

ORDINANCE NO. 19-

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

1 An Ordinance authorizing Sandy Sanders, Executive Director of Plaquemines
2 Port, Harbor and Terminal District to purchase land owned by Regions Bank; and
3 otherwise to provide with respect thereto.
4

5 WHEREAS, through negotiations with Regions Bank, a recommendation is being made to
6 approve the acquisition of property owned by Regions Bank, contiguous to property currently
7 owned by Plaquemines Port, Harbor and Terminal District; and
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9 WHEREAS, the property has been appraised, and the fair market value has been calculated to be
10 \$60,000.00; and
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12 WHEREAS, the negotiations between Regions Bank and the Port recognize a total purchase
13 price of said property for Fifty-Six Thousand Dollars (\$56,000.00) for Tract 52A (20928 Hwy.
14 23, Port Sulphur, Louisiana), currently owned by Regions Bank;
15

16 NOW, THEREFORE

17
18 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
19 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL
20 DISTRICT THAT:
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SECTION 1

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24 It hereby authorizes and directs Maynard Sanders, Executive Director of the Plaquemines Port,
25 Harbor and Terminal District, to acquire the land owned by Regions Bank, more fully described
26 by the legal description attached hereto as Exhibit "A."
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- 28 1. The acquisition shall be for a purchase price of Fifty-Six Thousand Dollars
29 (\$56,000.00) for the transfer of ownership of the land at Tract 52A (20928 Hwy.
30 23, Port Sulphur, Louisiana), currently owned by Regions Bank, to the
31 Plaquemines Port, Harbor and Terminal District.
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SECTION 2

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35 Plaquemines Port, Harbor & Terminal District 2019 Revenue and Expenditure Budget is hereby
36 amended as follows:
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Division: 2468- Land Acquisition			
Object	Description	Inc/ Dec	Amendment
532.001	Professional Services- General	Dec	\$60,000.00
568.110	Property- Acq-Land	Inc	\$60,000.00

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Division: 2500- General Finance			
Object	Description	Inc/ Dec	Amendment
569.001	Asset Reclassification – General	Inc	(\$60,000.00)

SECTION 3

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

ORDINANCE NO.19-

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

1 An Ordinance to amend and as amended readopt Ordinance No. 07-102, adopted
2 May 10, 2007, to establish and initiate the collection of the Plaquemines Parish
3 Port, Harbor & Terminal District Security Fees (Security Surcharges); and
4 otherwise to provide with respect thereto.

5
6 WHEREAS, Ordinance No. 07-102 was adopted by the Plaquemines Parish Council as the sole
7 governing authority of the Plaquemines Parish Port, Harbor & Terminal District enabling the
8 collection of Security Fees (Security Surcharges); and

9
10 WHEREAS, the Plaquemines Parish Port, Harbor & Terminal District is a member of the Gulf
11 Seaports Marine Terminal Conference; and

12
13 WHEREAS, by a vote of the membership of the Gulf Seaports Marine Terminal Conference, of
14 which the Plaquemines Parish Port, Harbor & Terminal District is a member, increasing Security
15 Fees (Security Surcharges), effective October 1, 2019; and

16
17 WHEREAS, the Security Surcharge will be assessed against vessels and barges as a percentage
18 of total dockage charged, and as a tonnage fee against cargo, with the exception of containers
19 which, will be assessed on a per unit basis. The Security Surcharges will be assessed in addition
20 to all other fees which may be due under this tariff as follows:

21
22 Vessels and barges, 10.11 percent (10.11%) of total dockage assessed per Port
23 call; Cargo (to be billed to the party paying dockage)

24
25 Break Bulk \$0.21 per ton (21 cents/ton)
26 Dry Bulk \$0.048 per ton (4.8 cents/ton)
27 Liquid Bulk \$0.048 per ton (4.8 cents/ton)
28 Containers \$4.47 per box (4 dollars forty-seven cents/box)
29 Vehicles \$1.00 per vehicle (1 dollar/vehicle)
30 Passengers \$1.00 per passenger (1 dollar/passenger)

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32 NOW, THEREFORE:

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

SECTION 1

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40 In addition to all other fees, charges and tariffs previously passed by the Plaquemines Parish
41 Council and the Plaquemines Parish Port, Harbor & Terminal District, the following Security
42 Fees (Security Surcharges), as to be described in this tariff item, in accordance with the notice
43 filed with the Federal Maritime Commission by the Gulf Seaports Marine Terminal Conference
44 shall be assessed against all vessels, barges and cargo interests using services or facilities of the
45 Plaquemines Parish Port, Harbor & Terminal District as a percentage of total dockage charged,
46 and as a tonnage fee against cargo, with the exception of containers, which will be assessed on a
47 per unit basis as follows:

48
49 Vessels and Barges –10.11 percent (10.11%) total dockage assessed per Port call; cargo (to be
50 billed to the party paying dockage):

51
52 Break Bulk \$0.21 per ton (21 cents/ton)
53 Dry Bulk \$0.048 per ton (4.8 cents/ton)
54 Liquid Bulk \$0.048 per ton (4.8 cents/ton)
55 Containers \$4.47 per box (4 dollars forty-seven cents/box)
56 Vehicles \$1.00 per vehicle (1 dollar/vehicle)
57 Passengers \$1.00 per passenger (1 dollar/passenger)

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SECTION 2

The effective date of the amended Security Fees (Security Surcharges) shall be October 1, 2019.

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.

GULF SEAPORTS MARINE TERMINAL CONFERENCE

May 2, 2019

Current Fee Schedule for 2018-2019:

Vessels & Barges:

9.82% of total dockage per port call

Cargo:

Break bulk: \$ 0.206 cents per ton

Dry bulk: \$ 0.047 cents per ton

Liquid bulk: \$ 0.047 cents per ton

Containers: \$ 4.34 per box

Vehicles: \$ 1.00 per vehicle

Passengers: \$ 1.00 per passenger

Proposed fee schedule, effective October 1, 2019 and no later than January 1, 2020:

Vessels & Barges:

- 10.11 % of total dockage per port call

Cargo:

- Break bulk: \$ 0.21 cents per ton
- Dry bulk: \$ 0.048 cents per ton
- Liquid bulk: \$ 0.048 cents per ton
- Containers: \$ 4.47 per box
- Vehicles: \$ 1.00 per vehicle
- Passengers: \$ 1.00 per passenger

ORDINANCE NO. 19-

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

1 An Ordinance to amend the Plaquemines Port, Harbor and Terminal District
2 Manpower Structure to create the classified position of Director of Port Finance;
3 and otherwise provide with respect thereto.
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5 WHEREAS, the Plaquemines Port, Harbor and Terminal District hereby request the Civil
6 Service Commission to create the classified position of Director of Port Finance and amend
7 their Pay Plan and Classification Schedule to add the Classification of Director of Port Finance
8 on Pay Grade 41 (Minimum Salary \$68,782); and
9

10 WHEREAS, the Council as the sole governing authority of the District has determined that in
11 order to carry out the purposes of advancing Port development in Plaquemines Parish it is
12 necessary to reallocate the Comptroller to the position of Director of Port Finance to be
13 more consistent with the job description duties and responsibilities effective January 1, 2020;
14 and
15

16 WHEREAS, the Plaquemines Port, Harbor and Terminal District hereby request this reallocation
17 be effective January 1, 2020 and funded with the adoption of the 2020 Port Manpower Budget;
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19 NOW, THEREFORE:

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21 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
22 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
23 DISTRICT THAT:
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SECTION 1

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27 In accordance with Louisiana Revised Statute 34:1351 et seq, the Plaquemines Parish Council
28 as the sole governing authority of the Plaquemines Port, Harbor & Terminal District does
29 hereby request the Civil Service Commission to create the classified position of Director of
30 Port Finance and amend their Pay Plan and Classification Schedule to add the Classification of
31 Director of Port Finance on Pay Grade 41 (Minimum Salary \$68,782).
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SECTION 2

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35 The Director of Port Finance shall work directly for the Plaquemines Port Harbor & Terminal
36 District under the direct supervision of the Deputy Port Director subject to all Civil Service
37 Rules and Regulations.
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SECTION 3

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41 It hereby authorizes the new addition of the classified position of Director of Port Finance to the
42 Plaquemines Port Manpower Budget effective January 1, 2020.
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SECTION 4

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

**PLAQUEMINES PORT HARBOR AND TERMINAL DISTRICT,
LOUISIANA JOB DESCRIPTION**

**JOB TITLE: DIRECTOR OF FINANCE
PLAQUEMINES PORT HARBOR AND
TERMINAL DISTRICT**

GENERAL STATEMENT OF JOB

This position is responsible for direction of all matters in the Port finance department engaging in finance, accounting, auditing and other finance related items the Executive Director or Deputy Port Director deem applicable. This position consults the Executive Staff and the Port Board on the best fiscal practices related to expense and revenue, assure integrity of the books of account and financial statements and project and recommends long-term financial position of the Port. Position reports directly to the Deputy Port Director and supervises all finance related positions.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Reviews and evaluates work of department members and other port employees and gives guidance when needed.

Conducts department meetings, directs department performance which includes budget, staffing, technical and operation problems, solutions, and project status.

Selects, assigns and identifies developmental needs and initiate training to department members.

Coordinates scheduling and directs assignments of department members.

Drafts and recommends approval of Board policies; drafts and implements Port policies and procedures.

Assure Port fund portfolio is invested with guidance and direction in accordance with state practice and regulations.

Be the main contact with the State Bond Commission and national rating agencies to assure proper rating in issuance of new debt and/or of outstanding debt.

Assure compliance with any bond covenants.

Assure the Port's procurement policies meet various State procurement laws and ensure best prices and quality for the Port.

Conducts planning meetings to develop goals for delivering port's mission.

Meets with federal, state and local officials, lessees, professionals, interest groups, board members and port tenants and users on matters relating to port enterprise goals.

Prepares budgets, projects revenue and authorizes expenditures within departments.

Develops controls and monitors expenditures for salaries, overtime, controllable expenses, legal settlements and any unplanned expenditures and explains and documents reasons.

May present matters to the Board representing the Executive Staff of the Port.

Interprets and verifies compliance with contracts and agreements between the port, its vendors or users and lessees of terminal facilities.

Assist with writing contracts and agreements to ensure efficient financial consideration.

Corresponds with and visits private business concerns in order to promote trade and industrial development for the port.

Assist with negotiating and writing leases for cargo terminals, office space and warehouses.

Analyzes reports of harbor operations to plan and develop future operations taking into consideration such factors as economic conditions, tariff changes, and commodity movements.

Prepares fiscal analysis of pending legislation which may impact port operations.

Interprets the fiscal impact of proposed legislation in terms of the budget.

Establishes methods, techniques and procedures for the collection and evaluation of data relative to management activities of state departments/agencies. Plans and supervises the performance of economic research and analyses or financial statements, including estimates of revenues, revenues collected, actual expenditures, and projected expenditures and the evaluation of the economic impact of projected federal, state, and local expenditures and revenues.

Identifies, analyzes, recommends and implements short-term and long-term financial plans and strategy to enhance the financial position of the Port.

Identifies and analysis and prioritizes purchasing of land, equipment and other capital improvements aligned with the port's mission.

Reviews port budget periodically and makes recommendation for amendments to.

Responsible for coordinating the planning of long-range port fiscal goals and objectives and for overseeing their implementation through the annual budgeting process.

Prepares recommendations on proposed capital outlay projects.

Represents the budgetary posture of the Port to the Board at Port Meetings.

Assures the accurate preparation of all financial statements including monthly and year statements for external audit and internal audits.

Responsible for the preparation and control of the Port's operating expense budget, production of financial statements for annual financial plan and report.

Responsible for cash flow projects for up to ten years taking into consideration revenue, expense and capital construction.

Assures the Port is properly billed for the use of port facilities and any lease payments charged are collected in a timely manner.

Provide direction for innovative systems to enhance efficiency of the financial operations.

DIRECTOR OF FINANCE

Uses a variety of tools such as telephone, cell phone, etc.; a variety of supplies such as general office supplies, etc.; and a variety of computer software such as Internet, Microsoft Word, Microsoft Excel, etc.

ADDITIONAL JOB FUNCTIONS

Performs various administrative tasks as required, including preparing reports and correspondence, entering and retrieving computer data, copying and filing documents, reviewing professional journals, answering and returning telephone calls, attending and conducting meetings, etc.

Must maintain required accounting licenses and other continued professional education is encouraged.

MINIMUM TRAINING AND EXPERIENCE

MBA and/or CPA with five plus years of professional experiences in maritime-related or business management field.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including computers, calculators, facsimile machines, two-way radios, electrical diagnosis equipment, etc. Requires the ability to maintain body equilibrium when bending, stooping, crouching, climbing, reaching and/or stretching arms, legs or other parts of body, and to physically maneuver over and/or upon varying terrain, surfaces or physical structures. Physical demand requirements are for light to medium work.

DIRECTOR OF FINANCE

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability to speak and/or signal people to convey or exchange information. Includes the giving of assignments and/or directions to subordinates and receiving direction from supervisor.

Language Ability: Requires the ability to read a variety of reports, correspondence, budgets, forms, manuals, etc. Requires the ability to prepare correspondence, reports, budgets, forms, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak to people with poise, voice control, and confidence.

Intelligence: Requires the ability to apply rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists; to interpret a variety of instructions furnished in written, oral, diagrammatic, or schedule form. Requires the ability to apply influence systems in managing a staff; to learn and understand relatively complex principles and techniques; to make independent judgments in absence of supervision; to acquire knowledge of topics related to primary occupation. Must have the ability to comprehend and interpret received information.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including mechanical, electrical, governmental accounting and marine terminology.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; utilize decimals and percentages.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability coordinate hands and eyes rapidly and accurately in using office equipment and hand tools.

Manual Dexterity: Requires the ability to handle a variety of items such as office equipment and hand tools. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination and Visual Acuity: Requires the ability to differentiate colors and shades of color; requires the visual acuity to determine depth perception, peripheral vision, inspection for small parts; preparing and analyzing written or computer data, etc.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress, and in emergency situations.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone and two-way radio.

DIRECTOR OF FINANCE

PERFORMANCE INDICATORS

Knowledge of Job: Has thorough knowledge of the methods, policies, and procedures of the Port Authority Department as they pertain to the performance of duties of the Assistant Manager. Has knowledge of the functions and interrelationships of the Port and other governmental agencies. Has knowledge of the laws, ordinances, standards and regulations pertaining to the specific duties and responsibilities of the position. Has general knowledge of the principles, practices, methods and techniques of port operations, management, and development. Has general knowledge of applicable Federal, State, and local rules, regulations, laws, and ordinances. Has considerable knowledge of equipment, vehicles, instruments tools, and facilities required for safe and efficient operation of a port. Has considerable knowledge of the occupational hazards and the safety precautions necessary in operations and in the use of a variety of maintenance tools and equipment. Has general knowledge of the financing sources and programs available through State and Federal funding agencies for port operation and expansion, and of the requirements and standards for obtaining and retaining State and Federally funded programs. Has general knowledge of the modern principles and practices of accounting and budgeting as applied to port operations. Has considerable knowledge of first-response emergency techniques. Has general knowledge of the principles of supervision, organization, and administration. Has general of how to apply supervisory and managerial concepts and principles; has general knowledge of administrative principles involved in developing, directing, and supervising various programs and related activities. Is able to offer instruction and advice to subordinates regarding departmental policies, methods and regulations. Is able to perform employee evaluations and to make recommendations based on results. Is able to assign, direct, and supervise activities of subordinate staff. Is able to interpret codes and safety regulations, and to scrutinize their applications. Is able to exercise initiative and independent judgment in applying and interpreting policies and procedures in various work situations. Is able to exercise sound judgment and adopt effective courses of action in emergency situations. Is able to exercise tact and courtesy in frequent contact with consultants, contractors and the general public. Is able to compile, organize and utilize various financial information necessary in the preparation of the departmental budget, and knows how to prepare and monitor the budget. Is able to read and interpret complex materials pertaining to the responsibilities of the job. Is able to assemble and analyze information and make written reports and records in a concise, clear and effective manner. Has comprehensive knowledge of the terminology and various professional languages used within the department. Is able to establish and maintain effective working relationships as necessitated by work assignments.

Quality of Work: Maintains high standards of accuracy in exercising duties and responsibilities. Exercises immediate remedial action to correct any quality deficiencies that occur in areas of responsibility. Maintains high quality communication and interacts within department and division, and with co-workers and the general public.

Quantity of Work: Maintains effective and efficient output of all duties and responsibilities as described under "Specific Duties and Responsibilities."

Dependability: Assumes responsibility for doing assigned work and meeting deadlines. Completes assigned work on or before deadlines in accordance with directives, Port policy, standards and prescribed procedures. Accepts accountability for meeting assigned responsibilities in the technical, human and conceptual areas.

Attendance: Attends work regularly and adheres to Port policies and procedures regarding absences and tardiness. Provides adequate notice to higher management with respect to vacation time and time-off requests.

DIRECTOR OF FINANCE

Initiative and Enthusiasm: Maintains an enthusiastic, self-reliant and self-starting approach to meet job responsibilities and accountabilities. Strives to anticipate work to be done and initiates proper and acceptable direction for completion of work with a minimum of supervision and instruction.

Judgment: Exercises analytical judgment in areas of responsibility. Identifies problems or situations as they occur and specifies decision objectives. Identifies or assists in identifying alternative solutions to problems or situations. Implements decisions in accordance with prescribed and effective policies and procedures and with a minimum of errors. Seeks expert or experienced advice and researches problems, situations and alternatives before exercising judgment.

Cooperation: Accepts supervisory instruction and direction and strives to meet the goals and objectives of same. Questions such instruction and direction when clarification of results or consequences are justified, i.e., poor communications, variance with Port policy or procedures, etc. Offers suggestions and recommendations to encourage and improve cooperation between all staff persons within the department.

Relationships with Others: Shares knowledge with supervisors and staff for mutual benefit. Contributes to maintaining high morale among employees. Develops and maintains cooperative and courteous relationships inter- and intra-departmentally, and with external entities with whom the position interacts. Tactfully and effectively handles requests, suggestions and complaints in order to establish and maintain good will. Emphasizes the importance of maintaining a positive image.

Coordination of Work: Plans and organizes daily work routine. Establishes priorities for the completion of work in accordance with sound time-management methodology. Avoids duplication of effort. Estimates expected time of completion of elements of work and establishes a personal schedule accordingly. Attends meetings, planning sessions and discussions on time. Implements work activity in accordance with priorities and estimated schedules. Maintains a calendar for meetings, deadlines and events.

Safety and Housekeeping: Adheres to all safety and housekeeping standards established by the Port and various regulatory agencies. Sees that the standards are not violated. Maintains a clean and orderly workplace.

Planning: Plans, coordinates and uses information effectively to enhance activities and production. Knows and understands expectations regarding the activities and works to ensure such expectations are met. Designs and formulates ways, means and timing to achieve established goals and objectives. Effectively and efficiently organizes, arranges and allocates manpower, financial and other designated resources to achieve such goals and objectives.

Organizing: Organizes work and that of subordinate staff well. Ensures that staff members know what results are expected of them and that they are regularly and appropriately informed of all Port and department matters affecting them and/or of concern to them.

Staffing: Works with other department officials and management to select and recommend employment of personnel for the division who are qualified both technically and philosophically to meet the needs of the division and the department. Personally, directs the development and training of division personnel in order to ensure that they are properly inducted, oriented and trained.

DIRECTOR OF FINANCE

Leading: Provides a work environment, which encourages clear and open communications. Has a clear and comprehensive understanding of the principles of effective leadership and how such principles are to be applied. Provides adequate feedback to staff so that they know whether their performance levels are satisfactory. Commends and rewards employees for outstanding performance yet does not hesitate to take disciplinary action when necessary. Exercises enthusiasm in influencing and guiding others toward the achievement of department goals and objectives.

Controlling: Provides a work environment, which is orderly and controlled. Coordinates, audits and controls manpower and financial resources efficiently and effectively. Coordinates, audits and controls the utilization of materials and equipment efficiently and effectively. Has a clear and comprehensive understanding of Port standards, methods and procedures.

Delegating: Assigns additional duties to staff as necessary and/or appropriate in order to meet division goals, enhance staff abilities, build confidence on the job and assist staff members in personal growth. Has confidence in staff to meet new or additional expectations.

Decision Making: Uses discretion and judgment in developing and implementing courses of action affecting the division. When a particular policy, procedure or strategy does not appear to be achieving the desired result, moves decisively and definitively to develop and implement alternatives.

Creativity: Regularly seeks new and improved methodologies, policies and procedures for enhancing the effectiveness of the division and the department. Employs imagination and creativity in the application of duties and responsibilities. Is not adverse to change.

Human Relations: Strives to develop and maintain good rapport with all staff members. Listens to and considers suggestions and complaints and responds appropriately. Maintains the respect and loyalty of the staff.

Policy Implementation: Has a clear and comprehensive understanding of Port policies regarding the division, department and Port function. Adheres to those policies in the discharge of duties and responsibilities and ensures the same from subordinate staff.

Policy Formulation: Keeps abreast of changes in operating philosophies and policies of the Port and continually reviews division policies in order to ensure that any changes in Port philosophy or practice are appropriately incorporated. Also understands the relationship between operating policies and practices and department morale and performance. Works to see that established policies enhance same.

DISCLAIMER: This job description is not an employment agreement or contract. Management has the exclusive right to alter this job description at any time without notice.

RESOLUTION NO. 19 -

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

1 A Resolution authorizing Maynard J. "Sandy" Sanders, Executive Director of
2 the Plaquemines Port Harbor & Terminal District (PPHTD) to enter into an
3 Exclusivity Agreement with Strategic Investment Partner; and otherwise to provide
4 with respect thereto.

5
6 WHEREAS, Plaquemines Port, Harbor & Terminal District is a public corporation and political
7 subdivision of the State of Louisiana per Louisiana Revised Statute Title 34:1351; and

8
9 WHEREAS, Plaquemines Port, Harbor & Terminal District "may contract with...agents... as
10 may be necessary to carry out the purposes of their authority. (LRS 34: 1352); and

11
12 WHEREAS, Plaquemines Port, Harbor & Terminal District seeks to implement its master plan;

13
14 NOW, THEREFORE:

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16 BE IT RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
17 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
18 DISTRICT THAT it hereby authorizes Maynard J. "Sandy" Sanders, Executive Director of
19 the Plaquemines Port, Harbor & Terminal District to enter into an Exclusivity
20 Agreement with Strategic Investment Partner.

21
22 BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL
23 AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT,
24 HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby
25 authorized and directed to immediately certify and release this Resolution and that Port
26 employees and officials are authorized to carry out the purposes of this Resolution, both
27 without further reading and approval by the Plaquemines Parish Council.
28

AGREEMENT

The purpose of this Agreement is to contractually obligate Plaquemines Port Harbor and Terminal District (the "Port") and LA23DevCo (LA23 or Devco) for purposes of facilitating financing, as needed by the Port, in support of the ongoing development of the Container Terminal.

Both parties agree and acknowledge that the Port's Strategic Plan outlines the Port's development based on Public-Private partnerships, which allows for the most efficient and economically feasible method to develop the Port, with limited or no State or Federal funding.

Each Party agrees to enter into this Agreement, subject to Plaquemines Parish Council, as the governing authority of Plaquemines Port Harbor and Terminal District, approval. Approval will serve as notice of both parties' willingness to move ahead with the terminal development process and attract financial support, with each party agreeing that it will work on an exclusive basis, one to the other. Specifically:

1. LA23Devco will be granted exclusivity to facilitate funding and operational partners in support of the ongoing development of the Container Terminal in the following areas:
 - a. Secure and develop necessary funds, financial partners, and operators for the rail infrastructure improvements including the marsh rail bridge, Peters Rd. bypass, and additional rail extensions from current terminus to the southern campus.
 - b. Warehousing facilities for the (to be developed) southern campus on the terminal facility, the central campus for the secondary handling facility, and the northern campus to support the air cargo terminal.
 - c. Support supply chain services including LNG bunkering, mitigation banking, utility services, and construction supply materials services as needed.
2. Both parties agree that LA23DevCo and the Port, independently or collectively, will work with beneficial cargo owners, freight forwarders, cargo shippers, international container shipping companies or alliances, and other prospective importers or exporters to develop container business for the Port and/or other Port development projects.
3. LA23DevCo will not seek to negotiate or share proprietary information regarding the Port's development.
4. The parties will work together to develop the Port's business and market the Port's land, terminals and all other logistical, developmental and transportation opportunities within the Port's jurisdiction.
5. Both parties agree to work with Trident Holdings, and other contract personnel or agents of the Port or LA23DevCo to develop Port business including, container development.

This Agreement shall remain unaltered and in full force and effect, unless mutually agreed upon by both parties, or as otherwise provided for in this Agreement.

At no point during the agreement shall LA23DevCo be compensated by the Port for any services provided or work performed.

The parties agree and confirm that work performed to date and proprietary information shared to date, in connection with and pursuant to the NDA shall remain confidential unless certain data, drawings, etc.

is necessary to put into the public domain for purposes of terminal development and/or marketing initiatives. Both parties agree to work with each other to determine the information necessary to put into the public domain. Further, each party agrees to work with the other, and obtain prior written approval, to plan and deliver and public announcement relative to the project.

The jurisdiction and venue of any disputes under this Agreement shall in any court of competent jurisdiction, in the State of Louisiana, Parish of Plaquemines. This Agreement is entered in contemplation of and shall be construed in accordance with laws of the State of the Louisiana, excluding its conflicts and choice of law statutes.

This Agreement sets forth the entire agreement among the parties relating to the subject matter hereof and can only be amended or modified by an amendment in writing signed by the parties. Failure of a party to seek a remedy for the breach of this Agreement by the other shall not constitute a waiver of the right of such party with respect to the same or any subsequent breach by the other party. If any provision of this Agreement shall be held unenforceable, such holding shall not affect the enforceability of any other provision of this Agreement.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The execution of this Agreement may be by actual facsimile signature or electronic form.

This Agreement shall not be assigned or otherwise transferred by either Party without the express prior written authorization of the other Party. Each Party will make its best efforts to cause its employees, consultants, agents and representatives to observe the terms of this Agreement, and each Party will be responsible for any other breach of this Agreement by any of its employees, agents or representatives.

Both parties agree to not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin, disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services.

This Agreement can be terminated by either party, with 30 days written notice, but in no event shall this Agreement have a term exceeding seven (7) years, unless both parties agree, in writing, to amend the term. If the Agreement is terminated by either party, the provisions of the NDA will survive and both parties will continue to be bound by the terms and conditions contained therein.

LA23DEV CO

Plaquemines Port Harbor and Terminal District

By: _____

By: _____

Christopher Fetters,

Maynard J. Sanders

Its Chief Executive Officer

Its Executive Director

Date: _____

Date: _____

ORDINANCE NO. 19-

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

1 An Ordinance to amend the 2019 Manpower Structure and Operating Revenue and
2 Expenditure Budgets; to accept a donation from the Pointe-a-la-Hache Volunteer
3 Fire Department; and otherwise to provide with respect thereto.

4 WHEREAS, after a review of the manpower needs of the Recreation Department, it has been
5 recommended to create and fund a part-time Unclassified Weight Room Supervisor position, at an
6 annual salary of \$8,320; and

7 WHEREAS, Plaquemines Parish Government will receive a donation to be used by the Recreation
8 Department to pay for the part-time Unclassified Weight Room Supervisor position from the
9 Pointe-a-la-Hache Volunteer Fire Department; and

10 WHEREAS, amending the 2019 Operating Revenue and Expenditure Budgets is requested;

11 NOW, THEREFORE:

12 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

14 The Plaquemines Parish Council hereby authorizes acceptance of the following donation:

15 Pointe-a-la-Hache Volunteer Fire Dept. \$860

SECTION 2

17 The 2019 Manpower Structure, is amended by creating and funding a part-time Unclassified
18 Weight Room Supervisor position in the Recreation Facilities & Services Department, at an annual
19 salary of \$8,320.

SECTION 3

21 The 2019 Operating Revenue Budget is amended as follows:

Fund: 001 General Fund			
Dept/Div: 640-4060 Recreation Facilities & Services Dept.			
Object	Description	Inc/Dec	Amendment
470.001	Misc Revenue Donations General	Inc	860

SECTION 4

29 The 2019 Operating Expenditure Budget is amended as follows:

Fund: 001 General Fund			
Dept/Div: 640-4060 Recreation Facilities & Services Dept.			
Object	Description	Inc/Dec	Amendment
510.005	Salaries & Wages-Regular	Inc	800
515.005	FICA Taxes	Inc	60

SECTION 5

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

- 58 b. \$250.00 reservation/damage and clean-up deposit shall be paid at the time of the
59 reservation. If damage is incurred in excess of the deposit, the Contracting
60 Party/Applicant shall be held fully liable for the entire cost of the damage.
61
62 c. Two (2) hours to set-up and one (1) hour clean-up will be allowed free of charge.
63
64 d. Additional time for set up and clean up shall be \$50.00 per hour.
65
66 e. Final payment is due no later than ninety (90) calendar days prior to the date of the
67 scheduled event or at the time of reservation, whichever occurs later.
68
69 f. \$50.00 per hour non-resident fee shall be additionally assessed to all persons who do
70 not reside in Plaquemines Parish and organizations not registered in Plaquemines
71 Parish.
72

73 (3) Rooms in Plaquemines Parish Government Fire houses, Libraries and other buildings not
74 specifically listed in this Section:
75

- 76 a. \$50.00 per hour.
77
78 b. \$50.00 reservation/damage and clean-up deposit shall be paid at the time of reservation.
79 If damage is incurred in excess of the deposit, the Contracting Party/Applicant shall be
80 held fully liable for the entire cost of the damage.
81
82 c. \$25.00 per hour non-resident fee shall be additionally assessed to all persons who do
83 not reside in Plaquemines Parish and organizations not registered in Plaquemines
84 Parish.
85
86 g. Final payment is due no later than ninety (90) calendar days prior to the date of the
87 scheduled event or at the time of reservation, whichever occurs later.
88

89 (b) Fees for the Belle Chasse Government Complex Pavilion and the Fort Jackson Festival
90 Grounds.
91

92 The cost and public safety concerns associated with large organized crowds of people
93 require special consideration and Plaquemines Parish Government reserves the right to
94 require permits for the use of pavilions and festival grounds by large organized groups of
95 people. Moreover, it is the right and the duty of Plaquemines Parish Government to
96 control access to all public areas within its control. For purposes of Subsection B of the
97 Section an event shall mean any organized group of people, with more than fifty (50)
98 participants or invitees.
99

100 (1) Fee Schedule which shall only apply to the scheduled days of the event:
101

- 102 a. \$1,500 per day (12-hour period) rental, including parking, for the Belle Chasse
103 Festival Pavilion behind the Government Complex;
104
105 b. \$750 per day (12-hour period) for Fort Jackson;
106
107 c. \$150 per hour (3-hour minimum) rental fee for the Belle Chasse Festival Pavilion,
108 including parking;
109
110 d. \$75 per hour (3-hour minimum) rental for Fort Jackson, including parking;
111
112 e. \$200.00 per tent per day;
113
114 f. \$250.00 per generator per day;
115
116 g. \$50.00 per hour per Plaquemines Parish Government employee labor;
117
118 h. \$50.00 per Garbage Truck on Site per day;
119

- 120 i. \$10.00 per trash can per day;
121
122 j. \$5.00 per table per day;
123
124 k. \$1.00 per chair per day.
125
126 l. \$250.00 reservation/damage and clean-up deposit shall be paid at the time of
127 reservation to secure compliance with all laws, ordinances, and regulations. If
128 damage is incurred in excess of the deposit, the Contracting Party/Applicant shall
129 be held fully liable for the entire cost of the damage.
130
131 m. Final payment is due no later than ninety (90) calendar days prior to the date of
132 the scheduled event or at the time of reservation, whichever occurs first.
133

134 (c) General Regulations
135

- 136 (1) Plaquemines Parish Government Libraries shall be used only for educational, art,
137 cultural, and official government purposes.
138
139 (2) Political functions are strictly prohibited in the Plaquemines Parish Government
140 Firehouses and Libraries.
141
142 (3) Use of local government civic centers, auditoriums, community centers, fire houses,
143 and meeting rooms in Plaquemines Parish Government buildings and other facilities
144 by Plaquemines Parish Government Officials for Parish business shall be free of
145 charge.
146
147 (4) The Parish Attorney of Plaquemines Parish Government is hereby authorized to
148 create contracts as necessary to fulfill the terms and conditions set forth in this
149 Section to wit indemnity, insurance, and other legal protections he deems necessary.
150
151 (5) Parish buildings and facilities shall not be rented on the following Plaquemines Parish
152 Government holidays: New Year's Day, Thanksgiving Day, and Christmas Day.
153
154 (6) If any portion of this Section is declared unconstitutional or otherwise invalid by a
155 court, the remaining provisions shall remain fully in effect.
156
157 (7) Pursuant to Article 7, Section 14 of the Louisiana Constitution of 1974, and the
158 Plaquemines Parish Home Rule Charter, loan, pledge, or donation of tables, chairs,
159 tents, and any and all other Parish property is prohibited.
160
161 (8) The display of signs on public and private grounds as advertising for events is
162 regulated by Plaquemines Parish ordinance, and the Contracting Party/Applicant shall
163 contact the Plaquemines Parish Code Enforcement Office for review and approval of
164 all signage placements at least thirty (30) calendar days prior to the scheduled event.
165
166 (9) All events shall end at midnight except for a New Year's Eve function which shall
167 end at one (1) o'clock a.m. The building and parking lot(s) must be vacated at that
168 time except for the designated cleaning crew of the person or organization sponsoring
169 the event. The Plaquemines Parish Government representative and the Sheriff's
170 Deputy-in-Charge shall sign a release indicating that the building and the parking
171 lot(s) were vacated by midnight and that the building and parking lot(s) were clean
172 and free of trash by one (1) o'clock a.m. (two (2) o'clock a.m. for a New Year's Eve
173 function). Any violation of this paragraph shall result in forfeiture of the deposit,
174 permanent ban of the group from use of all Plaquemines Parish Government facilities,
175 and may result in criminal trespassing charges.
176

177 (d) Reservation, Payment, and Cancellation
178

- 179 (1) A Reservation shall have no force or effect whatsoever until a rental contract is
180 executed by the Contracting Party/Applicant with the required rental deposits and as
181 provided for in this Section.

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(2) Further, the Contracting Party/Applicant shall pay to the Parish any additional fees to be paid by invoice following the event which may be applicable for services provided by the Parish and property damages or any other expenses incurred by the Parish as a result of the event.

(3) All deposits, payments and fees shall be paid via money order or certified/cashier's check.

(4) In no case shall there be any occupancy or use of any Plaquemines Parish Government Public Building or Facility by the Contracting Party/Applicant, its representatives, members, agents, or other persons until the assessed fees and deposits have been received by the Parish and authorized by the Director of Public Service.

(5) Any deposits shall be forfeited if any criminal activity occurs during the rental period or if alcohol or tobacco use by the Contracting Party/Applicant or their guests or invitees occurs without having been issued the necessary permits allowing such use.

(6) If the Contracting Party/Applicant decides to cancel their reservation the deposit and fees shall be refunded or forfeited as follows:

a. Cancellations made one (1) year or more in advance of the scheduled event shall be fully refunded their deposit and fees.

b. Cancellations made less than one (1) year but ninety (90) calendar days or more in advance of the scheduled event shall be refunded fifty-percent (50%) of their deposit and one-hundred percent (100%) of their fees.

c. Cancellations made less than ninety (90) calendar days in advance of the scheduled event shall forfeit one-hundred percent (100%) of their deposit and be refunded one-hundred percent (100%) of their fees.

d. Cancellations made less than thirty (30) calendar days in advance of the scheduled event shall forfeit one-hundred percent (100%) of their deposit and one-hundred percent (100%) of their fees.

e. Any other unforeseen circumstances or emergency as deemed by the Director of Public Service shall be handled on a case by case basis with a refund in an amount decided by the Director of Public Service.

f. If the Contracting Party/Applicant fails to make their final payment by the due date, the reservation shall be canceled and the deposit forfeited. The Contracting Party/Applicant shall be required to sign a new contract and pay a new deposit and all fees at the time of the new reservation.

g. In the event Plaquemines Parish Government determines the event or, some aspect thereof, poses a threat to the health, safety and well-being of the guests in attendance or the residents of this Parish, Plaquemines Parish Government may, at its sole discretion, deny the application or cancel the event at any time, including during the event with no refund being made to the Contracting Party/Applicant, except the Parish may refund some portion of the deposit thereof if the Parish cancels the event ninety (90) calendar days or more in advance of the scheduled event for reasons specified in this paragraph.

(e) Availability: Persons or entities wishing to rent public property shall be allowed to do so on a first-come, first serve basis. Plaquemines Parish Government shall not discriminate in the renting of public property or services, and all members of the public shall be treated equally regardless of race, ethnicity, creed, gender, age, political affiliation, or geographic location within the parish. Nothing herein shall be construed to prevent the charging of a non-resident surcharge to a Contracting Party/Applicant who resides outside of Plaquemines Parish.

244 (f) Security Requirements:
245

246 (1) Every event at a Plaquemines Parish Government building or facility shall have
247 security provided by the Plaquemines Parish Sheriff's Office paid for by the
248 Contracting Party/Applicant. The following will be used to determine the necessary
249 number of uniformed deputies to be in attendance at a function:
250

251 a. Events with alcohol:
252

253 1. The Contracting Party/Applicant shall hire two (2) uniformed deputies for any
254 event with one (1) to one-hundred (100) people invited.
255

256 2. The Contracting Party/Applicant shall hire an additional uniformed deputy for
257 each additional one-hundred (100) people invited to the event.
258

259 3. No event shall exceed the maximum number of persons allowed by the State Fire
260 Marshall.
261

262 b. Events without alcohol:
263

264 1. The Contracting Party/Applicant shall hire two (2) uniformed deputies for any
265 event with one (1) to three-hundred (300) people invited.
266

267 2. The Contracting Party/Applicant shall hire three (3) uniformed deputies for
268 any event with three-hundred and one (301) to four-hundred and ninety-nine
269 (499) people invited.
270

271 3. No event shall exceed the maximum number of persons allowed by the State
272 Fire Marshall.
273

274 (2) Individuals hired by the Contracting Party/Applicant, such as D.J., Caterer,
275 photographer, servers, band, etc. shall not consume alcohol during the event. Any
276 individual in violation of this paragraph will be asked to leave the function.
277

278 (3) For events held at buildings, no alcoholic beverages shall be allowed outside of the
279 buildings or facilities. The Contracting Party/Applicant must post signs stating "NO
280 ALCOHOLIC BEVERAGES BEYOND THIS POINT" at all building exits.
281

282 (4) Plaquemines Parish Government policies shall be strictly enforced by the Sheriff's
283 deputies assigned to the function. The Plaquemines Parish Sheriff's deputies are
284 authorized to shut down any event or function that does not comply with the permit
285 application - which shall be posted at the public building or facility being used for such
286 function.
287

288 (5) The pre-approved number of persons attending a function will be enforced by the
289 wearing of wristbands distributed prior to the event by the Plaquemines Parish
290 Government, the cost of which shall be paid by the Contracting Party/Applicant.
291 Enforcement of this requirement shall be by the Parish representative and/or the
292 Sheriff's deputy detail working at the event. Persons without such proper identification
293 will be asked to leave the event and be subject to criminal trespass for failure to do so.
294 Wristband requirements shall not apply to the wedding party members.
295

296 (6) The provisions of the ordinance regulating noise levels shall be enforced by the
297 Plaquemines Parish Sheriff's Office."
298

299 SECTION 3
300

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

ORDINANCE NO. 19-

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

1 An Ordinance to establish the distribution of Departments, Offices, and Agencies
2 of Plaquemines Parish Government; and otherwise to provide with respect thereto.

3 WHEREAS, Section 5.01 (F.) of the Charter for Local Self-Government for Plaquemines Parish,
4 Louisiana states: Upon recommendation of the parish president, or upon its own motion, the parish
5 council may provide by ordinance for distribution among the departments of any duties and
6 functions not provided for above and may transfer duties and functions herein assigned from one
7 department to another or may consolidate such departments, all as in the judgment of the parish
8 president and the parish council will make for a more orderly and successful operation of parish
9 government; and

10
11 WHEREAS, the Parish President of Plaquemines Parish Government recommends the following
12 distribution among the Departments, Offices, and Agencies of Plaquemines Parish Government;
13 and

14
15 WHEREAS, the Plaquemines Parish Council accepts the recommendation of the Parish President
16 and desires to provide by Ordinance said distribution among the Departments, Offices, and
17 Agencies of Plaquemines Parish Government;

18 NOW, THEREFORE:

19
20 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

21
22
23 The Parish President shall exercise direct management and control over the following
24 Departments, Offices, and Agencies of Plaquemines Parish Government: Director of
25 Administration, Director of Public Service, Director of Operations, Director of Coastal Zone
26 Management, Economic Development/Tourism, Public Awareness, Land, Legal Services,
27 Homeland Security and Emergency Preparedness, and Grants.

28
29 The Director of Administration shall have general management and control over the following
30 Departments, Offices, and Agencies of Plaquemines Parish Government: Administration, Finance
31 and Accounting, Sales Tax, Purchasing, Human Resources, Parish Courier, Community Action
32 Agency, Mosquito Control, Libraries, and Courthouse Security.

33
34 The Director of Public Service shall have general management and control over the following
35 Departments, Offices, and Agencies of Plaquemines Parish Government: Public Service,
36 Buildings, Recreation, Fort Jackson, Permits Planning and Zoning, Engineering and Public Works,
37 Signs, Ferries, Health, Animal Control, Fire and Ambulances, Waterworks & Sewerage,
38 Maintenance, Athletic Fields, and Tennis Courts.

39
40 The Director of Operations shall have general management and control over the following
41 Departments, Offices, and Agencies of Plaquemines Parish Government: Operations, Heavy
42 Equipment, Flood Control, Bridge Tenders, Public Right of Way and Maintenance, Solid Waste
43 District 1, Solid Waste District 2, and Safety.

44
45 The Director of Coastal Zone Management shall have general management and control over the
46 following Departments, Offices, and Agencies of Plaquemines Parish Government: Coastal Zone
47 Management, Telecommunications, Information Technology, GIS Management, Boat Harbors
48 and Shipyards.

49
50 The Director of Homeland Security shall have general management and control over the following
51 Departments, Offices and Agencies of Plaquemines Parish Government: 911 Services.

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SECTION 2

The Departments of Flood Control and Drainage are hereby consolidated into the Department of Flood Control.

SECTION 3

Nothing herein shall in any way deprive, limit, or waive the rights, powers, and authority of the Parish President of Plaquemines Parish Government, established by the Charter for Local Self-Government, Plaquemines Parish, Louisiana, prior Ordinances duly adopted by the Plaquemines Parish Government, and authorized by the Constitution and laws of the State of Louisiana and/or the United States of America.

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.

