Minutes of a meeting of the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port, Harbor & Terminal District, held in the Belle Chasse Auditorium, 8398 Highway 23, Belle Chasse, Louisiana, on Thursday, September 12, 2013, at 1:20 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT:  Council Member Stuart J. Guey, Chairman
Council Member Percy “P.V.” Griffin, Vice-Chairman
Council Member Kirk M. Lepine
Council Member Anthony L. Buras
Council Member Burghart Turner
Council Member Jeff Edgecombe
Council Member Byron T. Marinovich
Council Member Marla Cooper

Kim Toups, Council Secretary

ABSENT:  Council Member Keith Hinkley

Mrs. Janice Acosta, Director of Administration, Mr. Byron Williams, Jr., Director of Public Service and Mr. Scott Lott, Director of Operations, are present representing the Administration.

The Pledge of Allegiance was led by Council Member Guey.

There was no Executive Session; therefore, Council Member Guey moved to Agenda Item 3, “Status Report by the Port Executive Director”. Without objection, so ordered.

There were no Bids or Advertisements.

Council Member Guey moved to Agenda Item 5, “Introduction of Ordinances and Resolutions”. Without objection, so ordered.

Introductions:

1.  A Resolution indicating the intention of the Plaquemines Port, Harbor and Terminal District State of Louisiana, (the “Port”) to proceed with the issuance of its Limited Tax Revenue Bonds, in one or more series, in an aggregate principal amount not to exceed $13,200,000; employing Bond Counsel, Financial Advisor and Placement Agent/Underwriter; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY.

2.  An Ordinance authorizing and directing Maynard Sanders, Executive Director of the Plaquemines Port Harbor and Terminal District to negotiate and enter into a Purchase Agreement on behalf of Plaquemines Port, Harbor and Terminal District, for the acquisition of certain land which is owned by CLL Limited Partnership, Ltd. COUNCIL MEMBER GUEY.

Council Member Guey moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final Passage”. Without objection, so ordered.

Council Member Guey withdrew Agenda Item 6a, “An Ordinance authorizing and directing the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port, Harbor and Terminal to negotiate and enter into a Purchase Agreement for the acquisition of land owned by CLL Limited Partnership, Ltd.”. Without objection, so ordered.
ORDINANCE NO. 13-186

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

An Ordinance authorizing the Plaquemines Port, Harbor & Terminal District (the Port), to accept funds from Port Security Grant Program #EMW-2011-PU-K00163 for Software and Systems Maintenance; and otherwise to provide with respect thereto.

WHEREAS, the Port has a statutory mandate to promote the safety and security of the river, river-front, docks, wharves, navigable waterways, vessels adjacent to or away from docks and wharves, as well as the banks, battures and contiguous and adjacent area affected by port, harbor, terminal, water and marine activities within the Port’s jurisdiction; and

WHEREAS, the Port has applied for and been awarded Port Security Grant Program Funds for Software & Systems Maintenance to meet its statutory mandate; and

WHEREAS, Port Security Grant Program funds in the amount of $379,316.99, representing 100% Federal Funding for are available for this purpose;

NOW, THEREFORE:

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

SECTION 1

The Plaquemines Parish Port, Harbor & Terminal District is hereby authorized to accept Port Security Grant Program funds in the amount of $379,316.99 from Grant # EMW-2011-PU-K00163, for Software & Systems Maintenance.

SECTION 2

The Plaquemines Port, Harbor & Terminal District 2013 Revenue Budget is hereby amended by the increase of $379,316.99 to line item 445-000-0000-429.005, Federal Grants Capital Projects reflecting 100% Federal Funding.

SECTION 3

The Plaquemines Port, Harbor & Terminal District 2013 Capital Expenditure budget is hereby amended by the increase of $379,316.99 to line item 445-490-2460-563.105, Computer Software.

SECTION 4

The Plaquemines Port, Harbor & Terminal District acting through it’s Chairman, Vice-Chairman or Executive Director, is hereby authorized to proceed with signing any and all documents necessary to carry out the completion of this project.

SECTION 5

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

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:
Ordinance No. 13-187

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

An Ordinance to amend, and as amended readopt Plaquemines Parish Code of Ordinances, Section 2-18, Chapter II, Rule 19(a); and otherwise to provide with respect thereto.

WHEREAS, the Council, as the sole governing authority of the Plaquemines Port, Harbor & Terminal District desires to amend its rules relative to the order of business of the council at its Port meetings;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 2-18, Chapter II, Rule 19(a) of the Plaquemines Parish Code of Ordinances is amended to read as follows:

“(a) The business of the council as the sole governing authority of the Plaquemines Parish Port, Harbor & Terminal District shall be conducted in the following manner:

(1) Roll call, prayer and pledge of allegiance.
(2) Executive Session.
(3) Status Report by the Port Executive Director
(4) Bids and advertisements.
(5) Introduction of Ordinances and Resolutions.
(6) Ordinances and Resolutions on second reading and final passage.
(7) New Business.
(8) Approval of the minutes.”

SECTION 2

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.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.
Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 201

Council Member Guey withdrew Agenda Item 6d, “An Ordinance to amend, and as amended readopt Ordinance No. 07-102, adopted May 10, 2007, to establish and initiate the collection of the Plaquemines Port, Harbor & Terminal District Security Fees (Security Surchargers); and otherwise to provide with respect thereto”. Without objection, so ordered.

ORDINANCE NO. 13-188

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

An Ordinance authorizing the Plaquemines Port, Harbor & Terminal District (the Port), to accept funds from Port Security Grant Program #EMW-2011-PU-K00163 for the purchase of two new fire/rescue vessels; and otherwise to provide with respect thereto.

WHEREAS, the Port has a statutory mandate to promote the safety and security of the river, river-front, docks, wharves, navigable waterways, vessels adjacent to or away from docks and wharves, as well as the banks, battures and contiguous and adjacent area affected by port, harbor, terminal, water and marine activities within the Port’s jurisdiction; and

WHEREAS, the Port has applied for and been awarded Port Security Grant Program Funds for the construction and purchase of two new fireboats; and

WHEREAS, Port Security Grant Program funds in the amount of $3,130,242.00, representing 100% Federal Funding for are available for this purpose; and

WHEREAS, LA R.S. 38:2212.6 authorizes the use of GSA Schedules for the Department of Homeland Security Infrastructure Protection Program Grant Funding pending authorization from the Governor’s Office of Homeland Security and Emergency Preparedness; and

WHEREAS, the Plaquemines Port, Harbor & Terminal District, as a member of the Lower Mississippi Port-Wide Strategic Security Council has received a letter of authorization from the Governor’s Office of Homeland Security to utilize said schedules;

NOW, THEREFORE:

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

SECTION 1
The Plaquemines Parish Port, Harbor & Terminal District is hereby authorized to accept Port Security Grant Program funds in the amount of $3,130,242.00 from Grant # EMW-2011-PU-K00163, for the construction and purchase of two new fire/rescue vessels.

SECTION 2

The Plaquemines Port, Harbor & Terminal District 2013 Revenue Budget is hereby amended by the increase of $3,130,242.00 to line item 445-000-0000-429.005, Federal Grants Capital Projects reflecting 100% Federal Funding.

SECTION 3

The Plaquemines Port, Harbor & Terminal District 2013 Revenue Budget is hereby amended by the increase of $3,130,242.00 to line item 445-490-2462-565.001, Equipment General

SECTION 4

The Plaquemines Port, Harbor & Terminal District acting through it’s Chairman, Vice-Chairman or Executive Director, is hereby authorized to proceed with signing any and all documents necessary to carry out the completion of this project using GSA schedules as subject to LA R.S. 38:2212.6.

SECTION 5

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

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

Council Member Buras seconded the motion to adopt the Ordinance.

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

YEAS:
Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

There being no “New Business” under Agenda Item 7, Council Member Guey moved to Agenda Item 8, “Approval of the August 22, 2013, minutes”. Without objection, so ordered.

RESOLUTION NO. 13-224

On motion of Council Member Guey, seconded by Council Member Marinovich, and on roll call all members present and voting “Yes”, except Council Member Hinkley, “Absent”, the following Resolution was adopted

BE IT RESOLVED by the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port, Harbor & Terminal District that it hereby approves the minutes of the August 22, 2013, Port Meeting, as recorded by the Secretary of this Council.
There being no further business to come before this Council, on motion of Council Member Marinovich, seconded by Council Member Lepine, and on roll call all members present and voting “Yes”, except Council Member Hinkley, “Absent”, the meeting adjourned at 1:32 p.m.

/s/Stuart J. Guey
Chairman

/s/Kim M. Toups
Secretary
Minutes of a meeting of the Plaquemines Parish Council, held in the Belle Chasse Auditorium, 8398 Highway 23, Belle Chasse, Louisiana, on Thursday, September 12, 2013, at 1:33 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT:  Council Member Byron T. Marinovich, Chairman
Council Member Kirk M. Lepine, Vice-Chairman
Council Member Percy “P.V.” Griffin
Council Member Stuart J. Guey
Council Member Anthony L. Buras
Council Member Burghart Turner
Council Member Jeff Edgecombe
Council Member Marla Cooper

Kim M. Toups, Council Secretary

ABSENT:  Council Member Keith Hinkley

The Parish President is present.

Mrs. Janice Acosta, Director of Administration, Mr. Byron Williams, Director of Public Service, and Mr. Scott Lott, Director of Operations are present representing the Administration.

Council Member Marinovich lead the prayer.

Council Member Marinovich moved to advance to Agenda Item 4a, “Proclamations”. Without objection, so ordered.

P R O C L A M A T I O N

On motion of Council Member Guey, seconded by All Council Members, and on roll call all members present and voting “Yes”, the following Proclamation was unanimously adopted:

A Proclamation declaring September 12, 2013, as
“Rosemary Suess Day”

in the Parish of Plaquemines.

WHEREAS, after receiving her Bachelor’s Degree in Business Administration from Belmont Abbey, Rosemary Suess began her career with the YMCA 16 years ago in North Carolina as a group exercise instructor and personal trainer; and

WHEREAS, from there Rosemary expanded her service to the YMCA by becoming an Organization Leader wherein she began conducting operations and management duties; and

WHEREAS, 3 years ago Rosemary came to Louisiana where she began spearheading fund raisers and collection of contributions essential in the opening of the Belle Chasse YMCA; and

WHEREAS, Rosemary was the first Executive Director of the Belle Chasse YMCA and currently oversees the 4 YMCA facilities in Plaquemines Parish as District Manager; and

WHEREAS, after 3 years of hard work and dedication to the YMCA of Plaquemines Parish, it is time for Rosemary to leave our Parish and continue her dedication to and hard work in another community;

NOW, THEREFORE:

BE IT PROCLAIMED by the Plaquemines Parish Council, represented by its duly authorized Chairman, Byron T. Marinovich, and by concurrence of the Parish President, Billy Nungesser, representing the Plaquemines Parish Government, that it hereby declares September 12, 2013, as
“ROSEMARY SUESS DAY”

in the Parish of Plaquemines and extends its gratitude and well wishes to Rosemary Suess for her hard work and dedication to Plaquemines Parish.

Given under my hand and the seal of the Parish of Plaquemines on this the 12th day of September, 2013

/s/Billy Nungesser 
BILLY NUNGESSER 
PARISH PRESIDENT

/s/ Byron Marinovich 
BYRON MARINOVICH 
COUNCIL CHAIRMAN

Council Member Marinovich moved to Agenda Item 1b, “Status Report by the Parish President”. Without objection, so ordered.

The President leaves the meeting at 2:20 p.m.

Council Member Marinovich moved to Agenda Item 2, “Bids and Advertisements”. Without objection, so ordered.

RESOLUTION NO. 13-225

On motion of Council Member Marinovich, seconded by Council Member Guey, and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent” the following Resolution was adopted:

A Resolution authorizing the acceptance of bids for the disposal of scrap metal for a period of two years.

WHEREAS, after due advertisement bids were received on August 27, 2013 for the disposal of scrap metal for a period of two years as follows: All Scrap Metals, #7 Veterans Memorial Blvd., Kenner, LA 70062; Uptown Recycling LLC, 1320 S Claiborne Avenue, New Orleans, LA 70125; and Environmental Operators, LLC, 11266 Belle Chasse Hwy, Belle Chase, LA 70037; all bids on file in the Parish Purchasing Agent’s Office and made a part hereof by reference to; and

WHEREAS, Byron Williams, Director of Public Services, recommends the acceptance of the high bid of Uptown Recycling, LLC; 1320 S. Claiborne Avenue, New Orleans, LA 70125 for disposal of scrap metal; and the Council concurred in said recommendation;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Purchasing Agent to enter into a contract for the disposal of scrap metal, with Uptown Recycling, LLC; 1320 S. Claiborne Avenue, New Orleans, LA 70125; all in accordance with bids submitted by said companies on August 27, 2013, on file in the Parish Purchasing Agent’s Office.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that William Nungesser, Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government to enter into a contractual agreement with Uptown Recycling, LLC; 1320 S. Claiborne Avenue, New Orleans, LA 70125, for the disposal of scrap metal, parish wide, for a period of two years, beginning with the adoption of this resolution and ending September 11, 2015.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this
R E S O L U T I O N  N O.  13-226

On motion of Council Member Guey, seconded by Council Member Marinovich, and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent” the following Resolution was adopted:

A Resolution authorizing the acceptance of bids for furnishing Water Meters with Flange to Flange Direct Read for a period of one year for use by the Water Department.

WHEREAS, after due advertisement bids were received on September 3, 2013 for furnishing Water Meters with Flange to Flange Direct Read for a period of one year for use by the Water Department as follows: Coburn’s Supply Co., 1849 Commercial Drive, Harvey, LA 70058; Louisiana Utilities Supply, 901 S. Labarre Road Suite 206, Metairie, LA 70001; HD Supply Waterworks, 812 Little Farms Avenue, Metairie, LA 70003; and Zenner Performance, 15280 Addison Road, Addison TX, 75001; all bids on file in the Parish Purchasing Agent’s Office and made a part hereof by reference to; and

WHEREAS, Mr. Byron Williams, Director of Public Services, recommends the acceptance of the low bid of Zenner Performance, and the Council concurred in said recommendation;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Purchasing Agent, to issue purchase orders on an as needed basis, to Zenner Performance, 15280 Addison Road, Addison TX, 75001, for the purchase of Water Meters with Flange to Flange Direct Read, for use by the Water Department, all in accordance with bid submitted by said vendor on September 3, 2013, on file in the Parish Purchasing Agent’s Office.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Billy Nungesser, Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Zenner Performance, for furnishing Water Meters with Flange to Flange Direct Read, for a period of one year, beginning September 12, 2013 through September 11, 2014.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent, and A Resolution authorizing the acceptance of bids for the disposal of scrap metal for a period of two years.

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.

R E S O L U T I O N  N O.  13-227

On motion of Council Member Marinovich, seconded by Council Member Guey, and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent” the following Resolution was adopted:

A Resolution authorizing the acceptance of bids for furnishing Chemicals for a period of one year for use by the Water/Sewer Department.

WHEREAS, after due advertisement bids were received on September 3, 2013 for furnishing Chemicals for a period of one year for use by the Water/Sewer Department as follows:
WHEREAS, Mr. Byron Williams, Director of Public Services, recommends the acceptance of the low bid of Polydyne, Inc. for Item No. 1; the low bid of Brenntag Southwest for Item No. 2; and the low bid of DPC Enterprises for Item Nos. 3 and 4; and the Council concurred in said recommendation;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Purchasing Agent, to issue purchase orders on an as needed basis to Polydyne, Inc., One Chemical Plant Road, Riceboro, GA 31323; to issue purchase orders on an as need basis to, Brenntag Southwest, Inc., 704 E. Wintergreen Road, Lancaster, TX 75134; and to issue purchase orders on an as need basis to, DPC Enterprises, L.P., 620 West 10th Avenue, Reserve, LA 70084, for the purchase of Chemicals, for use by the Water/Sewer Department, all in accordance with bid submitted by said vendor on September 3, 2013, on file in the Parish Purchasing Agent’s Office.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Billy Nungesser, Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Polydyne, Inc., Brenntag Southwest, and DPC Enterprises for furnishing Chemicals, for a period of one year, beginning September 12, 2013 through September 11, 2014.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of chemicals upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

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. 13-228

On motion of Council Member Marinovich, seconded by Council Member Lepine, and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent”the following Resolution was adopted:

A Resolution authorizing the acceptance of bids for furnishing recreation equipment for one year for use by the Recreation Department.

WHEREAS, after due advertisement bids were received on September 3, 2013, for furnishing recreation equipment, for one year for use by the Recreation Department as follows: Staples Sporting Good, 824 Kepler Street, Gretna, LA 70053; BSN Sports, 1901 Diplomat Drive, Farmers Branch, TX 75234; Smith’s Sporting Goods, 1435 W. Lindberg, Slidell, LA 70458; S & S Worldwide, P.O. Box 513, Colchester, CT 06415; Riddell Sports, 6846 Alamo Downs Pkwy, San Antonio, TX 78238; Bill Fritz Sports, 1072 Classic Road, Apex, NC 27539; Pyramid School Products, 6510 N 54th Street, Tampa, FL 33610; and Aluminum Athletic Equipment, 1000 Enterprise Drive, Royerford, PA 19468-1298, all bids on file in the Parish Purchasing Agent’s Office and made a part hereof by reference to; and

WHEREAS, Mr. Corey Buie of the Recreation Department, and Mr. Byron Williams, Director of Public Services, recommends the acceptance of the overall low bid of Staples Sporting Goods for Item Nos. 2, 3, 4, 6, 7, 11, 12, 15, 18B, 19, 21, 23, 24, 25, 26A, 26B, 29, 31, 32, 35, 36, 37, 40, 41, 44, 45, 49, 50, 51, 52, 53, 56, 57, and 59; and the overall low bid of Smith’s Sporting Goods for Item Nos. 1, 5, 8, 9, 10, 13, 14, 16, 17, 18A, 20, 22, 26C, 26D, 26E, 27, 28, 30, 33, 34, 38, 39, 42, 43, 46, 47, 48, 54, 55 and 58; and the Council concurred in said
BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Purchasing Agent to issue purchase order on an as needed basis, for a period of one year to Staples Sporting Goods for Item Nos. 2, 3, 4, 6, 7, 11, 12, 15, 18B, 19, 21, 23, 24, 25, 26A, 26B, 29, 31, 32, 35, 36, 37, 40, 41, 44, 45, 49, 50, 51, 52, 53, 56, 57, and 59; and to issue purchase order on as needed basis, for a period of one year to Smith's Sporting Goods for Item Nos. 1, 5, 8, 9, 10, 13, 14, 16, 17, 18A, 20, 22, 26C, 26D, 26E, 27, 28, 30, 33, 34, 38, 39, 42, 43, 46, 47, 48, 54, 55 and 58; for use by the Recreation Department, all in accordance with bid submitted by said company on September 3, 2013, on file in the Purchasing Agent’s Office.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that William Nungesser, Parish President, be and hereby authorized for and on behalf of the Plaquemines Parish Government to enter into a contractual agreement with Staples Sporting Goods, and Smith’s Sporting Goods, for furnishing recreation equipment, for one year, beginning with the adoption of this Resolution and ending September 11, 2014.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

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.
Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with NREC Power Systems, 1701 Engineers Road, Belle Chasse, LA 70037 for Items Nos. 2 and 9; and Taylor Power, 6122 Hwy 73, Geismar, LA 70734 for Items Nos. 1, 3, 4, 5, 6, 7, 8, and 10; on an as needed basis, for a period of one year beginning with the adoption of this resolution and ending September 11, 2014.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

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 Turner moved to Agenda Item 7c, “Discussion regarding St. Thomas Lane in Port Sulphur”. Without objection, so ordered. The floor was open to comments by residents.

At 2:25 Vice-Chairman Lepine begins to preside over the meeting. At 2:27 Chairman Marinovich resumes presiding over the meeting.

Council Member Marinovich reverted back to Agenda Item 3, “Beer and Liquor Licenses”. Without objection, so ordered.

R E S O L U T I O N  N O.  13-230

On motion of Council Member Marinovich, seconded by Council Member Griffin and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent”, the following Resolution was unanimously adopted:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby grants a three-day permit to engage in the sale of liquor and/or beer only in the Parish of Plaquemines is hereby approved: Kim C. Benoit, Secretary of The Plaquemines Parish Fair & Orange Festival Association, “Plaquemines Parish Orange Festival”, which will be held on December 6th, 7th, and 8th 2013, located at Fort Jackson.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Sheriff Lonnie J. Greco, Sr., and the Plaquemines Parish Health Department as notice of approval of application for permit.

Council Member Marinovich moved to Agenda Item 6kk. Without objection, so ordered.

R E S O L U T I O N  N O.  13-231

On motion of Council Member Marinovich, seconded by Council Member Griffin, and on roll call all members present and voting “Yes”, except Council Members Turner and Cooper voting “No”, and Council Member Hinkley who was, “Absent”, the following Resolution was adopted:

A Resolution authorizing and approving a one-time partial variance to the Permitting Guidelines of the Plaquemines Parish Borrow Pit Ordinance, No. 12-238, for application only to the Borrow Pit commonly referred to and known as Plaquemines Dirt & Clay Company, L.L.C., located at 22222 Highway 23, Pointe Celeste, Louisiana, (the “Borrow Pit”); and otherwise to provide with respect thereto.

WHEREAS, it is the sole duty and authority of the Plaquemines Parish Council to approve variances to the application and operating guidelines of the Plaquemines Parish Borrow Pit Ordinance No. 12-238 (the “Ordinance”); and,
WHEREAS, Plaquemines Dirt & Clay Company, L.L.C. has an existing, previously non-permitted, borrow pit that has been in existence prior to the enactment of any Plaquemines Parish Ordinance regulating the use of borrow pits; and,

WHEREAS, the Plaquemines Parish Government and Plaquemines Dirt & Clay Company, L.L.C. have entered into arms-length negotiations for a one-time variance to the applicable permitting guidelines; and

WHEREAS, it is the intent of the Plaquemines Parish Government and Plaquemines Dirt & Clay Company, L.L.C. to enter into an agreement outlining the details of the permitting variances; and,

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and approves a one-time partial variance to the Permitting Guidelines of the Plaquemines Parish Borrow Pit Ordinance, No. 12-238, for application only to the Borrow Pit commonly referred to and known as Plaquemines Dirt & Clay Company, L.L.C., located at 22222 Pointe Celeste, Louisiana.

BE IT RESOLVED by the Plaquemines Parish Council that the one-time partial variance shall include and be limited to those outlined in the attached agreement (Exhibit A); and,

BE IT RESOLVED by the Plaquemines Parish Council that the one-time partial variance shall be further subject to the following:

1. Plaquemines Dirt & Clay Company, L.L.C. agrees by filing its Permit Application, and the Plaquemines Parish Council approving the Application as set forth herein, that Plaquemines Dirt & Clay Company, L.L.C. waives and does not reserve any right to challenge on constitutional grounds any of the obligations, regulations, or any part of the Ordinance as it presently exists, to which it is subject, as set forth in this Resolution.

2. To the extent that anyone, whether a third party, a Plaquemines Dirt & Clay Company, L.L.C. employee, contractor, affiliate, assign, trespasser or invitee, whether authorized or not to enter the permitted property, raises, files, claims, or causes to be filed any cause of action for fault, neglect, or otherwise arising out of or allegedly causing personal or property damage upon any portion of the Plaquemines Dirt & Clay Company, L.L.C. permitted property, and said cause of action arises out of the Ordinance and Permit variances set forth in this Resolution and Permit Variance Agreement, Plaquemines Dirt & Clay Company, L.L.C. agrees to fully indemnify and hold harmless the Plaquemines Parish Council and/or Plaquemines Parish Government to the extent that the Plaquemines Parish Council and/or the Plaquemines Parish Government is named or alleged to be responsible for such damage or injury.

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 Marinovich moved to revert back to Agenda Item 6c. Without objection, so ordered.

At 3:32 Vice-Chairman Lepine begins to preside over the meeting.
At 3:34 Chairman Marinovich resumes presiding over the meeting.

ORDINANCE NO. 13-189

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

An Ordinance to amend the 2013 Five-Year Capital Improvements Plan for the Hurricane Isaac preparation, and recovery efforts and otherwise to provide with respect thereto.
WHEREAS, during 2012 Plaquemines Parish Government was impacted by Hurricane Isaac; and

WHEREAS, Ordinance No. 13-33, dated February 14, 2013, appropriated $30,000,000 to fund the Hurricane Isaac preparation and recovery efforts, $27,000,000 from the Federal Emergency Management Agency (FEMA) and $3,000,000 from the Fund Balance Designated for Emergencies; and

WHEREAS, it is a requirement and a necessity to provide for the essential operations of Plaquemines Parish Government to meet the needs of the Parish and its citizens; therefore, an additional appropriation in the amount of $30,000,000 is requested to fund the preparation and recovery efforts resulting from Hurricane Isaac, $27,000,000 from the Federal Emergency Management Agency (FEMA) and $1,000,000 from the Fund Balance Designated for Sewer, and $2,000,000 from the General Fund Unreserved/Undesignated Fund Balance;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating and additional $30,000,000 to fund the Hurricane Isaac preparation and recovery efforts; funding source, $27,000,000 from the Federal Emergency Management Agency (FEMA) and $1,000,000 from the Fund Balance Designated for Sewer and $2,000,000 from the General Fund Unreserved/Undesignated; funding year, 2013.

SECTION 2

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

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

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 Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Marinovich moved to Agenda Item 6e. Without objection, so ordered.

ORDINANCE NO. 13-190

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

An Ordinance to amend the General Fund 2013 Personal Services Budget,
Various Departments; and otherwise to provide with respect thereto.

WHEREAS, after a review of the 2013 Personal Services Budget, amendments are necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2013 Operating Budget, various funds, various departments, personal services expenditure line items appropriations are amended by a decrease in the General Fund of ($1,385,200), and a decrease in the Fire Fighting Fund of ($92,000) as follows:

<table>
<thead>
<tr>
<th>Fund: 001 General Fund</th>
<th>Object Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005 Salaries &amp; Wages-Regular</td>
<td>Decrease by (609,300)</td>
<td></td>
</tr>
<tr>
<td>515.005 FICA Taxes</td>
<td>Increase by 2,600</td>
<td></td>
</tr>
<tr>
<td>516.105 Retirement</td>
<td>Increase by 21,600</td>
<td></td>
</tr>
<tr>
<td>517.005 Group Insurance</td>
<td>Decrease by (202,000)</td>
<td></td>
</tr>
<tr>
<td>510.010 Salaries &amp; Wages-Overtime</td>
<td>Increase by 31,500</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>(755,600)</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund: 003 Road Maintenance (General Fund Transfer)</th>
<th>Object Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005 Salaries &amp; Wages-Regular</td>
<td>Decrease by (200,000)</td>
<td></td>
</tr>
<tr>
<td>516.105 Retirement</td>
<td>Decrease by (10,000)</td>
<td></td>
</tr>
<tr>
<td>517.005 Group Insurance</td>
<td>Decrease by (89,000)</td>
<td></td>
</tr>
<tr>
<td>510.010 Salaries &amp; Wages-Overtime</td>
<td>Increase by 20,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>(279,000)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund: 004 Public Health Fund (General Fund Transfer)</th>
<th>Object Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005 Salaries &amp; Wages-Regular</td>
<td>Decrease by (110,000)</td>
<td></td>
</tr>
<tr>
<td>516.105 Retirement</td>
<td>Increase by 50,000</td>
<td></td>
</tr>
<tr>
<td>517.005 Group Insurance</td>
<td>Decrease by (15,000)</td>
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<tr>
<td>Total</td>
<td>(75,000)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund: 005 Solid Waste Fund (General Fund Transfer)</th>
<th>Object Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005 Salaries &amp; Wages-Regular</td>
<td>Decrease by (160,000)</td>
<td></td>
</tr>
<tr>
<td>517.005 Group Insurance</td>
<td>Decrease by (50,000)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>(210,000)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund: 117 911 Services (General Fund Transfer)</th>
<th>Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Object</td>
<td>Description</td>
<td>Amendment</td>
</tr>
<tr>
<td>--------</td>
<td>------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>510.005</td>
<td>Salaries &amp; Wages-Regular</td>
<td>Decrease by</td>
</tr>
<tr>
<td>515.005</td>
<td>FICA Taxes</td>
<td>Increase by</td>
</tr>
<tr>
<td>516.105</td>
<td>Retirement</td>
<td>Increase by</td>
</tr>
<tr>
<td>510.010</td>
<td>Salaries &amp; Wages-Overtime</td>
<td>Decrease by</td>
</tr>
</tbody>
</table>

**Fund: 119 Fire Fighting Fund**

<table>
<thead>
<tr>
<th>Object</th>
<th>Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005</td>
<td>Salaries &amp; Wages-Regular</td>
<td>Decrease by</td>
</tr>
<tr>
<td>516.105</td>
<td>Retirement</td>
<td>Increase by</td>
</tr>
<tr>
<td>517.005</td>
<td>Group Insurance</td>
<td>Increase by</td>
</tr>
<tr>
<td>510.010</td>
<td>Salaries &amp; Wages-Overtime</td>
<td>Increase by</td>
</tr>
</tbody>
</table>

Total: (92,000)

**Fund: 441 Waterworks & Sewerage Fund (General Fund Transfer)**

<table>
<thead>
<tr>
<th>Object</th>
<th>Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005</td>
<td>Salaries &amp; Wages-Regular</td>
<td>Decrease by</td>
</tr>
<tr>
<td>517.005</td>
<td>Group Insurance</td>
<td>Decrease by</td>
</tr>
</tbody>
</table>

Total: (50,000)

**Fund: 448 Boat Harbor & Shipyard Fund (General Fund Transfer)**

<table>
<thead>
<tr>
<th>Object</th>
<th>Description</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>510.005</td>
<td>Salaries &amp; Wages-Regular</td>
<td>Decrease by</td>
</tr>
</tbody>
</table>

Total: (20,000)

SECTION 2

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

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

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 Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

**NAYS:** None

**ABSENT:** Council Member Keith Hinkley
PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Cooper moved to Agenda Item 6h. Without objection, so ordered.

ORDINANCE NO. 13-191

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

An Ordinance to amend the Five-Year Capital Improvements Plan for the Parish Coastal Restoration Plan Project; and otherwise to provide with respect thereto.

WHEREAS, in accordance with Ordinance No. 12-253, dated December 13, 2012, $59,985,000 of Louisiana Local Government Environmental Facilities and Community Development Authority Revenue Bonds were appropriated for the purpose of financing, planning, acquisition, construction and improvement of coastal restoration sub-projects and related infrastructure within the Parish of Plaquemines in conjunction with the Parish Coastal Restoration Plan; and

WHEREAS, Ordinance No. 12-228, dated November 8, 2012, authorizes the execution of task orders not to exceed $150,000 for the initial scoping, project planning and program coordination and reporting the feasibility investigation for the Coastal Restoration Plan Projects; and

WHEREAS, Ordinance No. 12-228, dated November 8, 2012, authorizes the execution task orders not to exceed $600,000 for the research and preparation of title reports for the Reach B-2 Vegetative Ridge Project; and

WHEREAS, Ordinance No. 13-12, dated January 10, 2013, authorizes the execution task orders not to exceed $50,658,377 for engineering and construction activities for the Reach B-2 Vegetative Ridge and Marsh Creation Projects; and

WHEREAS, Ordinance No. 13-69, dated April 11, 2013, authorizes the execution task orders not to exceed $100,000 for the Vegetative Ridge and Marsh Creation Projects; and

WHEREAS, Ordinance No. 13-81, dated April 25, 2013, authorizes the execution task orders not to exceed $100,000 for professional services for the Diversion Project; and

WHEREAS, Ordinance No. 13-160, dated July 25, 2013, authorizes the execution task orders not to exceed $650,000 to perform land rights services required for the construction and maintenance of the Reach B-2 Vegetative Ridge and Marsh Creation Projects (from Fort Jackson to Venice); and

WHEREAS, Ordinance No. 13-161, dated July 25, 2013, authorizes the execution task orders not to exceed $250,000 for engineering, design, permitting, surveying, and geotechnical investigation services for Cat Island East Restoration Project; and

WHEREAS, Ordinance No. 13-66, dated April 11, 2013, appropriated $1,225,000 for the Tiger Pass Ridge Marsh Creation Project;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating funds from the Plaquemines Parish Coastal Restoration Plan (Louisiana Local Government Environmental
Facilities and Community Development Authority Revenue Bonds) to the coastal project; funding year, 2013:

- Coastal Restoration Plan Projects $150,000
- Vegetative Ridge Project (Reach B-2) $600,000
- Vegetative Ridge and Marsh Creation Projects (Reach B-2) $50,658,377
- Vegetative Ridge and Marsh Creation Projects (Reach A, Reach B-1, Reach C and Reach I) $1,000,000
- Diversion Project Consultants $100,000
- Land Rights Project (Reach B-2) $650,000
- Cat Island East Project $250,000

SECTION 2

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

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013.

Council Member Griffin deferred Agenda Item 6t, “An Ordinance to amend the Five-Year Capital Improvements Plan by transferring $1,600,000.00 from the New Courthouse Project to the Government Complex Judicial Annex Building Project; authorizing Parish President William “Billy” Nungesser to hire a firm to engineer, design, and construct the Government Complex Judicial Annex Building Project; and otherwise to provide with respect thereto”. Without objection, so ordered.

Council Member Marinovich moved to Agenda Item 4, “Building Permits”. Without objection, so ordered.

RESOLUTION NO. 13-232

On motion of Council Member Marinovich, seconded by Council Member Guey and on roll call all members present and voting “Yes”, except Council Member Turner, voting “No”, Council Member Edgecombe, “Present but Not Voting”, and Council Member Hinkley, who was “Absent” the following Resolution was adopted:
BE IT RESOLVED by the Plaquemines Parish Council that the following applications for construction permits in the Parish of Plaquemines are hereby approved: Henry Brown, Application No. 2011-855, dated September 13, 2011, to install boat house, 760 Martin Lane, Port Sulphur, LA.

4:33 Vice-Chairman Lepine begins to preside over the meeting.
4:38 Chairman Marinovich resumes presiding over the meeting.

RESOLUTION NO. 13-233

On motion of Council Member Marinovich, seconded by Council Member Buras and on roll call all members present and voting “Yes”, except Council Member Turner, voting “No”, Council Member Edgecombe, “Present but Not Voting”, and Council Member Hinkley, who was “Absent” the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following applications for construction permits in the Parish of Plaquemines are hereby approved: Kent Frelich, Application No. 2012-1535, dated March 19, 2012, to install slip, boat house and walkway with dock, Empire Boat Harbor, Slip 22.

RESOLUTION NO. 13-234

On motion of Council Member Marinovich, seconded by Council Member Griffin and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent” the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following applications for construction permits in the Parish of Plaquemines are hereby approved: Crimson Gulf, LLC, Application No. 2013-3936, dated May 28, 2013, to wheel-wash for barge access, Near North Pass Area; Tennessee Gas Pipeline, Application No. 2013-4014, dated June 5, 2013, to install concrete mats on existing 24” TGP line No. 5001-1, Quatre Bayou Pass; Apache Corporation, Application No. 2013-4158, dated July 15, 2013, to install marsh buggy track and 4” flowline, South Pass 24 Field; Helis Oil & Gas Company, LLC, Application No. 2013-4173, dated July 17, 2013, for emergency repairs to an existing 4” flowline (after the fact Application), East Black Bay Field & Black Bay Field; LLOG Exploration Company, LLC, Application No. 2013-4215, dated July 26, 2013, to install pile clusters, drill the LLOG East Black Bay Prospects A and install well head protector, East Black Bay Field; Swift Energy Operating, LLC, Application No. 2013-4217, dated July 26, 2013, to install 6” pipeline, Lake Washington Field; Apache Corporation, Application No. 2013-4237, dated August 1, 2013, to maintenance dredge existing slip, workover well and subsequent maintenance wheelwashing events over the next five years following the initial maintenance dredging, South Pass 24 Field; LOBO Operating, Inc., Application No. 2013-4271, dated August 8, 2013, to install pile clusters, drill the East Black Bay Prospect “B” and install well head protector, East Black Bay Field; LLOG Exploration Company, LLC, Application No. 2013-4273, dated August 9, 2013, to install pile clusters, drill the East Black Bay Prospect “C” and install well head protector, East Black Bay Field; LOBO Operating, Inc., Application No. 2013-4274, dated August 9, 2013, to install pile clusters, drill the East Black Bay Prospect “D” and install well head protector, East Black Bay Field; Noel Marks c/o FPHIS, Inc., Application No. 2013-4278, dated August 9, 2013, to install covered boat slip with deck on top, 121 Pintail Lane, Myrtle Grove; APACHE Corporation, Application No. 2013-4319, dated August 23, 2013, for maintenance wheelwash existing slip and workover well, subsequent maintenance wheelwashing events over the next five years following the initial maintenance dredging, South Pass 24 Field.

Council Member Turner deferred Agenda Items, 4a19 and 4a20. Without objection, so ordered.

RESOLUTION NO. 13-235
On motion of Council Member Marinovich, seconded by Council Member Guey and on roll call all members present and voting “Yes”, except Council Members Turner and Cooper, voting “No”, and Council Member Hinkley, who was “Absent” the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following applications for construction permits in the Parish of Plaquemines are hereby approved: Plaquemines Dirt & Clay, Co., LLC, Application No. 2013-4372, dated September 9, 2013, to excavate borrow pit, 540 + acres (in accordance with exhibit “A” made a part hereof), 22222 Highway 23, Pointe Celeste.

Council Member Marinovich moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final Passage”. Without objection, so ordered.

Council Member Marinovich Guey deferred Agenda Item 6a1, “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. ZMP-2010-2, dated May 4, 2010”. Without objection, so ordered.

Council Member Marinovich moved to advance to Agenda Item 6j. Without objection, so ordered.

ORDINANCE NO. 13-193

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

An Ordinance to amend the Public Health Fund, 2013 Operating Expenditure Budget, Ambulance Department, line item Vehicles Major Repairs; and otherwise to provide with respect thereto.

WHEREAS, $250,000 is needed to remount and refurbish 2 ambulances; and

WHEREAS, amending the Public Health Fund, 2013 Operating Expenditure Budget, Ambulance Department by appropriating $250,000 to line item Vehicles Major Repairs from the General Fund Unreserved/Undesignated Fund Balance is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Public Health Fund, 2013 Operating Expenditure Budget, Ambulance Department is amended by appropriating $250,000 from the General Fund Unreserved/Undesignated Fund Balance as follows:

<table>
<thead>
<tr>
<th>Fund: 004 Public Health Fund</th>
<th>Dept/Div: 555-2700 Ambulance-General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Object</td>
<td>Description</td>
</tr>
<tr>
<td>561.450</td>
<td>Vehicles Major Repairs</td>
</tr>
</tbody>
</table>

SECTION 2

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

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

Council Member Griffin seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013.

Council Member Edgecombe moved to advance to Agenda Item 6p. Without objection, so ordered.

ORDINANCE NO. 13-194

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

An Ordinance to amend and as amended, readopt Ordinance No. 13-66, to include the West Bay Marsh Creation Project; and otherwise to provide with respect thereto.

WHEREAS, $1,225,000.00 was appropriated for the Parish’s 35% cost sharing of the Coastal Bonding Initiative in Ordinance No. 13-66; and

WHEREAS, the original $1,225,000.00 appropriated in Ordinance No. 13-66 included $577,765.52 needed for the West Bay Marsh Creation Project; however, said project was not referenced in the second “WHEREAS” in Ordinance No. 13-66; and

WHEREAS, for record keeping purposes it is necessary to amend Ordinance No. 13-66 to make reference to the West Bay Marsh Creation Project;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Ordinance No. 13-66, is hereby amended and as amended re-adopted for the second “WHEREAS” to read as follows:

“WHEREAS, the Parish wishes to commence with necessary tasks related to the permitting, surveying, geotechnical, design and engineering for the Tiger Pass Ridge Marsh Creation project and the West Bay Marsh Creation project.”

SECTION 2
The remainder of Ordinance No. 13-66 remains in full force and effect.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-195

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

An Ordinance to amend, and as amended readopt Ordinance No. 13-52 to add the West Bay Marsh Creation project; and otherwise to provide with respect thereto.

WHEREAS, Ordinance No. 13-52 was adopted by the Council on March 14, 2013 wherein it authorized the Parish President to continue the implementation of the Plaquemines Parish Coastal Plan using funds from the Coastal Bonding Initiative to perform permitting, surveying, geotechnical, and engineering activities for the Tiger Pass Ridge and Marsh Creation project, and to investigate the feasibility of, and, if advantageous, to formally enter into a cost-sharing agreement with the U.S. Army Corps of Engineers to implement the Tiger Pass Ridge and Marsh Creation project; and

WHEREAS, it was the intent of the Coastal Zone Management Department to have another project, the West Bay Marsh Creation Project, listed in Ordinance No. 13-52; and

WHEREAS, the Parish wishes to commence with necessary tasks related to the permitting, surveying, geotechnical, design and engineering for the West Bay Marsh Creation project and add said project to Ordinance No. 13-52;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Ordinance No. 13-52, Section 1, is amended and as amended re-adopted to read as follows:
“The Parish hereby authorizes the President of Plaquemines Parish, William “Billy” Nungesser to investigate the feasibility of, and, if advantageous, to formally enter into a cost-sharing agreement with the U.S. Army Corps of Engineers (USACE) to implement the Tiger Pass Ridge and Marsh Creation project and the West Bay Marsh Creation project through the USACE Beneficial Use of Dredged Material (BUDMAT) program or other USACE cost-sharing initiatives. This potential cost-sharing agreement would give the Parish the ability to share with USACE the costs to perform the necessary permitting, surveying, geotechnical, engineering, acquisition and construction activities for the Tiger Pass Ridge and Marsh Creation project and the West Bay Marsh Creation project.”

SECTION 2

The remaining sections of Ordinance No. 13-52 will remain the same.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Buras moved to advance to Agenda Item 6mm. Without objection, so ordered.

ORDINANCE NO. 13-196

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

An Ordinance amending the Five-Year Capital Improvements Plan to appropriate $1,000,000 to the “Reach A” Vegetated Ridge and Marsh Creation project, which include the “Reach A-4” (Oakville to LaReusitte), “Reach A-5” (LaReusitte to Myrtle Grove), and “Reach A-6” (Myrtle Grove to St. Jude) Vegetated Ridge and Marsh Creation projects; authorizing the Parish President to continue the implementation of the Plaquemines Parish Coastal Plan using funds from the Coastal Bonding Initiative and granting permission to perform the initial necessary tasks related to permitting, surveying, geotechnical, and engineering activities
WHEREAS, the Parish of Plaquemines, State of Louisiana (the "Parish") adopted a resolution on June 28, 2012 to proceed with a financing though the Louisiana Local Government Environmental Facilities and Community Development Authority for the purpose of financing the planning, acquisition, construction and improvement of coastal restoration sub-projects and related infrastructure within the Parish in conjunction with Parish Coastal Restoration Plan; and

WHEREAS, the Parish adopted Ordinance #12-178 on August 23, 2012, authorizing the issuance of bonds in one or more series to loan the proceeds thereof to the Parish to finance coastal restoration sub-projects and related infrastructure with the Parish in conjunction with Parish Coastal Restoration Plan; and

WHEREAS, the Parish wishes to commence with and appropriate funds for initial necessary tasks related to the permitting, surveying, geotechnical, design and/or engineering for Reach A-4, Reach A-5, and/or Reach A-6 Vegetated Ridge and Marsh Creation projects; and

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating $1,000,000 from the Coastal Bonding Initiative to perform the initial necessary tasks related to permitting, surveying, geotechnical, and/or engineering activities for subdivisions of the "Reach A" Vegetated Ridge and Marsh Creation project, which include the "Reach A-4" (Oakville to LaReuisitte), "Reach A-5" (LaReuisitte to Myrtle Grove), and "Reach A-6" (Myrtle Grove to St. Jude) Vegetated Ridge and Marsh Creation projects.

SECTION 2

The Parish hereby authorizes the President of Plaquemines Parish, William “Billy” Nungesser to enter into contracts and/or execute task orders not exceeding a total amount of $1,000,000 to perform the initial necessary tasks related to permitting, surveying, geotechnical, and/or engineering activities for subdivisions of the "Reach A" Vegetated Ridge and Marsh Creation project, which include the “Reach A-4” (Oakville to LaReuisitte), “Reach A-5” (LaReuisitte to Myrtle Grove), and “Reach A-6” (Myrtle Grove to St. Jude) Vegetated Ridge and Marsh Creation projects.

SECTION 3

That if any provision or item of this Ordinance or the application thereof is invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance which can be given effect without the invalid provisions, items, or applications; and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 4

The Secretary of this Council is hereby authorize and directed to immediately certify and release this Ordinance and 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 Marinovich seconded the motion to adopt the Ordinance.
The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Turner moved to advance to Agenda Item 600. Without objection, so ordered.

ORDINANCE NO. 13-197

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

An Ordinance to amend the Five-Year Capital Improvements Plan for the Improvements-St. Thomas Lane Project; and otherwise to provide with respect thereto.

WHEREAS, at the time that St. Thomas Lane was originally paved there were a limited number of houses on the lane;

WHEREAS, more properties on St. Thomas Lane have been developed and there is a need to extend the road so that the residents on the lane can easily access their properties;

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating funds to the Improvements-St. Thomas Lane Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by transferring $250,000 to the Improvements-St. Thomas Lane Project, funding source Sewer Fund Balance, funding year, 2013.

SECTION 2

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

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper
NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Edgecombe moved to revert back to Agenda Item 6a2 and offered it with changes. Without objection, so ordered.

ORDINANCE NO. 13-

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

1 An Ordinance to amend Chapter 15, Section 15-4 Speed Limits to include
provisions to change the speed limit on Highway 11 from its beginning in
Homeplace to Oak Lane in Empire, Louisiana, from 35 MPH to 45 MPH
; to establish a penalty for the violation thereof; and otherwise to provide
with respect thereto.

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends Chapter 15, Section 15-4 Speed Limits to include the following:

The speed limit on Highway 11, from its beginning in Homeplace to Oak Lane in Empire, Louisiana, is hereby changed from 35 MPH to 45 MPH for all motorized vehicular traffic.

Any person found in violation of the provisions of this subsection by a court of competent jurisdiction shall be fined not more than one hundred ($100.00) dollars or imprisoned for not more than thirty (30) days in the Parish jail or both fined and imprisoned at the discretion of the court.

SECTION 2

It hereby authorizes the Parish President to direct the Sign Department to have the necessary speed limit signs installed.

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.

ORDINANCE NO. 13-198

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

An Ordinance to amend Chapter 15, Section 15-4 Speed Limits to include provisions to change the speed limit on Highway 11 from its beginning in Homeplace to Olivia Lane in Empire, Louisiana, from 35 MPH to 45 MPH ; to establish a penalty for the violation thereof; and otherwise to provide with respect thereto.
BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends Chapter 15, Section 15-4 Speed Limits to include the following:

The speed limit on Highway 11, from its beginning in Homeplace to Olivia Lane in Empire, Louisiana, is hereby changed from 35 MPH to 45 MPH for all motorized vehicular traffic.

Any person found in violation of the provisions of this subsection by a court of competent jurisdiction shall be fined not more than one hundred ($100.00) dollars or imprisoned for not more than thirty (30) days in the Parish jail or both fined and imprisoned at the discretion of the court.

SECTION 2

It hereby authorizes the Parish President to direct the Sign Department to have the necessary speed limit signs installed.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Guey withdrew Agenda Item 6a3, “An Ordinance revoking Occupational License No. 025833 of Ms. Lisa’s Psychic Readings; and otherwise to provide with respect thereto”. Without objection, so ordered.

ORDINANCE NO. 13-199

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

An Ordinance approving a plan of resubdivision of Lot 16-C, 16-D, 16-F, and C, Fanny-Belair, Plaquemines Parish, Louisiana, into Lots 16-J, and 16-K, Fanny-Belair, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated May 8, 2013, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines,
WHEREAS, Leonard and Vita Lauga, is the owner of property, situated in the Parish of Plaquemines, State of Louisiana, as more fully shown on the plan and plat of resubdivision by Dufrene Surveying & Engineering, Inc., dated May 8, 2013, a print whereof is annexed hereto and made part hereof; and

WHEREAS, Leonard and Vita Lauga, is the owner of said property, has proposed the resubdivision of Lot 16-C, 16-D, 16-F, and C, Fanny-Belair, Plaquemines Parish, Louisiana, into Lots 16-J, and 16-K, Fanny-Belair, Plaquemines Parish, Louisiana, as more fully shown on said plan; and

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

WHEREAS, the owner 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 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 structures and other improvements that may be shown on the aforementioned plan and plat of survey; and

WHEREAS, the Owner and subsequent owners of the property shall be responsible for the construction and maintenance of future and all existing non-dedicated streets, roads, right 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 of Lot 16-C, 16-D, 16-F, and C, Fanny-Belair, Plaquemines Parish, Louisiana, into Lots 16-J, and 16-K, Fanny-Belair, Plaquemines Parish, Louisiana, as shown on the plat and plan of survey by Dufrene Surveying & Engineering, Inc., dated May 8, 2013, 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., May 8, 2013, 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 the aforesaid Ordinance.

SECTION 3

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 structures and other improvements that may be shown on the aforementioned plan and plat of survey.

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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


NAYS:  None

ABSENT:  Council Member Keith Hinkley

PRESENT BUT NOT VOTING:  None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Marinovich passed over Agenda Item 6a4.

ORDINANCE NO. 13-200

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

An Ordinance by the Plaquemines Parish Council, as and on behalf of the Buras Levee District, to appropriate fee title, perpetual floodwall levee easements, perpetual road easements and temporary work area easements in certain portions of lands in Plaquemines Parish, Louisiana to construct the New Orleans to Venice (NOV), West Bank Hurricane Protection Levee, NOV-07b, Empire to Fort Jackson, Sunrise and Grand Liard Pump Stations Fronting Protection in Plaquemines Parish, Louisiana for levee, drainage, flood 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 (NOV), West Bank Hurricane Protection Levee, NOV-07b, Empire to Fort Jackson, Sunrise and Grand Liard Pump Stations Fronting Protection in Plaquemines Parish, Louisiana, hereinafter referred to as “the NOV-07b Project”; and

WHEREAS, the land estates required to construct the NOV-07b Project are identified in right-of-way drawings entitled “New Orleans to Venice-07b Fronting Protection, Sunrise and Grand Liard Pump Station, Plaquemines Parish, Louisiana, Rights-of-Way” dated August 2013, File Number H-4-47603, Sheet identification Numbers R-001 through R-003, R-101 through R-104, and R-601 through R-602 , hereinafter referred to as “NOV-07b Right-of-Way Drawings” attached hereto and made part hereof as Exhibit A; and

WHEREAS, the “New Fee Title” is the fee simple title to the land, subject however, to existing easements for public roads and highways, public utilities, railroads and pipelines; excepting and excluding all minerals, including coal, oil and gas, in and under said land and all appurtenant rights for the exploration, development, production and removal of said minerals, including coal, oil and gas, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal of minerals therefrom; and

WHEREAS, the “New Perpetual Levee/ Floodwall Easement” is a perpetual and assignable right-of-way, servitude and easement to locate, construct, maintain, repair, operate, patrol and replace a flood protection levee, floodwall, gate closure, sandbag closure, including
all appurtenances thereto; 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 easements hereby acquired; subject, however, to existing rights-of-way, servitudes and easements for public roads and highways, public utilities, railroads and pipelines; and

WHEREAS, the “New Perpetual Road Easement” is a perpetual and assignable right-of-way, servitude and easement in, on, over and across land for the location, construction, operation, maintenance, alteration, and replacement of a road and 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 right-of-way, servitude and easement; reserving, however, to the owners, their heirs and assigns, the right to cross over or under the right-of-way, servitude and easement as access to adjoining lands at indicated locations; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; and

WHEREAS, the “New Temporary Work Area Easement” is a temporary and assignable right-of-way, servitude and easement for a period of 42 months, beginning with the date possession of the land rights appropriated by the Buras Levee District are granted to the United States of America for use by its representatives, agents, and contractors as a work area, including the right to access, borrow and/or deposit fill, spoil and waste material thereon, move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the aforementioned project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way, servitude and easement; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing rights-of-way, servitudes and 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 letter dated August 15, 2013 addressed to William H. Nungesser as President of the Plaquemines Parish Government, the U. S. Army Corps of Engineers 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-07b Project; and

WHEREAS, a copy of the aforementioned letter is attached hereto and made part hereof as Exhibit B; 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 Buras Levee District, to appropriate new fee title consisting of 3.24 acres; new perpetual levee/floodwall easements consisting of 7.80 acres; new perpetual road easements consisting of 0.19 acres; and, new temporary work area easements consisting of 6.26 acres in Plaquemines Parish as identified in the aforementioned NOV-07b Right-of-Way Drawings for levee, drainage, flood and hurricane protection purposes;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

As and on behalf of the Buras Levee District, that it finds that the appropriation of new fee title consisting of 3.24 acres; new perpetual levee/floodwall easements consisting of 7.80 acres; new perpetual road easements consisting of 0.19 acres; and, new temporary work
area easements consisting of 6.26 acres in Plaquemines Parish as identified in the aforementioned NOV-07b Right-of-Way Drawings attached as Exhibit A are necessary, useful and required by the Buras Levee District for drainage, levee, flood and hurricane protection purposes and are required for the construction of the NOV-07b Project.

SECTION 2

As and on behalf of the Buras Levee District, does pursuant to the constitution and laws of the State of Louisiana hereby appropriate new fee title consisting of 3.24 acres; new perpetual levee/floodwall easements consisting of 7.80 acres; new perpetual road easements consisting of 0.19 acres; and, new temporary work area easements consisting of 6.26 acres in Plaquemines Parish to construct the NOV-07b Project for levee, drainage, flood and hurricane protection purposes as identified in aforementioned NOV-07b Right-of-Way Drawings attached as Exhibit A.

SECTION 3

President William H. Nungesser 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-07b 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 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 Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley
PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-201

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

An Ordinance to authorize, approve and renew a Pipeline Right-of-Way Agreement with Marks Operating, L.L.C., to operate one four (4") inch diameter pipeline in two segments, 487’ feet in length, containing a total of (29.52) rods across property owned by the Plaquemines Parish Government, as the Grand Prairie Levee District, in Section 22, Township 19 South, Range 18 East, Coquille Bay Field, Plaquemines Parish, Louisiana; to authorize the Parish President to execute the agreement; and otherwise to provide with respect thereto.

WHEREAS, by letter of July 25, 2013, Marks Operating L.L.C. made application to the Plaquemines Parish Government to renew an existing 10 year term Pipeline Right-of-Way Agreement dated January 8, 2004, as recorded in COB 1063, folio 544, on January 9, 2004, and set to expire January 8th, 2014; and

WHEREAS, Marks Operating, L.L.C. submitted an application to renew a Pipeline Right-of-Way Agreement on July 25, 2013, in order to continue to operate one four (4") inch diameter pipeline in two segments, 487’ feet in length, containing a total of (29.52) rods across Parish-owned properties located in Section 22, T19S, R18E, Coquille Bay Bay Field, Grand Prairie Levee District, Plaquemines Parish, Louisiana; and

WHEREAS, the Mineral Office and Parish President have reviewed the application of Mark’s Operating, L.L.C. for renewal of the Pipeline Right-of-Way Agreement, and recommend to the Parish Council, approval of such application and execution of the Agreement by the President of Plaquemines Parish Government;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1.

It hereby approves of the July 25, 2013 application submitted by Marks Operating L.L.C. to renew a Pipeline Right-of-Way Agreement identified as PL-13-2, to continue to operate one four (4") inch diameter pipeline in two segments, 487’ feet in length, containing a total of (29.52) rods to service the Marks Operating L.L.C. pipeline across property owned by the Plaquemines Parish Government, as the Grand Prairie Levee District, located in Section 22, Township 19 South, Range 18 East, Coquille Bay Field, Plaquemines Parish, Louisiana, all as more fully shown on an plat attached and identified as Exhibit “A”, as follows:

SEGMENT 1
Commencing at:
X = 3,915,356.96; Y = 323,111.52 (1983 NAD)
Latitude = 29 degrees, 22 minutes, 24 seconds North
Longitude = 89 degrees, 20 minutes, 28 seconds West
Ending at:
X = 3,915,356.96; Y = 323,111.52 (1983 NAD)
Latitude = 29 degrees, 22 minutes, 24 seconds North
Longitude = 89 degrees, 20 minutes, 28 seconds West

SEGMENT 2
Commencing at:
X = 3,915,057.02; Y = 323,416.85 (1983 NAD)  
Latitude = 29 degrees, 22 minutes 27 seconds North  
Longitude = 89 degrees, 20 minutes, 31 seconds West  
Ending at:  
X = 3,914,923.23; Y = 323,553.04 (1983 NAD)  
Latitude = 29 degrees, 22 minutes, 28 seconds North  
Longitude = 89 degrees, 20 minutes, 33 seconds West  

All bearings, distances and coordinates are based on the Louisiana Lambert Plane Coordinate System, 1927 and 1983, South Zone, North American Datum, all as more fully shown on a plat prepared by Eric G. Ryals, Inc., Scale 1" = 1000', dated November 11, 2003, as attached and identified as Exhibit “A”.

SECTION 2

WHEREAS, Parish President, William H. “Billy” Nungesser is hereby authorized to execute a Pipeline Right-of-Way Agreement with Marks Operating L.L.C. for one four (4") inch diameter pipeline in two segments, 487' feet in length, containing a total of (29.52) rods across Parish-owned property located in Section 22, T19S, R18E, Coquille Bay Field, Grand Prairie Levee District, Plaquemines Parish, Louisiana; all in accordance with the terms and conditions set forth in the Pipeline Agreement identified as PL-13-2, on file with Plaquemines Parish Government, Mineral Office.

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

Council Member Griffin seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-202

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

An Ordinance to accept the bid of McGinty-Durham, Inc., for mineral lease purposes covering on Parish Tract No. 13-7, on property located in Section 19, T17S, R14E, Pointe-a-la-Hache Field, Plaquemines Parish, Louisiana, estimated to contain a total of (3.86) 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 13-7, was advertised for mineral lease purposes in accordance with the rules of procedure of the Parish Council and of State law; and

WHEREAS, one bid was received on Wednesday, August 21, 2013, as follows:

PARISH TRACT 13-7
McGinty-Durham, Inc.

Acreage: (3.86) Acres

Price Per Acre: $ 726.00 - Per Acre x (3.86) Acres = $2,802.36
WHEREAS, the Mineral Office has reviewed the bid and has recommends to the Parish Council the acceptance of the 3.86 Acre bid of McGinty-Durham, Inc.

NOW THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby accepts the bid of McGinty-Durham, Inc., for mineral lease purposes on Parish Tract No. 13-7, on property located in Section 19, T17S, R14E, Pointe-a-la-Hache Field, Plaquemines Parish, Louisiana, estimated to contain approximately 3.86 Acres, more or less, on file with the Plaquemines Parish Government, Mineral Office.

SECTION 2

It hereby authorizes the Parish President, William H. Nungesser, to execute a mineral lease McGinty-Durham, Inc., on Parish Tract 13-7, 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 in 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 Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

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

Council Member Griffin seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “PV” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-203

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

An Ordinance to accept the bid of McGinty-Durham, Inc., for mineral lease purposes covering on Parish Tract No. 13-8, on property located in Section 19, T17S, R14E
WHEREAS, pursuant to the provisions of the Plaquemines Parish Home Rule Charter, Parish Tract No. 13-8, was advertised for mineral lease purposes in accordance with the rules of procedure of the Parish Council and of State law; and

WHEREAS, one bid was received on Wednesday, August 21, 2013, as follows:

**PARISH TRACT NO. 13-8**

**McGinty-Durham, Inc.**

<table>
<thead>
<tr>
<th>Acreage:</th>
<th>(6.84) Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price Per Acre:</td>
<td>$ 726.00 - Per Acre x (6.84) Acres = $4,965.84</td>
</tr>
<tr>
<td>Cash Payment:</td>
<td>$4,965.84</td>
</tr>
<tr>
<td>Annual Rental:</td>
<td>$2,482.92</td>
</tr>
<tr>
<td>Royalties:</td>
<td>25% for oil, gas and other liquid and gaseous hydrocarbons</td>
</tr>
<tr>
<td>Additional Consideration:</td>
<td>(None)</td>
</tr>
</tbody>
</table>

WHEREAS, the Mineral Office has reviewed the bid and has recommends to the Parish Council the acceptance of the 6.84 Acre bid of McGinty-Durham, Inc.

NOW THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

**SECTION 1**

It hereby accepts the bid of McGinty-Durham, Inc., for mineral lease purposes on Parish Tract 13-8, on property located in Section 19, T17S, R14E Pointe-a-la-Hache Field, Plaquemines Parish, Louisiana, estimated to contain approximately (6.84) Acres, more or less, on file with the Plaquemines Parish Government, Mineral Office.

**SECTION 2**

It hereby authorizes the Parish President, William H. Nungesser, to execute a mineral lease McGinty-Durham, Inc., on Parish Tract No. 13-8, 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 in 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 Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

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

Council Member Griffin seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “PV” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper
The Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-204

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

An Ordinance approving a plan of resubdivision of Lot A, Potash Subdivision, Plaquemines Parish, Louisiana, into Lots A1, A2, and A3, Potash Subdivision, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated March 28, 2013, 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, Lloyd Lincoln, is the owner of property, situated in 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 28, 2013, a print whereof is annexed hereto and made part hereof.; and

WHEREAS, Lloyd Lincoln, is the owner of said property, has proposed the resubdivision of Lot A, Potash Subdivision, Plaquemines Parish, Louisiana, into Lots A1, A2, and A3, Potash Subdivision, Plaquemines Parish, Louisiana, as more fully shown on said plan; and

WHEREAS, all streets, utilities, drainage structures and other improvements shown on the aforesaid plan and plat of survey are in place; and

WHEREAS, the owner 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 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 structures and other improvements that may be shown on the aforementioned plan and plat of survey; and

WHEREAS, the Owner and subsequent owners of the property shall be responsible for the construction and maintenance of future and all existing non-dedicated streets, roads, right 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 of Lot A, Potash Subdivision, Plaquemines Parish, Louisiana, into Lots A1, A2, and A3, Potash Subdivision, Plaquemines Parish, Louisiana, as shown on the plat and plan of survey of by Dufrene Surveying & Engineering, Inc., dated March 28, 2013, a print whereof is annexed hereto and made a part hereof, is hereby approved, and 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 aforesaid plan or resubdivision of owner as depicted on plan and plat of survey by Dufrene Surveying & Engineering, Inc., March 28, 2013, 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 the aforesaid Ordinance.

SECTION 3

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 structures and other improvements that may be shown on the aforementioned plan and plat of survey.

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Marinovich reverted back to and withdrew Agenda Item 6a5, “An Ordinance approving a plan of resubdivision of Lot A, Potash Subdivision, Plaquemines Parish, Louisiana, into Lots A1, A2, and A3, Potash Subdivision, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated March 28, 2013, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without costs to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto”. Without objection, so ordered.

Council Member Marinovich deferred Agenda Item 6b, “An Ordinance to amend the Five Year Capital Improvements Plan for the LA 23 widening Project-Jefferson/Plaquemines Parish line to Engineers Road in Plaquemines Parish; and otherwise to provide with respect thereto”. Without objection, so ordered.

ORDINANCE NO. 13-205

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

An Ordinance to appropriate funding for street and highway lighting; and otherwise to provide with respect thereto.

WHEREAS, lighting of the highways and streets throughout Plaquemines Parish is of great importance to the safety and welfare of motorists, residents, and neighborhoods; and

WHEREAS, businesses throughout Plaquemines Parish are benefitted by the provision of properly planned and designed roadway and street lighting; and

WHEREAS, the provision of lighting on the highways in Plaquemines Parish requires specialized technical expertise that is beyond the capabilities of Parish staff; and
WHEREAS, the Louisiana Dept. of Transportation and Development requires engineering analyses of proposed lighting and the issuance of a permit prior to the installation of lighting on state highways; and

WHEREAS, funding to perform the required electrical engineering analyses and design, and permit preparation, is required if the Parish is to provide improved lighting on its highways and streets.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It does hereby appropriate $200,000.00 for the purpose of contracting professional electrical engineering assistance to address technical analyses, designs, plans, permits, and other specialized services for roadway and highway lighting throughout Plaquemines Parish; appropriated from Line Replacement Braithwaite to Phoenix Project to the Capital Improvements – Highways and Streets Lighting Account (Professional Services); funding year, 2013.

SECTION 2

It does hereby direct and authorizes Plaquemines Parish President Billy Nungesser to prepare and execute any and all documents necessary to carry out the intent of this Ordinance.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Edgecombe offered Agenda Item 6f, “A Resolution establishing the membership of the Plaquemines Parish Tourist Commission Board; appointing the initial members of the board; and otherwise to provide with respect thereto” and it was seconded by Council Member Guey. The names of the board were filled in, a discussion was had on this resolution and then it was deferred by Council Member Edgecombe.

ORDINANCE NO. 13-206

The following Ordinance was offered by Council Member Edgecombe who moved its adoption:
An Ordinance to amend the Five Year Capital Improvements Plan for the Overlay-Empire Boat Harbor Project; and otherwise to provide with respect thereto.

WHEREAS, an appropriation of $160,000 is needed for improvements at the Empire Boat Harbor; and

WHEREAS, amending the Five Year Capital Improvements Plan by appropriating $160,000 for the Overlay-Empire Boat Harbor Project from the General Fund Unreserved/Undesignated Fund Balance is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating $160,000 to the Overlay-Empire Boat Harbor Project from the General Fund Unreserved/Undesignated Fund Balance; funding year, 2013.

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.

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Guey withdrew Agenda Item 6i, “An Ordinance to amend the General Fund, 2013 Operating Expenditure Budget, Civil Service Department, line item Professional Services; and otherwise to provide with respect thereto”. Without objection, so ordered.

RESOLUTION NO. 13-236

On motion of Council Member Marinovich, seconded by Council Member Lepine, and on roll call all members present and voting “Yes”, except Council Member Hinkley, “Absent”, the following Resolution was adopted:

A Resolution to authorize the Parish President, Billy Nungesser, to establish a checking account at the Regions Bank for the Plaquemines Parish Hazard Mitigation Grant Program; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded Hazard Mitigation Grant Program funds through the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness from the Federal Emergency Management Agency; and

WHEREAS, Hazard Mitigation Grant Program guidelines require all matching funds collected from homeowners be accounted for in a separate bank account;
NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President, Billy Nungesser, to open a non-interest bearing checking account at Regions Bank in compliance with Federal Law for the Hazard Mitigation Grant Program funds through the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness and from the Federal Emergency Management Agency;

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Regions Bank is hereby authorized to honor checks, drafts, and orders of the Plaquemines Parish Government on this account when signed with any two signatures, of which at least one signature must be the handwritten original signature, and the other signature may be an authorized machine facsimile signature of Parish President, Billy Nungesser, Director of Administration, Janice Acosta, Director of Public Service, Byron Williams, Jr., or the Plaquemines Parish Council Chairman, only if provisions of Section 3.07A of Article 3 of the Plaquemines Parish Charter are made effective and are implemented as to the Council Chairman;

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that certified copies of this Resolution be forwarded to Regions bank to be kept on file in such bank as evidence of the authority as outlined herein the name of the Government of the Parish of Plaquemines on account with Regions Bank.

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. 13-237

On motion of Council Member Marinovich, seconded by Council Member Guey, and on roll call all members present and voting “Yes”, except Council Member Hinkley, “Absent”, the following Resolution was adopted:

A Resolution approving the acceptance of a Capital Outlay Act Appropriation by the State of Louisiana for the Emergency Evacuation Complex, Planning & Construction, FP&C Project No. 50-J38-12-02, in the amount of $500,000 and authorizing Parish President William “Billy” Nungesser to sign all documents and act on behalf of Plaquemines Parish in all matters pertaining to this project; and otherwise to provide with respect thereto.

WHEREAS, the Parish Administration and the District 2 Council member seek to accept an appropriation from the State of Louisiana Office of Facility Planning and Control, for the Emergency Evacuation Complex, Planning and Construction, in the amount of $500,000; and

WHEREAS, Capital Outlay Act Article VII, Section 6 contains said appropriation for FP&C Project No. 50-J38-12-02, Project Description Emergency Evacuation Complex, Planning and Construction;

WHEREAS, a Cooperative Endeavor Agreement between the State of Louisiana and Plaquemines Parish is required as a condition of acceptance; and

WHEREAS, such a project will benefit Plaquemines Parish by improving the safety and quality of life in the affected area;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the acceptance of the Capital Outlay Act Appropriation by the State of Louisiana for the Emergency Evacuation Complex, Planning and Construction, FP&C Project No. 50-J38-12-02, in the amount of $500,000.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Parish President, William “Billy” Nungesser, being the chief elected official of the Plaquemines Parish Government is the authorized representative for the project, and as such, is authorized to execute all documents and act on behalf of Plaquemines Parish in all matters pertaining to project.
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. 13-238

On motion of Council Member Marinovich, seconded by Council Member Guey, and on roll call all members present and voting “Yes”, except Council Member Hinkley, who was “Absent” the following Resolution was adopted:

A Resolution authorizing the Parish President William “Billy” Nungesser to act on behalf of Plaquemines Parish Government, in all matters pertaining to the Emergency Evacuation Complex, Project No. 50-J38-12-02, State of Louisiana, Division of Administration, Facility Planning and Control; and otherwise to provide with respect thereto.

WHEREAS, State of Louisiana, Division of Administration is requesting a Resolution designating an individual from Plaquemines Parish Government to act on behalf of Plaquemines Parish Government in matters pertaining to the Emergency Evacuation Complex, FP&C Project No. 50-J38-12-02; and

WHEREAS, the Parish Charter grants Parish President William “Billy” Nungesser authority to “exercise supervision over all…administrative work of the Parish and provide for the coordination of administrative activities”;

NOW, THEREFORE;

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President William “Billy” Nungesser to act on behalf of Plaquemines Parish Government, in all matters pertaining to the Emergency Evacuation Complex, Project No. 50-J38-12-02, State of Louisiana, Division of Administration, Facility Planning and Control.

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 Buras moved to advance to Agenda Item 6ll. Without objection, so ordered.

ORDINANCE NO. 13-207

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

An Ordinance to amend the Five-Year Capital Improvements Plan for the Peters Road Extension Bypass Project; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish was awarded additional funding from the State of Louisiana for the Peters Road Extension Bypass Project, in the amount of $700,000; and

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating $700,000 to the Peters Road Extension Bypass Project from the State of Louisiana is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating $700,000 to the Peters Road
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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Edgecombe moved to revert back to Agenda Item 6n. Without objection, so ordered.

ORDINANCE NO. 13-208

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

An Ordinance to amend the Five Year Capital Improvements Plan for the Lift Station No. 24 Project; and otherwise to provide with respect thereto.

WHEREAS, $450,000 is needed to cover the cost of improvements of lift station #24; and

WHEREAS, amending the Five Year Capital Improvements Plan by transferring $450,000 for the Lift Station No. 24 Project from the Extension-District 7 Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLACQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating $450,000 to the Lift Station No. 24 Project from the Extension-District 7 Project funding year, 2013.

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 Marinovich seconded the motion to adopt the Ordinance.
The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

**YEAS:** Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Anthony L. Buras, Burghart Turner, Jeff Edgecombe, and Marla Cooper

**NAYS:** None

**ABSENT:** Council Members Keith Hinkley and Anthony L. Buras

**PRESENT BUT NOT VOTING:** None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Buras leaves the meeting at 6:30 p.m.

Council Member Edgecombe deferred Agenda Item 6o, “An Ordinance to amend the Five-Year Capital Improvements Plan for the Port Sulphur Government Building-Waterproofing Project; authorizing the Parish President William “Billy” Nungesser to hire a Firm to engineer, design, and construct said Project; and otherwise to provide with respect thereto”. Without objection, so ordered.

Council Member Griffin deferred Agenda Item 6r, “An Ordinance appropriating the sum of $50,000.00 to grant to the Port Eads Fishing Refuge; and otherwise to provide with respect thereto”. Without objection, so ordered.

**ORDINANCE NO. 13-209**

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

An Ordinance to amend the General Fund 2013 Operating Expenditure Budget, Sales Tax Department, various line items; and otherwise to provide with respect thereto.

WHEREAS, amending the General Fund 2013 Operating Expenditure Budget, Sales Tax Department by transferring $5,000 from various line items is requested to cover the cost of purchasing a new scanner;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

**SECTION 1**

The General Fund 2013 Operating Expenditure Budget, Sales Tax Department is amended as follows:

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<thead>
<tr>
<th>Fund</th>
<th>Dept/Div</th>
<th>Description</th>
<th>Amendment</th>
</tr>
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<tbody>
<tr>
<td>001 General Fund</td>
<td>524-2560 Sales Tax-General</td>
<td>521.510 Operating Svcs Printing-Stationary, Forms, Etc.</td>
<td>Dec by (4,000)</td>
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<td>532.430 Prof Svcs Data Storage</td>
<td>Dec by (1,000)</td>
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<td></td>
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<td>563.110 Office Computer Hardware</td>
<td>Inc by 5,000</td>
</tr>
</tbody>
</table>

**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 Marinovich seconded the motion to adopt the Ordinance.

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

**YEAS:** Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich and Marla Cooper

**NAYS:** None

**ABSENT:** Council Members Keith Hinkley and Anthony L. Buras

**PRESENT BUT NOT VOTING:** None

And the Ordinance was adopted on this the 12th day of September, 2013

**ORDINANCE NO. 13-210**

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

An Ordinance to authorize the Parish President to enter into negotiations and execute a contract with the attorneys; Carmouche and Associates, LLC, Connick and Connick, LLC, Cossich, Sumich, Parsiola & Taylor, LLC and Burglass & Tankersley, LLC for professional legal services for the investigation, preparation, filing and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with coastal zone laws, statutes and regulations; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Coastal Zone Management department, within the authority granted to the Plaquemines Parish Council as representative and governing authority of the Parish of Plaquemines in any and all matters and actions, all rights, title, and interest in and to all lands and property owned by the Parish of Plaquemines, and to all resources and revenues derived therefrom, administers the Plaquemines Parish Coastal Zone Management (CZM) Program pursuant to the provisions of La. R.S. 49:214.28 and consistent with the rules, guidelines, policies and objectives set forth in Subpart C (Louisiana Coastal Zone Management Program) of Part II of Chapter 2 of Title 49 of the Revised Statutes; and

WHEREAS, Louisiana Revised Statutes, Title 49, Section 214.36 authorizes Plaquemines Parish Government, through the Plaquemines Parish Council, to bring such injunctive, declaratory, or other actions as are necessary to ensure that no uses are made of the coastal zone of Plaquemines Parish for which a coastal use permit has not been issued when required or which are not in accordance with the terms and conditions of a coastal use permit.

WHEREAS, the Plaquemines Parish Council has determined that investigation, preparation and filing of any actions authorized by Louisiana Revised Statutes, Title 49, Section 214.21, et seq, and specifically La. R.S. 49:214.36, requires the hiring of independent legal counsel for the Parish of Plaquemines with specialized knowledge and experience in pertinent state and federal coastal and environmental statutes and regulations, oil and gas statutes and regulations, environmental and ecological risk assessment and remediation, coastal loss mitigation, hydrology, hydro geology, and geological and lithological science; and

WHEREAS, pursuant to Resolution No. 13-138 and following the receipt of one qualification pursuant to the advertisement and promulgation of Requests for Qualifications, the Parish President is authorized by the Plaquemines Parish Council to enter into an agreement in a form agreed to between the Plaquemines Parish Council and the attorneys, Carmouche and Associates, LLC, Connick and Connick, LLC, Cossich, Sumich, Parsiola & Taylor, LLC and Burglass & Tankersley, LLC for professional legal services for the investigation, preparation, filing and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with coastal zone laws, statutes and; and
WHEREAS, the Council has reviewed the sole qualification submitted and contract;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Parish President is hereby authorized to execute a contract for professional legal services in a form agreed to between the Plaquemines Parish Council and the attorneys, Carmouche and Associates, LLC, Connick and Connick, LLC, Cossich, Sumich, Parsiola & Taylor, LLC and Burglass & Tankersley, LLC for professional legal services for the investigation, preparation, filing and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with coastal zone laws, statutes and regulations.

SECTION 2

The attorneys, Carmouche and Associates, LLC, Connick and Connick, LLC, Cossich, Sumich, Parsiola & Taylor, LLC and Burglass & Tankersley, LLC for professional legal services for the investigation, preparation, filing and handling of such injunctive, declaratory, shall immediately appoint a primary and secondary individual attorney contact, who shall have authority to, collectively, act on behalf of the attorneys in corresponding with, reporting to, and receiving direction from its Client, the Plaquemines Parish Council, as the representative and governing authority of the Parish of Plaquemines in any and all matters and actions, all rights, title, and interest in and to all lands and property owned by the Parish of Plaquemines, and to all services and revenues derived therefrom.

SECTION 3

The primary and/or secondary individual attorneys shall correspond with, report to, and receive direction from its client, the Plaquemines Parish Council, through its special counsel, Dwyer, Cambre and Suffern, L.L.C., or, in the alternative, directly from the Council as provided by the Plaquemines Parish Charter.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Member Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

6:33 p.m. Vice-Chairman Lepine begins to preside over the meeting.
6:37 p.m. Chairman Marinovich resumes presiding over the meeting.
Council Member Marinovich defers Agenda Item 6x, “An Ordinance to amend the Five-Year Capital Improvements Plan for the Government Complex-Telecommunications Project; and otherwise to provide with respect thereto” and 6y, “An Ordinance to amend the Five-Year Capital Improvements Plan for the Plaquemines Parish Performing Arts and Visual Arts Program Project; and otherwise to provide with respect thereto”. Without objection, so ordered.

ORDINANCE NO. 13-211

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

An Ordinance to amend the Five Year Capital Improvements Plan for the Generator-Sewer Lift Station No. 7 Project; and otherwise to provide with respect thereto.

WHEREAS, approximately $80,000 is needed to purchase a generator for Sewer Lift Station No. 7; and

WHEREAS, funds are available to transfer from the Repairs-Sewer Lift Stations 4, 7 & 8 Project; and

WHEREAS, amending the Five Year Capital Improvements Plan by transferring $80,000 to the Generator-Sewer Lift Station No. 7 Project from the Repairs-Sewer Lift Stations 4, 7 & 8 Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by transferring $80,000 to the Generator-Sewer Lift Station No. 7 Project from the Repairs-Sewer Lift Stations 4, 7 & 8 Project; funding year, 2013.

SECTION 2

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

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Members Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Lepine deferred Agenda Item 6aa, “An Ordinance terminating the State of Emergency declared by Parish President, William “Billy” Nungesser, on August 26, 2012, relative to Hurricane Isaac; authorizing and directing the Council Secretary to file this Ordinance with the
Plaquemines Parish Clerk of Court and State Emergency Preparedness Office; and otherwise to provide with respect thereto”. Without objection, so ordered

ORDINANCE NO. 13-212

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

An Ordinance to amend the Five-Year Capital Improvements Plan for the Hazard Mitigation Grant Program (HMGP) Project and authorizing the Parish President, William “Billy” Nungesser to enter into and sign any and all required documents; and otherwise to provide with respect thereto.

WHEREAS, as a direct result of Hurricane Isaac, the Federal Emergency Management Agency (FEMA) has made HMGP funds available to the State of Louisiana for use in eligible activities that support all Louisiana’s hazard mitigation plans; and

WHEREAS, the State of Louisiana has allocated federal funding to Plaquemines Parish in the amount of $12,118,394 with a required 25% local government cost share of the total project cost in the amount of $4,039,600 to be funded by the State of Louisiana, Community Development Block Grant is required;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating a total of $16,158,000 for the Hazard Mitigation Grant Program (HMGP) Project; $12,118,400 from the Hazard Mitigation Grant Program and $4,039,600 from the State of Louisiana, Community Development Block Grant Program; funding year, 2013.

SECTION 2

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

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

Council Member Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Members Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Guey withdrew Agenda Item 6cc, “An Ordinance authorizing Parish President William “Billy” Nungesser to loan a twenty (20) yard Parish dumpster and ten (10) parish trashcans for the Toys for Tots function to be held on December 12, 2013; and otherwise to provide with respect thereto”. Without objections, so ordered.
The following Ordinance was offered by Council Member Edgecombe who moved its adoption:

An Ordinance to amend the Five-Year Capital Improvements Plan for the Extension-District 7 Project; and otherwise to provide to respect thereto.

WHEREAS, an additional $250,000 is needed for the Extension-District 7 Project; and

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating $250,000 to the Extension-District 7 Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating $250,000 from the Extension-District 7 Project; funding year 2013.

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 Marinovich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Members Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

Council Member Marinovich withdrew Agenda Item 6ee, “A Resolution authorizing and directing the Parish President to employ, with the approval of the Parish Council, Special Counsel to represent Plaquemines Parish Government in legal representation for any court of law, and to render legal advice, regarding enforcement of Plaquemines Parish Ordinance 12-238 (the “Borrow Pit” Ordinance), more particularly with regards to Plaquemines Dirt & Clay, LLC”. Without objection, so ordered.

Council Member Marinovich deferred Agenda Item 6ff, “An Ordinance to amend the Five-Year Capital Improvements Plan for the Repairs-Port Sulphur Water Plant Project; and otherwise to provide with respect thereto”. Without objections, so ordered.

The following Ordinance was offered by Council Member Marinovich who moved its adoption:
An Ordinance to amend the General Fund 2013 Operating Expenditure Budget, Public Awareness Department, various line items; and otherwise to provide with respect thereto.

WHEREAS, amending the General Fund 2013 Operating Expenditure Budget, Public Awareness Department by transferring $1,500 from various line items is requested to cover the cost of purchasing a new computer;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund 2013 Operating Expenditure Budget, Public Awareness Department is amended as follows:

<table>
<thead>
<tr>
<th>Fund: 001 General Fund</th>
<th>Dept/Div: 460-2200 Public Awareness-General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Object</td>
<td>Description</td>
</tr>
<tr>
<td>528.105</td>
<td>Maint. Vehicles - Light</td>
</tr>
<tr>
<td>541.020</td>
<td>Supplies Postage</td>
</tr>
<tr>
<td>563.110</td>
<td>Office Computer Hardware</td>
</tr>
</tbody>
</table>

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 Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich and Marla Cooper

NAYS: None

ABSENT: Council Members Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013

ORDINANCE NO. 13-215

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

An Ordinance to amend, and as amended readopt Plaquemines Parish Code of Ordinances, Section 2-17 “Rules for Transaction of Business Before Council”, Chapter II, Rule 19(a); and otherwise to provide with respect thereto.
WHEREAS, the Council desires to amend its rules relative to the order of business of the council at its meetings;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 2-17, Chapter II, Rule 19(a) of the Plaquemines Parish Code of Ordinances is amended to read as follows:

“(a) The business of the council shall be conducted by the following order:

(1) Roll call, prayer and pledge of allegiance.

(1a) Executive Session.

(1b) Proclamations.

(1c) Status Report by the Parish President

(2) Bids and advertisements.

(3) Beer and liquor licenses.

(4) Building permits.

(4a) Construction permits

(5) Introduction of Ordinances and Resolutions.

(6) Ordinances and Resolutions on second reading and final passage.

(7) New Business.

(8) Approval of the minutes.”

SECTION 2

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.

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

Council Member Lepine seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Percy “P.V.” Griffin, Kirk M. Lepine, Stuart J. Guey, Burghart Turner, Jeff Edgecombe, Byron T. Marinovich, and Marla Cooper

NAYS: None

ABSENT: Council Members Keith Hinkley and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of September, 2013
Council Member Marinovich deferred Agenda Item 6ii, “A Resolution to reject the bid of McGinty-Durham, Inc., for mineral lease purposes covering Parish Tract 13-7, on property located in Section 19, T17S, R14E, Pointe-a-la-Hache Field, Plaquemines Parish, Louisiana, estimated to contain a total of 3.86 Acres, more or less; and otherwise to provide with respect thereto”. Without objections, so ordered.

RESOLUTION NO. 13-239

On motion of Council Member Turner, seconded by Council Member Marinovich, and on roll call all members present and voting “Yes”, except Council Members Hinkley and Buras, who were “Absent” the following Resolution was adopted:

A Resolution appointing Cornell Battle as the Council District 6 representative to the Plaquemines Parish Economic Development Board; and otherwise to provide with respect thereto.

WHEREAS, on February 28, 2013, Resolution No. 13-65 was adopted naming Norma Jean LaFrance to the Plaquemines Parish Economic Development Board as representative for District 6 in error; and

WHEREAS, Council Member Turner recommends Cornell Battle to fill the empty District 6 seat on the Parish Economic Development Board;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby appoints Cornell Battle to serve as the District 6 representative to the Plaquemines Parish Economic Development Board.

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 Marinovich deferred Agenda Item 6pp, “An Ordinance to amend the Five-Year Capital Improvements Plan for the Water Monitoring-SCADA Project; and otherwise to provide with respect thereto”. Without objections, so ordered.

Council Member Marinovich moved to revert back to Agenda Item 5, “Introduction of Ordinances and Resolutions”. Without objections, so ordered.

1. An Ordinance to amend the General Fund, 2013 Operating Expenditure Budget, Maintenance Department, line item Maintenance Buildings & Grounds and otherwise to provide with respect thereto. COUNCIL MEMBER GRIFFIN

2. An Ordinance appropriating the sum of $50,000 to grant to the Port Eads fishing Refuge and $50,000 for Professional Services/Security and otherwise to provide with respect thereto. COUNCIL MEMBER GRIFFIN.

3. An Ordinance to amend the Five-Year Capital Improvements Plan for the Annual Maintenance Project and Water & Sewer Fund 2013 Operating Expenditure Budget, Operations Department and otherwise to provide with respect thereto. COUNCIL MEMBER LEPINE

4. An Ordinance authorizing and directing the Parish President, William “Billy” Nungesser, to prepare and advertise a Request for Qualifications, for professional services to scan, create a computerized database, and maintain “back-up” storage of all Parish Council Legislation and files in the Council Secretary’s Office; and otherwise to provide with respect thereto. COUNCIL MEMBER LEPINE

5. An Ordinance to amend the Five-Year Capital Improvements Plan for the Resurface-Hebert Blvd Project and otherwise to provide with respect thereto. COUNCIL MEMBER LEPINE

6. An Ordinance authorizing the Parish President, William “Billy” Nungesser, to enter into and execute a Cooperative Endeavor Agreement between Plaquemines Parish Government and the
State of Louisiana, Office of Facility Planning and Control and to amend the Five-Year Capital Improvements Plan for Belle Chasse Parks-Planning and Construction Project and otherwise to provide with respect thereto. COUNCIL MEMBER LEPINE

7. A Resolution appointing Christopher Holder as a member of the Plaquemines Parish Fire Fighter Civil Service Commission to fill the unexpired term of Joseph Peterson who resigned; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY

8. A Resolution appointing Melvin Kiff as a member of the Plaquemines Parish Fire Fighter Civil Service Commission; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY

9. A Resolution re-appointing Allen Hero as a member of the Plaquemines Parish Fire Fighter Civil Service Commission; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY

10. A Resolution requesting the Plaquemines Parish Civil Service Commission to select and hire a consultant to perform a compensation study; and otherwise, to provide with respect thereto. COUNCIL MEMBER GUEY

11. A Resolution authorizing Parish President William “Billy” Nungesser enter into a Cooperative Endeavor Agreement for twenty (20) yd. Parish dumpster and ten (10) Parish trashcans for the Toys For Tots function to be held on December 12, 2013; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY

12. An Ordinance to enact the provisions and recommendations of the Plaquemines Parish Comprehensive Master Plan, which was adopted by the Plaquemines Parish Planning Board at its Regular Meeting on September 3, 2013, and to otherwise provide with respect thereto. COUNCIL MEMBER GUEY

13. An Ordinance to amend the Five-Year Capital Improvements Plan for the LA 23 Widening Project – Jefferson/Plaquemines Parish line to Engineer Road in Plaquemines Parish; and otherwise to provide respect thereto. COUNCIL MEMBER GUEY

14. An Ordinance repealing and rescinding Ordinance No. 13-93, and authorizing the Parish President to (1) issue and have advertised in the appropriate legal news journal a request for proposals for garbage, trash, and debris contract services for the purpose of providing solid waste transportation and disposal of all solid waste for Plaquemines Parish; (2) to select the best proposal(s), pursuant to the laws of the State of Louisiana, to negotiate the most favorable contract terms with the selected proposer(s), and, (3) once the contract(s) is/are negotiated, to submit for approval by the Parish Council the negotiated contract(s) noted herein, and to (4) execute the contract(s) approved by the Plaquemines Parish Council, and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

15. An Ordinance appropriating the sum of $100,000.00 to grant to CDM Smith to assist Plaquemines Parish Government in completing Agency Technical Review (ATR) with the U.S. Army Corps of Engineers (Corps) for the Baptiste Collette Navigation Channel Section 203 Study; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

16. An Ordinance authorizing the Parish President to continue the implementation of the Plaquemines Parish Coastal Plan using funds from the Coastal Bonding Initiative and granting permission to create a Plaquemines Parish Government Marsh In-Lieu Fee Program to create marsh mitigation in Plaquemines Parish that will serve as the master document to offset wetland impacts associated the “Reach A-4” (Oakville to LaReusitte), “Reach A-5” (LaReusitte to Myrtle Grove), “Reach A-6” (Myrtle Grove to St. Jude) Vegetated Ridge and Marsh Creation projects, and other future projects. COUNCIL MEMBER MARINOVICH

17. A Resolution authorizing Plaquemines Parish Government to settle and compromise Morris Encalade’s worker’s compensation claim #01D44C033883; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH
18. An Ordinance to amend the General Fund, 2013 Operating Expenditure Budget, Legal-Judgments Department, line item Judgments & Damages – Morris Encalade, CCMSI Workers’ Compensation Claim # 01D44C033883 – Final Settlement and Compromise, and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

19. An Ordinance authorizing William H. “Billy” Nungesser, Parish President, on behalf of the Buras Levee District, to accept an Act of Donation of 25,656 square feet of land from C.L.L. Limited Partnership, Ltd. Located in Myrtle Grove Marina Estates, Phase I for use by the Buras Levee District for levee, drainage, flood and hurricane protection purposes; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

20. An Ordinance authorizing William H. “Billy” Nungesser, Parish President, to accept an Act of Donation of a Perpetual Servitude over, under and across 1.392 acres of land from Hero Lands Company located in Section 9, Township 14 South Range 25 East in Belle Chasse, Louisiana; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

21. An Ordinance to amend the General Fund 2013 Operating Expenditure Budget; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

22. An Ordinance to approve the amended Pay Plan and Classification Schedule adopted by the Civil Service Commission on August 20, 2013 to create the new classifications of Insurance Specialist, and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

23. An Ordinance to approve the amended Pay Plan and Classification Schedule adopted by the Civil Service Commission on August 20, 2013 to create the new classifications of Comptroller, and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

24. An Ordinance by the Plaquemines Parish Council, as and on behalf of the Coastal Protection and Restoration Authority Board of Louisiana (“CPRA Board”), the West Bank Levee District, Plaquemines Parish and Plaquemines Parish Government, to appropriate perpetual flood protection levee and floodwall easements and temporary work area easements in certain portions of lands in Plaquemines Parish, Louisiana to construct the West Bank and Vicinity (WBV), Mississippi River Levee (MRL), Mississippi River and Tributaries (MR&T) Project, Hurricane and Storm Damage Risk Reduction System (HSDRRS), and Resilient Features, Augusta to Oakville (A), WBV-MRL 1.2a Baseline Stations (B/L Stas.) 556+90 to 611+00, Plaquemines Parish, Louisiana project for Mississippi River levee, flood and hurricane protection purposes and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

25. A Resolution authorizing special counsel, Dwyer, Cambre and Suffern, through J. Kendall Rathburn, on behalf of Plaquemines Parish Government to settle the matter entitled “CLL Limited Partnership, LTD v. The Plaquemines Parish Government”, 25th JDC, which has now been removed to the United States District Court of Louisiana, Eastern District; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

26. An Ordinance to establish a moratorium prohibiting the receipt of any permit application and/or the issuance of any permit from any new borrow pit operator for the construction of any borrow pit or any other pits or the extraction of dirt, soil, sand, gravel or earth within the boundaries of the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER MARINOVICH

27. An Ordinance to amend the Boat Harbors & Shipyards Fund, 2013 Operating Expenditure Budget and Manpower Structure, Boat Harbors-General Department, personal services line items for a Superintendent position and otherwise to provide with respect thereto. COUNCIL MEMBER EDGECOMBE

28. An Ordinance authorizing William Nungesser, Parish President to execute an agreement for the releasing of Lot “BB” of the Doullut-Morovich Canal Subdivision, Empire, Louisiana to
Quality Dockside L.L.C.; and otherwise to provide with respect thereto. COUNCIL MEMBER EDGECOMBE

29. An Ordinance to amend the Five-Year Capital Improvements Plan for the Remediation/Repairs Boothville/Venice Community Center Project and otherwise to provide with respect thereto. COUNCIL MEMBER COOPER

30. An Ordinance to amend the Five-Year Capital Improvements Plan for the Parish Coastal Restoration Plan Project and otherwise to provide with respect thereto. COUNCIL MEMBER COOPER

Council Member Marinovich moved to Agenda Item 7, “New Business”. Without objection, so ordered.

Council Member Turner offered Agenda Item 7a, “Public Comments regarding Hurricane Isaac” for discussion; however, there were no comments made by the public.

Council Member Turner offered Agenda Item 7b, “Update and Presentation by District 6 for Discussion”. Ms. Paula Pete from Family Resources of New Orleans made a presentation regarding the Homebuyer Assistant Program - Plaquemines Initiative.

Council Member Guey offered Agenda Item 7d, “Discussion regarding the Belle Chasse YMCA funding” for discussion. Council Member Guey presented information on this topic.

Council Member Turner deferred Agenda Item 7e, “Discussion concerning the purchase of Citrus Lands property”.

Council Member Marinovich offered Agenda Item 7f, “Public Hearing concerning the provisions and recommendations on the Plaquemines Parish Comprehensive Master Plan, which was adopted by the Plaquemines Parish Planning Board at its regular meeting on September 3, 2013, and recommended to the Plaquemines Parish Council for adoption” for discussion; however, there were no one present in the audience who spoke on regarding this matter.

Council Member Marinovich moved to Agenda Item 8, “Approval of Minutes”. Without objection, so ordered.

RESOLUTION NO. 13-240

On motion of Council Member Marinovich, seconded by Council Member Griffin, and on roll call all members present and voting “Yes”, except Council Members Hinkley and Buras, “Absent”, the following Resolution was adopted

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the minutes of the August 22, 2013, Council Meeting as recorded by the Secretary of this Council.

There being no further business to come before this Council, on motion of Council Member Guey, seconded by Council Member Griffin, and on roll call all members present and voting “Yes”, except Council Members Hinkley and Buras, “Absent”, the meeting adjourned at 7:10 p.m.

/s/Byron T. Marinovich
Chairman

/s/Kim M. Toups
Secretary