savings, the Issuer desires to refund all or a portion of its obligations owed pursuant to the 2012 Coastal Loan Agreement and the 2012 Courthouse Loan Agreement (collectively, the "Refunded Obligations"), pursuant to the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to accomplish the refunding through the issuance of not exceeding \$75,000,000 of its Revenue Refunding Bonds (the "Refunding Bonds"), to be secured

by and payable from all revenues received by the Issuer, to the extent legally available for the payment of debt service on the Refunding Bonds; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Refunding Bonds and further to employ professionals in connection therewith;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council (the "Governing Authority"), that:

SECTION 1. Preliminary Approval of Refunding Bonds. Preliminary approval is given to the issuance, in one or more series, of not exceeding \$75,000,000 aggregate principal amount of Revenue Refunding Bonds of the Parish of Plaquemines, State of Louisiana (the "Refunding Bonds"), to be issued for the purpose of refunding the Refunded Obligations described in the preamble hereto, said Refunding Bonds to be secured by and payable from all revenues received by the Issuer, to the extent legally available for the payment of debt service on the Refunding Bonds. The Refunding Bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum, may be issued as taxable or tax-exempt, to be determined by subsequent resolution of the Governing Authority, and shall mature no later than November 1, 2042. The Refunding Bonds shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by the Governing Authority.

SECTION 2. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Refunding Bonds and for consent and authority to proceed with the issuance and sale of the Refunding Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer.

By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of revenue bonds and based on the amount of said Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Bonds. The Parish President is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Parish President is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated without further approval of this Governing Authority.

SECTION 4. Underwriter/Placement Agent. Raymond James & Associates, Inc., of Baton Rouge, Louisiana, is hereby appointed as underwriter/placement

agent in connection with the sale and delivery of the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds; provided that no compensation shall be due to said underwriter/placement agent unless the Bonds are sold and delivered.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
John L. Barthelemy, Jr.	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
W. Beau Black	<u>      </u>	<u>      </u>	<u>  X  </u>	<u>      </u>
Corey Arbourgh	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Dr. Stuart J. Guey, Jr.	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Benedict Rousselle	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Trudy Newberry	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Carlton M. LaFrance, Sr.	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Richie Blink	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Mark Cognevich	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

And the Resolution was declared adopted on this, the 28th day of May, 2020.

ORDINANCE NO. 20-49

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

An Ordinance to accept the bid - or - the portion bid of Hilcorp Energy I, L. P. for mineral lease purposes on Parish Tract 20-2, covering Parish - owned property located in N ½ of the NW ¼ of Section 1 in T21S R26E, Buras Levee District, Plaquemines Parish, Louisiana, estimated to contain approximately 34 Acres out of a total of 400 acres, more or less; and otherwise to provide with respect thereto.

WHEREAS, pursuant to the provisions of the Plaquemines Parish Home Rule Charter, Parish Tract 20-2, was advertised for mineral lease purposes in accordance with the rules of procedure of the Parish Council and of State law; and

WHEREAS, one (portion) bid was received on Wednesday, March 25<sup>th</sup>, 2020, as follows:

	PARISH TRACT 20-2 Hilcorp Energy I, L.P.
Acreage:	34 out of a total of 400 Acres
Price Per Acre:	\$ 220.00 - Per-Acre x 34 Acres = \$ 7480.00
Cash Payment:	\$ 7480.00
Annual Rental:	\$ 3,740.00
Royalties:	25% for oil, gas and other liquid and gaseous hydrocarbons
Additional Consideration:	(None); and

WHEREAS, the Mineral Office and the Administration has reviewed the bid and recommend to the Parish Council acceptance of the 34-acre portion bid from Hilcorp Energy I, L.P.;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Plaquemines Parish Government, on behalf of the Buras Levee District, accept the portion bid of Hilcorp Energy I, L. P. on Parish Tract No. 20-2 for mineral lease purposes on Parish - owned

property located in N ½ of the NW ¼ of Section 1 in T21S R26E Plaquemines Parish, Louisiana, estimated to contain approximately 34 acres, more or less, on file with the Plaquemines Parish Government, Mineral Office.

## SECTION 2

It hereby authorizes the Parish President, Kirk M. Lepine, to execute a mineral lease with Hilcorp Energy I, L.P. on Parish Tract 20-2, with the lease to be on the usual State Agency Lease Form, without warranty of title, subject to the approval of the Louisiana State Mineral Board, all as more fully shown on file with the Plaquemines Parish Government, Mineral Office.

## SECTION 3

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

Council Member Newberry seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey,  
Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Richie Blink

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: Council Member Mark Cognevich

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

## RESOLUTION NO. 20-136

On motion of Council Member LaFrance, seconded by Council Member Cognevich and on roll call all members present and voting “YES”, except Council Member Black who was “ABSENT”, the following Resolution was adopted:

A Resolution authorizing the Parish President, on behalf of the Plaquemines Parish Government, to name and accept the proposal of the Plaquemines Gazette as the Official Journal for the Plaquemines Parish Council and all other political subdivisions and districts situated therein of which the Plaquemines Parish Council is the governing authority.

WHEREAS, Article 4, Section 4.01 (5) of the Charter for Local Self-Government for Plaquemines Parish, Louisiana, authorizes the selection of an Official Journal for the Parish and the political subdivisions and districts at its first meeting in June yearly; and

WHEREAS, Louisiana Revised Statute §43:147 limits the rate of compensation of the newspaper for printing the Official Journal; and

WHEREAS, the Plaquemines Gazette has submitted a proposal to be selected as the Official Journal for the Plaquemines Parish Government and the Plaquemines Parish Council as the governing authority of all political subdivisions and districts situated within the Parish of Plaquemines;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby selects the Plaquemines Gazette as its Official Journal and the Official Journal of the political subdivisions and districts situated in the Parish of Plaquemines for which the Plaquemines Parish Council is the governing authority because it meets the qualifications required.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President, for and on behalf of the Plaquemines Parish Government, is hereby authorized and directed to accept the bid of the Plaquemines Gazette which is on file with the Secretary of the Council and under such other terms and conditions as he deems to be in the best interest of the Parish of Plaquemines.

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, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 20-50

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

An Ordinance for Plaquemines Parish Government's grant, on behalf of the Buras Levee District, of temporary culvert and pipeline easement to CPRA for the Spanish Pass Marsh Creation Project BA-0203; and otherwise to provide with respect thereto.

WHEREAS, the Coastal, Protection and Restoration Authority, (CPRA), has requested that Plaquemines Parish Government, (PPG), on behalf of Plaquemines Parish and the Buras Levee District, issue to CPRA a temporary easement, servitude and right of way agreement covering use of a culvert located under Tidewater Road installed by the U. S. Army Corps of Engineers for the BUDMAT Tiger Pass Project; and

WHEREAS, the affected culvert easement area under Tidewater Road is described and shown in the attached Temporary Easement, Servitude and Right-of-Way Agreement; and

WHEREAS, the Spanish Pass Marsh Creation Project BA-0203, (Project), is fully funded by the CPRA with no funds required from Plaquemines Parish Government; and

WHEREAS, the Project will pump dredged materials from Mississippi River borrow areas through a delivery pipeline inserted through the culvert under Tidewater Road to a servitude area on Parish owned lands to create land ridges, restore degraded marshes and create new marshlands for a 20-year Project life; and

WHEREAS, PPG will not receive payment from CPRA for the requested temporary easement, servitude and right of way but will instead benefit from the Project's creation of land ridges, restoration of degraded marshes and creation of new marshlands on Parish owned lands that will act as a buffer against hurricanes and storms through wetland creation and provide the Parish of Plaquemines and its citizens with added protection from storm surges and flooding;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Plaquemines Parish Government, on behalf itself, Plaquemines Parish and the Buras Levee District, for the benefits derived from the Project in building land ridges, restoring degraded marshes and creating new marshlands on Parish owned lands grant to the Coastal Protection and Restoration Authority a Temporary Easement, Servitude and Right-of-Way Agreement in the form attached covering the culvert under Tidewater Road installed by the U.S. Army Corps of Engineers for the BUDMAT Tiger Pass Project.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and 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.

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey,  
Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance and Richie Blink

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

ORDINANCE NO. 20-51

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

An Ordinance for Plaquemines Parish Government's grant, on behalf of the Buras Levee District, of temporary easement to CPRA for the Spanish Pass Marsh Creation Project BA-0203; and otherwise to provide with respect thereto.

WHEREAS, the Coastal, Protection and Restoration Authority, (CPRA), has requested that Plaquemines Parish Government, (PPG), on behalf of Plaquemines Parish and the Buras Levee District, issue to CPRA a temporary easement, servitude and right of way agreement covering certain Parish owned lands located in Township 21 South, Ranges 29 and 30 East in Plaquemines Parish; and

WHEREAS, the affected servitude lands are described and shown in the attached Temporary Easement, Servitude and Right-of-Way Agreement; and

WHEREAS, the Spanish Pass Marsh Creation Project BA-0203, (Project), is fully funded by the CPRA with no funds required from Plaquemines Parish Government; and

WHEREAS, the Project will pump dredged materials from Mississippi River borrow areas through a delivery pipeline to the servitude area to create land ridges and restore degraded marshes and create new marshlands for a 20-year Project life; and

WHEREAS, PPG will not receive payment from CPRA for the requested temporary easement, servitude and right of way but will instead benefit from the Project's creation of land ridges, restoration of degraded marshes and creation of new marshlands on Parish owned lands that will act as a buffer against hurricanes and storms through wetland creation and provide the Parish of Plaquemines and its citizens with added protection from storm surges and flooding;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Plaquemines Parish Government, on behalf itself, Plaquemines Parish and the Buras Levee District, for the benefits derived from the Project in building land ridges, restoring degraded marshes and creating new marshlands on Parish owned lands grant to the Coastal Protection and Restoration Authority a Temporary Easement, Servitude and Right-of-Way Agreement in the form attached covering certain Parish owned lands located in Township 21 South, Ranges 29 and 30 East in Plaquemines Parish.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and

release this Ordinance and 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.

Council Member Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

Council Member LaFrance moved to Agenda Item 10, "New Business". Without objection, so ordered.

Under Agenda Item 10a, "Resolutions wherein suspension is being sought", Council Member LaFrance offered a Motion for Suspension of the Rules to add an item to the agenda for consideration entitled, "A Resolution authorizing the Plaquemines Parish Community Agency to prepare the necessary application to the Louisiana Workforce Commission receiving the Coronavirus Aid, Relief, and Economic Security Act, (CARES Act) 2020, Community Services Block Grant Funds; authorizing the President of the Plaquemines Parish Government to sign and submit said application and contract; and otherwise to provide with respect thereto". Council Member Cognevich seconded the motion and on roll call all members present voting "YES", except Council Member Black who was "ABSENT", the motion was adopted by a vote of 8-0.

#### RESOLUTION NO. 20-137

On motion of Council Member LaFrance, seconded by Council Member Cognevich and on roll call all members present and voting "YES", except Council Member Black who was "ABSENT", the following Resolution was adopted:

A Resolution authorizing the Plaquemines Parish Community Agency to prepare the necessary application to the Louisiana Workforce Commission receiving the Coronavirus Aid, Relief, and Economic Security Act, (CARES Act) 2020, Community Services Block Grant Funds; authorizing the President of the Plaquemines Parish Government to sign and submit said application and contract; and otherwise to provide with respect thereto.

WHEREAS, the Louisiana Workforce Commission, through the Coronavirus Aid, Relief, and Economic Security Act, (CARES Act) 2020, Community Services Block Grant, has designated the eligible entity for administering the funds to begin May 15, 2020 and shall end on September 30, 2022 within the Parish of Plaquemines; and

WHEREAS, the Plaquemines Parish Community Action Agency has received federal and state recognition as the eligible entity within the Parish of Plaquemines for receiving and administering the Coronavirus Aid, Relief, and Economic Security Act, (CARES Act) 2020, Community Services Block Grant Funds;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby designates and authorizes the Plaquemines Parish Community Action Agency to prepare the necessary application to the Louisiana Workforce Commission for receiving and administering the Coronavirus Aid, Relief, and Economic Security Act, (CARES Act) 2020, Community Services

Block Grant Funds.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the President of the Plaquemines Parish Government sign said application and contract and a fully executed copy of the contract will be on file in the legal department.

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, both without further reading and approval by the Plaquemines Parish Council.

Council Member LaFrance moved to Agenda Item 11, "Approval of Minutes". Without objection, so ordered.

#### RESOLUTION NO. 20-138

On motion of Council Member Cognevich, seconded by Council Member Blink, and on roll call all members present and voting "YES", except Council Member Black who was "ABSENT", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the May 14, 2020, regular meeting as recorded by the Secretary of this Council.

Council Member LaFrance reverted back to Agenda Item 9m.

#### ORDINANCE NO. 20-52

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

An Ordinance to amend the Five Year Capital Improvements Plan for the USCG Inspection-M/V PALH Project; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$960,000 from the Federal Highway Administration (FHWA) with a local share of \$240,000 for the US Coast Guard Inspection/Dry Dock of the M/V PALH; and

WHEREAS, an amendment is necessary of the Five Year Capital Improvements Plan;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

#### SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$960,000 to the USCG Inspection-M/V PALH Project from the Federal Highway Administration (FHWA); funding year 2020.

#### SECTION 2

The Five Year Capital Improvements Plan is amended by appropriating \$240,000 to the USCG Inspection-M/V PALH Project from the 2020 General Fund, Operating Expenditure Budget, Ferries General Department, line item fuel diesel-ferries (001-735-4370-548.215); funding year 2020.

#### SECTION 3

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.

Council Member Cognevich seconded the motion to adopt the Ordinance.



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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey,  
Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and  
Mark Cognevich

NAYS: None

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28<sup>th</sup> day of May, 2020.

There being no further business to come before this Council, on motion Council Member LaFrance, seconded by Council Member Newberry and on roll call all members present and voting "Yes", except Council Member Black who was "ABSENT", the meeting adjourned at 7:38 p.m.

s/Carlton M. LaFrance, Sr.  
Chairman

s/Kim M. Toups  
Secretary