

Minutes of a meeting of the Plaquemines Parish Council, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, July 9, 2020, at 5:57 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 W. Beau Black
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

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine was absent; however, the three Charter Directors, Todd Eppley, Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9a(1), “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 ala Hache Shipyards; and otherwise to provide with respect thereto” was deferred for the fourth time; therefore, it fell off the agenda;
- 9a(2), “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 deferred for the fourth time; therefore, it fell off the agenda;
- 9j, “A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith” was deferred (5 mills for levees and flood control);
- 9m, “A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith” was deferred (1 mill for recreation programs and facilities);
- 9n, “A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith” was deferred (.25 mills for facilities & programs for elderly and Council on Aging);
- 9v, “A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith” was deferred (1 mill for mosquito control);
- 9w, “A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith” was deferred (2 mills for EMS); and
- a. 10b, “District 9 update.
 - 1) Discussion regarding grass on side the roads, in ditches and on levees.
 - 2) Discussion of drainage issues
 - 3) FEMA update relative to the Boothville Civic Center”;
- 10c, “District 5 update”;
- 10d(2), “District 8 update” Item 2, “Discussion on grass cutting along Parish Right of Ways”;
- 10e, “District 3 update”;

- 10f, “District 1 update”; and
- 10h, “District 6 update”.

The following items were withdrawn:

- 9a(3), “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”;
- 9c, “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”;
- 9d, “An Ordinance requiring each Plaquemines Parish Employee and Elected Official to undergo annual diversity, equity, inclusion, and justice training; and otherwise to provide with respect thereto”;
- 9o, “A Resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith”; and
- 9z, “An Ordinance to amend the Five-Year Capital Improvements Plan, Renovations-Government Complex Building 200 Project; and otherwise to provide with respect thereto”.

There being no Executive Session or Proclamations, Council Member LaFrance moved to Agenda Item 4, “Status Report by the Parish President”. Without objection, so ordered. In President Lepine’s absence, Director of Administration, Crystal Taylor, stated that all questions on the agenda have been addressed via emails sent by the Directors to the Council and they are ready to answer any questions. Council Member Rousselle stated that the reason why these items are on the agenda are because residents have the questions. The following was addressed:

- In regard to the broken gas line in Ranazta’s Trailer Park, Crystal Taylor stated that the gas line has been repaired. When asked by Council Member Rousselle if the Parish has any liability for the gas line, Director Todd Eppley said he does not feel they have any liability and Parish Attorney, Rennie Buras, said he could not speculate on the liability at this time because he does not know all the facts.
- Under the Corona Virus update, the Council was told that according to the Governor Stage 2 will likely last until mid-July. The Administration was asked if President Lepine intends on implementing any new restrictions and/or to mandate masks in public and the response was no, he is following the Governor’s guidelines. When questioned as to if there were any hotspots in the Parish and if the Administration was informed about the outbreak at Daybrook Fisheries, the Council was told there were no hot spots and they were informed of the outbreak. Council Member LaFrance asked for a weekly report on this matter from the Administration.
- The following questions were answered in regard to the Pointe-a-la-Hache ferry:
 - 1) What are the current operational hours of the ferry? Monday, Thursday and Saturdays from 6:00 a.m. to 7:45 p.m. and the remainder of the days from 6:00 a.m. to 7:45 a.m. and again from 6:00 p.m. to 7:45 p.m.
 - 2) What were the operational hours prior to March 2020? Monday through Sunday from 6:00 a.m. to 9:30 p.m.
 - 3) Why did the Administration change the operational hours? To limit the ferry crew’s exposure during the stay at home order. A lengthy discussion was held between the Administration, the Council and members of the public as to why the Belle Chasse ferry’s hours were cut and the need for legislation to set the hours.
 - 4) During the days on which the Pointe-a-la-Hache Ferry operates a limited schedule, are the crew members of the ferry paid during the hours in which the ferry is not making regular trips across the River? Director Todd Eppley said they are getting paid but, he does not know superficially what is being done. He does know each employee on the crew has assigned tasks. Council Member Barthelemy said he went to the PALH ferry several days a week and he would not see anyone working but would see employees

sitting on the levee. He feels like we were paying people not to work and it worries him because of the financial crisis the Parish is having.

- 5) How much money has been saved by the changing in hours during which the ferry makes trips across the River? Approximately \$60,000 saved since March in overtime which is 100 hours per week and about \$1200 a week savings in fuel. Discussions were held regarding the financial crisis, ferry fees, the need for the PALH ferry and the inconvenience of it not running at the regular schedule.
 - 6) How many round-trips did Pointe-a-la-Hache Ferry make in each of the following months: January, February, and June of 2020? January: 2,097 because the Belle Chasse was out of service, February: 1,740 the Belle Chasse was out of service for part of the month, June: 918 when abbreviated schedule was in place.
- Under the update on Sales Tax collection Council Member Rousselle said the Council Members received an email with the Sales Tax and Use Tax report from Finance. Estimates are on the sheet and there is still a deficit on those collections at 26%. The estimate for the rest of the year is at a 25%, 15% and 10% deficit. He thought things were looking better because in May sales tax was up 6.9% but, in June it was down 26.41% and also down in July by 27.73%. Hopefully sales tax will come back

Council Member Barthelemy asked to seek a suspension to the rules to add an item for consideration at today's meeting entitled, "An Ordinance authorizing and directing the Parish President, or his designee, to have the Pointe-a-la-Hache Ferry run Monday through Sunday from 6:00 a.m. to 8:00 p.m.; and otherwise to provide with respect thereto". The motion was offered by Council Member Barthelemy, seconded by Council Member Cognevich and on roll call all members present voting "YES", except Council Members Black and Arbourgh who "ABSTAINED" and Council Member Guey being "ABSENT", the motion failed by a vote of 6-2.

Council Member LaFrance reverted back to the President's update:

- Under the update on oil and gas revenue collections, Council Member Rousselle said the Parish is three months behind on collections. For April/May the collections were down 13.6%, for May/June down 65.75% but, June/July collections were up 39.89% above the estimate. Hopefully we will continue to see increases in collections above the estimate. The State royalty collections were down 21% in January, down in February 20%, down in March 11% and down in April and May 56%. The projection for the rest of the year is down 50-73% but, hopefully it will not be that bad.
- In regard to the report on amount of time the Ferry was out of service, as previously requested. Council Member Rousselle said enough time had been spent on the ferry.
- Under the status and update on the Medal of Honor Park drainage pump, Council Member Rousselle explained that he was informed by Director Scott Rousselle that they are searching for quotes and in the meantime, they are looking at the engine.
- Discussion and recommendation by the Administration on the C&C Marine ITEP Application No. 2019203-ITE, Council Member Rousselle stated the ITEP application had been received and he wanted to discuss this matter with the Administration. He explained that the Council has until the next meeting to take action and then another 30 days after that. Council Member Rousselle asked if the Administration has taken a position on application. Keith Espadron said they only received the application two days ago and he has not met with Assessor or C&C Marine, so the Administration has no recommendation at this time. Council Member Rousselle said he would introduce legislation to either approve or deny the application later in this meeting.

Council Member LaFrance moved to Agenda Item 9q.

RESOLUTION NO. 20-165

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

A Resolution authorizing President Lepine to contact the Louisiana State Legislature to officially rename the bridge known as the "Judge Perez Bridge" to the Belle Chasse Bridge.

WHEREAS, Judge Leander Perez for the duration of his tenure did actively seek to undermine the rights and freedoms of African Americans in Plaquemines parish by strictly enforcing segregation, falsifying voting records, and preventing African American individuals from voting; and

WHEREAS, these actions are not in keeping with our current values or our appreciation for the diverse and multi-ethnic community that we represent;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the Parish President, Kirk Lepine, to contact Louisiana State Legislature to make the aforementioned name change.

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 advanced to Agenda Item 9l.

RESOLUTION NO. 20-166

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

A Resolution opposing the removal of Railroad Spur Track Crossing DOT No. 855644P and urging Governor John Bel Edwards, the Plaquemines Parish State Legislative Delegation and the LA Department of Transportation and Development not to remove the railroad spur; and otherwise to provide with respect thereto.

WHEREAS, as part of the Belle Chasse Bridge and Tunnel Replacement Project, the Louisiana Department of Transportation and Development has the intention of removing Railroad Spur Track Crossing DOT No. 855644P; and

WHEREAS, Packard Truck Lines, LLC, has been diligently working with state and local governments, as well as with the New Orleans & Gulf Coast Railroad, to replace the switch and get the rail reactivated and has recently finalized a new contract regarding the rail spur; and

WHEREAS, Packard is already in negotiations with the Port of New Orleans to stage and store material required for Plaquemines LNG, has already been approved by Venture Global as a vendor in anticipation of Plaquemines Port development, has opened a Foreign Trade Zone and has a full pipe inspection facility in its yard; and

WHEREAS, the Plaquemines Parish Council believes the reactivated rail line will be a huge economic benefit on both the local and state level; and

WHEREAS, Packard’s efforts will provide an increase of jobs in the Plaquemines Parish and an increase in the amount of taxes collected by the Parish; and

WHEREAS, it is the desire of this Council to stress its opposition to the removal of Railroad Spur Track Crossing DOT No. 855644P and to urge Governor John Bel Edwards, the Plaquemines Parish State Legislative Delegation and the Louisiana Department of Transportation and Development not to remove the spur;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it opposes the removal of Railroad Spur Track Crossing DOT No. 855644P and urges Governor John Bel

Edwards, the Plaquemines Parish State Legislative Delegation and the LA Department of Transportation and Development not to remove the railroad spur.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it here by authorizes and directs the Secretary of this Council to send a certified copy of this Resolution to Governor John Bel Edwards, each member of the Plaquemines Parish State Legislative delegation and the Louisiana Department of Transportation and Development.

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 reverted back to Agenda Item 4a, "Update by Charter Directors". Without objection, so ordered. The following was discussed:

- Under "Update on Parish equipment and vehicles, including but not limited to, fire trucks, ambulances and dozers", Council Member LaFrance stated the Council received the emails the Directors sent out on this matter.
- Under "Update on the waterline on the northern end of the East Bank", Council Member Barthelemy asked when the project would start and was told by Director Todd Eppley that quotes should be requested next week and then once the quotes are received, work should begin in 45 days.
- Under "Status of and discussion regarding the Administration's plan for the Parish-wide Summer Recreation Program", Director Todd Eppley said they are waiting on an issue to be cleared up with the Pointe-a-la-Hache Volunteer Fire Department's Articles of Incorporation and once that is done then the Parish, they can execute a CEA. Council Member Barthelemy informed Mr. Eppley that the Articles of Incorporation have been re-instated. Parish Attorney, Rennie Buras, said he will get in touch with Mr. Clarence Brocks and set up a meeting regarding the CEA.

There being no Bids and Advertisements or Beer and Liquor permits, Council Member LaFrance moved to Agenda Item 7, "Building Permits". Without objection, so ordered.

RESOLUTION NO. 20-167

On motion of Council Member Cognevich, seconded by Council Member Blink, and on roll call all members present and voting "YES", except Council Member Barthelemy who was "ABSENT", and Council Member Black 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: LEAAF Environmental, LLC, Application No. 2020-308, dated May 5, 2020, advance two soil borings to upgrade existing fuel tanks for Adams Grocery, 41245 Highway 23, Venice.

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.

RESOLUTION NO. 20-168

On motion of Council Member Blink, seconded by Council Member Rousselle, and on roll call all members present and voting "YES", except Council Members Black and 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: Whitney Oil & Gas, LLC, Application No. 2020-436, dated June 18, 2020, install 10-inch pipeline, South Pass Area, Block 28, East Bay.

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.

RESOLUTION NO. 20-169

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present and voting "YES", 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: Matthews Mims, Application No. 2020-450, dated June 23, 2020, install vinyl sheet bulkhead and boat shed, 2784(A) Lake Hermitage Road, Lake Hermitage.

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.

RESOLUTION NO. 20-170

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

A Resolution approving the issuance of a special permit to TLC Novelty, William Hall, for the installation of a fireworks stand renewal located in a C-2 (General Commercial) Zoning District at 8480 Highway 23, Belle Chasse, Louisiana, all in accordance with Application No. 2020-454, dated June 24, 2020.

WHEREAS, TLC Novelty, William Hall, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2020-454, dated June 24, 2020) for a permit to install a fireworks stand renewal on property located at 8480 Highway 23, Belle Chasse, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to TLC Novelty, William Hall, for the installation of a fireworks stand renewal located in a C-2 (General Commercial) Zoning District at 8480 Highway 23, Belle Chasse, Louisiana, all in accordance with Application No. 2020-454, dated June 24, 2020.

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 advanced to Agenda Item 9y wherein the blank date was filled in by Council Member Barthelemy:

RESOLUTION NO. 20-171

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

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.

WHEREAS, on or about May 11, 2016 Plaquemines Parish Government and Port Eads Fishing Refuge, Inc. entered into a Cooperative Endeavor Agreement, related to the management and

control of the Port Eads Marina; and

WHEREAS, the initial term of the Cooperative Endeavor Agreement is set to expire on December 31, 2023; and

WHEREAS, the Cooperative Endeavor Agreement contains a Termination for Convenience clause, allowing Plaquemines Parish Government to terminate the Cooperative Endeavor Agreement by giving thirty (30) days written notice to Port Eads Fishing Refuge, Inc.;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines Parish President, or his designee, is authorized and directed to, not later than August 4, 2020, provide written notice to Port Eads Fishing Refuge, Inc. that Plaquemines Parish Government exercises its authority and terminates for convenience the Cooperative Endeavor Agreement by and between Plaquemines Parish Government and Port Eads Fishing Refuge, Inc., related to the management and control of the Port Eads Marina, which termination shall take effect upon the expiration of the 30th day following the receipt by Port Eads Fishing Refuge, Inc. of such notice.

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

1. A Resolution relative to revise and renew the Cooperative Endeavor Agreement between Plaquemines Parish Government and Port Eads Fishing Refuge, Inc; and to provide for related matters. COUNCIL MEMBER BARTHELEMY
2. An Ordinance authorizing and directing the Parish President, or his designee, to have the Pointe-a-la-Hache Ferry run Monday through Sunday from 6:00 a.m. to 8:00 p.m.; and otherwise to provide with respect thereto. COUNCIL MEMBER BARTHELEMY
3. An Ordinance to amend, and as amended readopt, the Plaquemines Parish Code of Ordinances, Section 2-17, ARules for Transaction of Business Before the Council@, Chapter 1, AMeetings of the Plaquemines Parish Council@, Rule 1; to annul, rescind and set-aside Ordinance No. 19-158; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH
4. An Ordinance to amend the 2020 Library Services Fund, Operating Expenditure Budget, Libraries General Department; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH
5. A Resolution (**denying or approving**) Industrial Tax Exemption application #20190003-ITE for applicant C & C Marine and Repair, LLC for participation in the Industrial Tax Exemption Program relative to their expansion project in Plaquemines Parish. COUNCIL MEMBER ROUSSELLE
6. A Resolution indicating the intention of the Parish of Plaquemines, State of Louisiana, to become a participating political subdivision in the Louisiana Local Government Environmental Facilities and Community Development Authority ("The Authority"); approving the appointment of a Director to represent the Parish of Plaquemines on the Board of Directors of the Authority; and otherwise to providing with respect thereto as provided by Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended. COUNCIL MEMBER LAFRANCE
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 ala

Hache Shipyards; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE

8. An Ordinance to amend, and as amended readopt, the Plaquemines Parish Code of Ordinances, Section 2-17, ARules for Transaction of Business Before the Council@, Chapter 1, AMeetings of the Plaquemines Parish Council@, Rule 1; to annul, rescind and set-aside Ordinance No. 19-158; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
9. An Ordinance to provide a waiver of the restriction on the placement of trailers, mobile homes and manufactured homes in certain residentially zoned areas of Plaquemines Parish, specifically Districts 7, 8, and 9 from West Pointe-a-la-Hache south, except Citrus City Subdivision in Buras or any other subdivision which have covenants; and otherwise to provide with respect thereto. COUNCIL MEMBER BLINK
10. A Resolution expressing the Plaquemines Parish Council’s support of the Louisiana Oyster Task Force and allowing them use of the Belle Chasse Council Chambers to hold their meetings; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
11. An Ordinance to amend and as amended readopt Chapter 15, Section 15-11 of the Code of Ordinances, “Usage Fees for Parish Ferries Crossing the Mississippi River”; and otherwise to provide with respect thereto. COUNCIL MEMBER BLINK
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. COUNCIL MEMBER BLINK

Council Member LaFrance moved to Agenda Item 9, “Ordinances and Resolutions on second reading and final passage”. Without objection, so ordered.

At the request of Council Member Barthelemy, Council Member LaFrance moved to Agenda Item 9g which was offered with changes:

ORDINANCE NO. 20-63

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

An Ordinance to amend the Five Year Capital Improvements Plan, New Courthouse Project and Replacement-PALH Ferry Landing Project; and otherwise to provide with respect thereto.

WHEREAS, a review of the Five Year Capital Improvements Plan was performed and an amendment is necessary; and

WHEREAS, the amendment is intended to move funds no longer necessary to complete Courthouse building, to the Replacement-Pointe a la Hache Ferry Landing Project, encompassing the ramps on both the East and West bank of the Mississippi River, to facilitate public access to the New Courthouse in Pointe-a-la-Hache; and

WHEREAS, an amendment is necessary to reimburse the B.P. Fund in the amount of \$142,304 for previous expenses for the ferry ramps from the New Courthouse Project;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$1,600,000 to the Replacement-PALH Ferry Landing Project from the New Courthouse Project; funding year, 2020.

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 and directed 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., Benedict Rousselle, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: Council Members Corey Arbourgh and Stuart J. Guey

ABSENT: None

PRESENT BUT NOT VOTING: Council Members W. Beau Black and Trudy Newberry
(BOTH ABSTAINED)

And the Ordinance was adopted on this the 9th day of July, 2020.

Council Member Barthelemy left the meeting at 9:07 p.m.

Council Member Black filled in the blanks for 9a(4):

ORDINANCE NO. 20-64

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

An Ordinance approving a plan of re-subdivision 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 Mc Curdy, III, P.L.S., dated April 28, 2020, the owner having fulfilled all the requirements of the Subdivision and Re-subdivision 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, CP1 Properties, LLC is owner of the property situated in the Parish of Plaquemines, State of Louisiana, as shown on the plat of survey of Cypress Park Subdivision, Phase 1B, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated April 28, 2020, a copy whereof is annexed hereto and made part hereof; and

WHEREAS, CP1 Properties, LLC., as the owner of the property has proposed the re-subdivision of a portion of the property (Phase 1B) into Lots 32 through 75 and Lots 95 through 116 including streets, greenspaces, utilities and interior drainage servitudes as more fully shown on said plat of survey; and

WHEREAS, the Plaquemines Parish Council gave conditional approval of Phase 1B of the Subdivision by Resolution No. 18-14, adopted January 11, 2018; and

WHEREAS, all streets, utilities, interior drainage structures and other improvements shown on the aforementioned and attached plat of survey of Phase 1B of the Subdivision are in place; and

WHEREAS, CP1 Properties, LLC, is desirous of accepting beyond the terms of conditional approval the responsibility for the upkeep, maintenance and repair of the following described street servitudes and roads, namely, Cypresswood Drive in Phase 1A and 1B, Hidden Cypress Drive in Phase 1A, Summer Cypress Lane and Cypress Bend in Phase 1B, as shown on the plats of survey of Cypress Park Subdivision, Phase 1A, by Bryant Hammett and Associates, certified by Hugh McCurdy, III, P.L.S., dated February 5, 2019, and Cypress Park Subdivision, Phase 1B, by Bryant Hammett and Associates, certified by Hugh McCurdy, III, P.L.S., dated April 28, 2020; and,

WHEREAS, CP1 Properties, LLC understands that, consistent with the undertaking of the responsibility for the streets and street servitudes, it and subsequent owners of the property comprising Phases 1A and 1B will be responsible and bear liability for the construction, repair, maintenance and upkeep of future non-dedicated street servitudes, roads, drainage swales, interior drainage ditches and culverts attendant to such street servitudes shown on the aforementioned plan and plats of subdivision; and,

WHEREAS, the Plaquemines Parish Government accepts no responsibility for the existing street servitudes and roads in Phases 1A and 1B as well as for the construction, maintenance, upkeep and repair of future non-dedicated streets, street servitudes, drainage swales, interior ditches and culverts attendant thereto as shown on the aforementioned plans and plats of subdivision;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The plan and plat of survey of Phase 1B of Cypress Park Subdivision into Lots 32 through 75 and Lots 95 through 116, by Bryant Hammett and Associates, certified by Hugh McCurdy, III, P.L.S., dated April 28, 2020, a copy whereof is annexed hereto and made a part hereof, be and is hereby given final approval for development of the named Lots, and that the approval of the Parish President, Directors and all appropriate Parish department heads of the aforesaid plan and plat of survey are hereby ratified and confirmed.

SECTION 2

The Parish President be and is hereby authorized to appear before a Notary Public and to execute any and all acts and documents attendant thereto for and on behalf of the Plaquemines Parish Government and the Parish of Plaquemines that the President deems necessary and proper in the premises to give full force and effect to this Ordinance.

SECTION 3

The Plaquemines Parish Government accepts no responsibility for the maintenance, repair and upkeep of the existing street servitudes and roads in Phases 1A and 1B or for the construction, repair, maintenance and upkeep of future non-dedicated street servitudes, roads, drainage swales, interior drainage ditches and culverts attendant to such street servitudes shown on the aforementioned plan and plats of survey of the subdivision or those constructed subsequent hereto by CP1 Properties, LLC in the Cypress Park Subdivision.

SECTION 4

The Council Secretary 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 Arbourgh seconded the motion to adopt the Ordinance.

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

YEAS: Council Members W. Beau Black, Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr.

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-65

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

An Ordinance to amend, and as amended, readopt Ordinance No. 19-38; and otherwise to provide with respect thereto.

WHEREAS, CP1 Properties, LLC is the owner of the property situated in the Parish of Plaquemines, State of Louisiana, as shown on the plat of survey of Cypress Park Subdivision, Phase 1A, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated February 5, 2019, a copy whereof is annexed hereto and made part hereof; and

WHEREAS, pursuant to Ordinance No. 19-38, CP1 Properties, LLC, was to convey for public use by authentic act, the following described street servitudes, Cypresswood Drive and Hidden Cypress Drive, and utilities shown on the plat of survey of Cypress Park Subdivision, Phase 1A, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated February 5, 2019; and

WHEREAS, CP1 Properties, LLC and the Parish never confected an Act of Dedication of Public Servitude; and

WHEREAS, both CP1 Properties, LLC and the Parish now desire that CP1 Properties, LLC, accept beyond the terms of the conditional approval the responsibility for the upkeep, maintenance, and repair of the following streets and roads, namely, Cypresswood Drive and Hidden Cypress Drive, and utilities shown on the plat of survey of Cypress Park Subdivision, Phase 1A, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated February 5, 2019;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 2 of Ordinance No. 19-38 is hereby amended and shall now read as follows:

“The Parish President be and is hereby authorized and to appear before a Notary Public and to execute any and all acts and documents attendant thereto for and on behalf of the Plaquemines Parish Government and the Parish of Plaquemines that the President deems necessary and property in the premises to give full force and effect to this ordinance.”

SECTION 2

Section 5 of Ordinance No. 19-38 is hereby amended and shall now read as follows:

“Plaquemines Parish Government accepts no responsibility or liability for the construction, maintenance, improvements, repair and upkeep of any future or now existing street servitudes and roads, right of ways, utilities, drainage structures, including but not limited to swales, interior drainage ditches and culverts shown on the aforementioned plan and plats of survey of the subdivision or those constructed subsequent hereto by CP1 Properties, LLC in the Cypress Park Subdivision.”

SECTION 3

All other Sections of Ordinance No. 19-38 shall remain in full force and effect.

SECTION 4

The Council Secretary 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 Arbourgh seconded the motion to adopt the Ordinance.

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

YEAS: Council Members W. Beau Black, Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr.

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

Council Member Black left the meeting at 9:22 p.m.

ORDINANCE NO. 20-66

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

An Ordinance by the Plaquemines Parish Council, as and on behalf of the West Bank Levee District and Buras Levee District, to appropriate new Perpetual Flood Protection Levee, Floodwall and Drainage Ditch Easements in certain portions of lands in Plaquemines Parish, Louisiana to construct the New Orleans to Venice (NOV), West Bank Hurricane Protection Levee Project NOV-09, St. Jude to City Price, Plaquemines Parish, Louisiana for levee, floodwall, drainage, flood, access and hurricane protection purposes; and otherwise to provide with respect thereto.

WHEREAS, the U. S. Army Corps of Engineers has determined that certain lands situated in Plaquemines Parish are required to construct the New Orleans to Venice, West Bank Hurricane Protection Levee Project NOV-09, St. Jude to City Price, in Plaquemines Parish, Louisiana, hereinafter referred to as “the NOV-09 Project”; and

WHEREAS, land rights were previously acquired for the NOV-09 Project pursuant to prior Ordinance No. 18-93, adopted on July 26, 2018; and

WHEREAS, additional rights of way are required for the NOV-09 Project to shift the reach four levee centerline 25 feet landside to avoid removing a section of buried concrete slope paving,

which revisions to the layout of the levee include shifting and extending a drainage ditch 10 feet from the levee toe; and

WHEREAS, the land estates required to construct the NOV-09 Project are identified in right-of-way drawings entitled “West Bank Mississippi River Levee, New Orleans to Venice, NOV-09, St. Jude to City Price, Plaquemines Parish, Louisiana,” File Number H-8-47471, Sheet Identification Numbers G-001 through G-003 (general information), CU-101 through CU-103 (civil drawings), CU-401 (utility/facility dispositions) and RR-101 through RR-104, and RR-601 through RR-604 (real estate drawings) dated June 7, 2018, revised February 3, 2020 hereinafter referred to as “NOV-09 Right-of-Way Drawings” attached hereto and made part hereof as Exhibit A; and

WHEREAS, the “Perpetual Flood Protection Levee, Floodwall and Drainage Ditch Easement” is a perpetual and assignable right and easement in (the land depicted in Exhibit A) (Various Tracts) to construct, maintain, repair, operate, patrol and replace a flood protection levee, floodwall, and drainage ditch, including all appurtenances thereto together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the rights-of-way; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines; and

WHEREAS, the constitution and laws of the State of Louisiana law provide that levee districts are authorized to appropriate needed lands for levee, drainage, flood and hurricane protection purposes; and

WHEREAS, by letters dated June 6, 2018 and May 22, 2018, addressed to Amos Cormier, as President of the Plaquemines Parish Government, the U. S. Army Corps of Engineers referenced its letter dated February 13, 2017 in which it provided notification of rights-of-way requirements in advance of environmental clearance and officially requested that Plaquemines Parish Government grant to the United States of America a clear and unobstructed right of entry, including the right of ingress and egress, to construct the aforementioned NOV-09 Project; and

WHEREAS, copies of the aforementioned letters are attached hereto and made part hereof as Exhibit B; and

WHEREAS, by letter dated May 11, 2020, addressed to Kirk Lepine, as President of the Plaquemines Parish Government, U.S. Army Corps of Engineers officially requested additional rights of way for a Perpetual Flood Protection Levee, Floodwall and Drainage Ditch Easement to shift and extend the centerline of a portion of the levee as shown on the aforementioned NOV-09 Right-of-Way Drawings; and

WHEREAS, a copy of the aforementioned letter is attached hereto and made part hereof as Exhibit C; and

WHEREAS, in order to provide the U. S. Army Corps of Engineers the requested right of entry for the subject project, it is incumbent upon and the responsibility of the Plaquemines Parish Council, as and on behalf of the West Bank Levee District and Buras Levee District, to appropriate new Perpetual Flood Protection Levee, Floodwall, and Drainage Ditch Easements all in Plaquemines Parish as identified in the aforementioned NOV-09 Right-of-Way Drawings for levee, floodwall, drainage, flood and hurricane protection purposes;

NOW, THEREFORE:

BE IT ORDAINED BY PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

As and on behalf of the West Bank Levee District and Buras Levee District, that it finds that the appropriation of new Perpetual Flood Protection Levee, Floodwall, and Drainage Ditch Easements all in Plaquemines Parish as identified in the NOV-09 Right-of-Way Drawings attached as Exhibit A are necessary, useful and required by the West Bank Levee District and

Buras Levee District for drainage, levee, floodwall, flood and hurricane protection purposes and are required for the construction of the NOV-09 Project.

SECTION 2

As and on behalf of the West Bank Levee District and Buras Levee District, it does pursuant to the constitution and laws of the State of Louisiana hereby appropriate new Perpetual Flood Protection Levee, Floodwall, and Drainage Ditch Easements all in Plaquemines Parish to construct the NOV-09 Project for levee, floodwall, drainage, flood and hurricane protection purposes as identified in the NOV-09 Right-of-Way Drawings attached as Exhibit A.

SECTION 3

President Kirk Lepine is hereby authorized to approve, sign and issue the requested right of entry, including right of ingress and egress, to the United States of America for the construction of the aforementioned project.

SECTION 4

A copy of the NOV-09 Right-of-Way Drawings attached as Exhibit A shall be kept on file in the offices of Plaquemines Parish Government's Land Department.

SECTION 5

This Ordinance shall be published in the official journal of Plaquemines Parish Government in the manner prescribed by law and that a copy of this Ordinance shall be furnished to each known property owner affected thereby by certified mail, return receipt requested, in accordance with law.

SECTION 6

The compensation due the affected landowners as determined in accordance with applicable law shall be paid within one year of the date of the adoption of this Ordinance.

SECTION 7

The Secretary of this Council is hereby authorized to immediately certify and release this Ordinance and that Plaquemines Parish Government 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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

Council Member Guey offered 9b with changes:

ORDINANCE NO. 20-67

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

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.

WHEREAS, the Parish currently occupies and utilizes property located in Belle Chasse for public purposes; and

WHEREAS, this Council finds it in the best interest of the Parish to enter into a new lease;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Parish President, or his designee, is hereby authorized to do all things necessary and proper to effectuate a lease agreement, attached hereto as Exhibit "1," for a term of two years and at a cost of no more than \$1 per year, and property taxes are to be paid by the property owner.

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

Council Member Guey asked to advance to agenda item 9h:

RESOLUTION NO. 20-172

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

A Resolution authorizing Plaquemines Parish Government to acquire in fee 0.155 acre of land and improvements located in Section 9, Township 14 South, Range

25 East in Plaquemines Parish, Louisiana, more particularly described in Exhibit "A," attached hereto; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government for public purposes needs to acquire in fee 0.155 acre of land and improvements (property) located in Section 9, Township 14 South, Range 25 East in Belle Chasse, more particularly described in Exhibit "A," attached hereto; and

WHEREAS, the property sought to be acquired by Plaquemines Parish Government is privately owned and is currently leased to Plaquemines Parish Government in Belle Chasse; and

WHEREAS, the property owner has agreed to sell the property to Plaquemines Parish Government; and

WHEREAS, Plaquemines Parish Government recently had the property appraised by a certified Louisiana appraiser purchase at a market value of \$35,500.00; and

WHEREAS, the property owner has agreed to sell the property to Plaquemines Parish Government for \$35,500.00; and

WHEREAS, the Parish President seeks authority to acquire the property in fee for a purchase price of \$35,500.00;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes and directs Plaquemines Parish Government, through its President, to acquire in fee 0.155 acre of land with improvements, more particularly described in Exhibit "A," attached hereto for a purchase price of \$35,500.00.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it authorizes the President of Plaquemines Parish Government to execute any and all necessary documents that are required to acquire said property.

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

ORDINANCE NO. 20-68

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

An Ordinance to amend the 2020 Operating Expenditure Budget, General Fund, Coastal Zone-Land Department; and otherwise to provide with respect thereto.

WHEREAS, after a review of the 2020 Operating Expenditure Budget, an amendment is necessary for the Coastal Zone-Land Department;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

In order to acquire in fee 0.155 acre of land and improvements located in Section 9, Township 14 South, Range 25, the 2020 Operating Expenditure Budget, General Fund, Coastal Zone-Land Department, is amended by appropriating \$35,500 from the General Fund Unreserved/Undesignated Fund Balance as follows:

| |
|--|
| Fund: 001 General Fund |
| Dept/Div: 773-4610 Coastal Zone-Land Department |

| Object | Description | Inc/ Dec | Amendment |
|---------------|------------------------------|---------------------|------------------|
| 568.110 | Property-Acquisition of Land | Inc | 35,500 |

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 Arbourgh seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

Council Member LaFrance reverted back to Agenda Item 9e.

ORDINANCE NO. 20-69

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

An Ordinance to amend the Five Year Capital Improvements Plan, Retrofit-Building 800 Project and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded additional funding for the Retrofit- Building 800 Project from the Hazard Mitigation Grant Program (HMGP); and

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

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$45,112 to the Retrofit-Building 800 Project from the Hazard Mitigation Grant Program (HMGP); funding year, 2020.

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 Guey seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr. and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr., W. Beau Black and Richie Blink

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

RESOLUTION NO. 20-173

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

A Resolution and endorsing and supporting Woodlands Conservancy's application to the FRTPL; and otherwise to provide with respect thereto.

WHEREAS, the Moving Ahead of Progress in the 21st Century (MAP-21) Transportation Act provides funds to the State of Louisiana for grants to federal, state, local government agencies, non-profit organizations and commercial entities to acquire, develop and/or maintain motorized and non-motorized trails; and

WHEREAS, the FHWA Recreational Trails Program for Louisiana (FRTPL) has been delegated the responsibility for the administration of the program within the state and setting up necessary procedures governing project application under the program; and

WHEREAS, these regulations require an application to have a resolution of support from the local governmental body of the jurisdiction in which the proposed project is located;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby endorses and supports the application being submitted to the FRTPL by Woodlands Conservancy.

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.

ORDINANCE NO. 20-70

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

An Ordinance to amend the Five Year Capital Improvements Plan, Drainage-Good News Project and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded additional funding for the Drainage- Good News Project from the Hazard Mitigation Grant Program (HMGP); and

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

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$768,311 to the Drainage- Good News Project from the Hazard Mitigation Grant Program (HMGP); funding year, 2020.

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 Arbourgh seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr. and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: Council Member Richie Blink

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-71

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

An Ordinance to amend the Firefighting Fund, 2020 Operating Revenue and Expenditure Budgets, Ambulances Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$10,000 from the Phase 1 Cares Fund; and

WHEREAS, amending the Firefighting Fund, 2020 Operating Revenue and Expenditure Budgets, Ambulances Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Firefighting Fund, 2020 Operating Revenue and Operating Budgets, Ambulances Department is amended as follows:

| | | | |
|---|--------------------|----------------|------------------|
| Fund: 119 Firefighting Fund | | | |
| Dept/Div: 555-2700 Ambulances Department | | | |
| Object | Description | Inc/Dec | Amendment |
| 425.020 | CARES Act – EMS | Inc | 10,000 |

| | | | |
|---------|------------------|-----|--------|
| 541.160 | Supplies Medical | Inc | 10,000 |
|---------|------------------|-----|--------|

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink, Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-72

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

An Ordinance to amend the Library Services Fund, 2020 Operating Revenue Budget, Libraries Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$6,562 from the Library Cares Act Fund; and,

WHEREAS, amending the Library Services Fund, 2020 Operating Revenue Budget, Libraries Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Library Services Fund, 2020 Operating Revenue Budget, Libraries Department is amended as follows:

| Fund: 006 Library Services Fund | | | |
|--|-----------------------|----------------|------------------|
| Dept/Div: 000-0000 Revenues | | | |
| Object | Description | Inc/Dec | Amendment |
| 425.015 | CARES Act – Libraries | Inc | 6,562 |

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-73

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

An Ordinance to amend the General Fund, 2020 Operating Revenue Budget, Ferries-General Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$749,528 from the Urbanized Area Formula Grants (CARES ACT); and,

WHEREAS, amending the General Fund, 2020 Operating Revenue Budget, Ferries-General Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund, 2020 Operating Revenue Budget, Ferries-General Department is amended as follows:

| Fund: 001 General Fund | | | |
|--|--|----------------|------------------|
| Dept/Div: 735-4370 Ferries-General Department | | | |
| Object | Description | Inc/Dec | Amendment |
| 425.010 | CARES Act Urbanized Area Formula Grant | Inc | 749,528 |

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-74

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

An Ordinance to amend the General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency, FEMA-General Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$5,899 from the Phase 37 Emergency Food and Shelter Program (EFSP) Grant; and,

WHEREAS, amending the General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency, FEMA-General Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency, FEMA-General Department is amended as follows:

| Fund: 001 General Fund | | | |
|--|-----------------------------------|----------------|------------------|
| Dept/Div: 596-3090 Community Action Agency-FEMA-General | | | |
| Object | Description | Inc/Dec | Amendment |
| 420.510 | CAA Phase 37-Emerg Food & Shelter | Inc | 5,899 |
| 556.505 | Other Programs Asst to Needy/Poor | Inc | 5,899 |

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

ORDINANCE NO. 20-75

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

An Ordinance to amend the General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency-General Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$6,030 from the CARES Emergency Food and Shelter Program (EFSP) Grant; and,

WHEREAS, amending the General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency-General Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund, 2020 Operating Revenue and Expenditure Budgets, Community Action Agency Department is amended as follows:

| Fund: 001 General Fund | | | |
|---|------------------------------------|----------------|------------------|
| Dept/Div: 596-3000 Community Action Agency-General | | | |
| Object | Description | Inc/Dec | Amendment |
| 425.005 | CARES Act CAA-Emerg Food & Shelter | Inc | 6,030 |
| 556.505 | Other Programs Asst to Needy/Poor | Inc | 6,030 |

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 Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

The blanks were filled in for Item 9x:

ORDINANCE NO. 20-76

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

An Ordinance to amend the 2020 Operating Expenditure Budget, General Fund, Parish Council-General Department and the Five Year Capital Improvements Plan, Construction-New Courthouse Project; and otherwise to provide with respect thereto.

WHEREAS, after a review of the 2020 Operating Expenditure Budget, an amendment is necessary for the Parish Council-General Department;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2020 Operating Expenditure Budget, General Fund, Parish Council-General Department, is amended by appropriating \$5,000 from the Construction-New Courthouse Project as follows:

| Fund: 001 General Fund | | | |
|---|-------------------------------|----------------|------------------|
| Dept/Div: 210-2000 Parish Council-General Department | | | |
| Object | Description | Inc/Dec | Amendment |
| 532.001 | Professional Services-General | Inc | 5,000 |

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 LaFrance seconded the motion to adopt the Ordinance.

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

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

NAYS: None

ABSENT: Council Member John L. Barthelemy, Jr. and W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 9th day of July, 2020.

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

Under 10a, “Resolutions wherein suspension is being sought”, Council Member Cognevich made a motion to add an item to the agenda for consideration entitled, “A Resolution authorizing the Parish President, through the Parish Attorney’s Office, on behalf of the Plaquemines Parish Government to file suit for damages and/or civil penalties owed to the Parish by Thomas Cauthron and his liability insurer, Hartford Accident and Indemnity Company; and otherwise to provide with respect thereto”. The motion was seconded by Council Member Blink and on roll call all members present voting “YES except Council Members Barthelemy and Black who were “ABSENT”, the motion was adopted by a vote of 7-0.

RESOLUTION NO. 20-174

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

A Resolution authorizing the Parish President, through the Parish Attorney’s Office, on behalf of the Plaquemines Parish Government to file suit for damages and/or civil penalties owed to the Parish by Thomas Cauthron and his liability insurer, Hartford Accident and Indemnity Company; and otherwise to provide with respect thereto.

WHEREAS, the Parish Attorney was just informed about a single vehicle accident that occurred on or about July 18, 2019; and

WHEREAS, Mr. Cauthron lost control of his vehicle, was ejected from the driver’s seat, and his vehicle left Engineers road, striking a PPG light pole located on the median near Harvey Blvd; and

WHEREAS, the driver’s liability is not in question, and his insurer has already tendered monies in payment for most of the damages; and

WHEREAS, delays associated with the COVID 19 pandemic have delayed progress on the repair and since a full understanding of PPG’s damages are not complete, the Parish Attorney seeks authorization to file suit against Mr. Cauthron and his insurer for the sole purpose of protecting PPG’s interests while the repair proceeds;

NOW THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President, through the Parish Attorney’s Office, is hereby authorized to pursue the Parish’s claim against Thomas Cauthron and his liability insurer, Hartford Accident and Indemnity Company for the full amount of damages owed PPG for the light pole and any other damages. The Parish Attorney is empowered to file a lawsuit in the 25th JDC in prosecution of said damages.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Agenda Item 10d, “District 8 update”. COUNCIL MEMBER BLINK

- Boat Harbor and Shipyard discussion:
 - a) Budget Items
 - b) Professional Services
 - c) Total number of boat lifts
 - d) Update on total percentage of people not paying for slips
 - e) Update on surveillance cameras at Boat Harbors and Shipyards
 - f) Date of next Public Meeting

Council Member Blink asked if anyone in the public wished to speak on any of the above listed items. Council Member Cognevich announced that the next Boat Harbor public meeting was going to be held on Tuesday, July 14, 2020, at 5:00 p.m. at the Buras YMCA. Kindra Arnesen suggested John Helmers have his information in regard to all the questions at the public meeting

on Tuesday. Mr. Helmers provided an update stating that there are all new lights at the South Empire harbor, a few security cameras were down in Empire, all the cameras in Buras were working and the cameras for the Venice were working and the Pointe-a-la-Hache cameras have been ordered. He also said there was an issue at the old shrimp dock in Venice where someone did boat repairs and spilled 20-30 gallons of old oil. The Parish had to hire a contractor to clean up and the bill was about \$15,000. John Helmers also said the stationary hoist in Venice was repaired and the cost was \$7600. He further stated that they continue to clean and cut grass even with limited manpower. Rob Forshee asked what the breakeven point would be and a discussion was held regarding this matter. Acy Cooper stated that the Venice Marina keeps getting targeted but, they are the only marina with a surplus. He further said that its all the other marinas and harbors that are not making money. Council Member Blink said he does not believe that to be true by the John Helmers' reports. Mr. Helmers ended the discussion by say that we are going to fix this but, it won't be done over night.

- Discussion on teamwork: Council Member Blink suggested the Parish hold some workshops and with the public to talk about what we need to do over the next few years. He is not sure the public knows how dire the Parish's financial situation actually is. Director Eppley said they would talk this week an see what could be done.
- Agenda Item 10g, "District 7 update". COUNCIL MEMBER LAFRANCE
 - 1) Update on the Diamond Park concession: Todd Eppley said Ken Dugas is finishing the plans in order for the Parish to go out for bids.
 - 2) Update on Hwy. 11 repairs: Council Member LaFrance was told work started today.
- Agenda Item 10i, "Discussion of Building 200" Council Member Rousselle said he was provided with a set of plans.
- The Council Secretary made the announcement under item 10j, that a Public Meeting to be held August 13, 2020, to consider adopting resolutions ordering and calling an election to authorize the levy of special taxes therein.

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

RESOLUTION NO. 20-175

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the June 25, 2020, regular Council meeting, as recorded by the Secretary of this Council.

There being no further business to come before this Council, on motion Council Member Rousselle, seconded by Council Member Cognevich, and on roll call all members present and voting "Yes", except Council Member Blink voting "No" and Council Members Barthelemy and Black who were "ABSENT", the motion was adopted by a vote of 6-1. The meeting adjourned at 10:05 p.m.

Chairman

Secretary