

**LAFOURCHE PARISH COUNCIL
AUGUST 11, 2009
UNANIMOUS AGENDA**

A. EXECUTIVE SESSION:

Motion by _____, seconded by _____ to enter into **Executive Session**.

1. **Colvan Cattle v LPG**
(P. GOUAUX FOR ADMINISTRATION)

Motion by _____, seconded by _____, to reconvene the meeting.

Motion by _____, seconded by _____, to take any necessary action, if any, regarding the matters discussed in the **Executive Session**.

B. PROPOSED ORDINANCES:

2. **PROPOSED ORDINANCE amending Ordinance No. 4282 requiring Parish vendors to comply with Exhibit "A", "Lafourche Parish Government Insurance Requirements" (copy attached), which outlines insurance coverage needed to perform work for the Lafourche Parish Government.** (P. GOUAUX FOR ADMINISTRATION)
3. **PROPOSED ORDINANCE authorizing the incurring of debt and issuance of a Sewer Revenue Bond, Series 2009 in an amount not to exceed \$1,100,00.00, by the Parish of Lafourche, State of Louisiana; making application to the State Bond Commission for approval of said bonds; employing bond counsel, and providing for other matters in connection therewith.** (J. JONES AND M. MATHERNE FOR ADMINISTRATION)
4. **PROPOSED ORDINANCE to authorize the purchase of land and improvements located at 705 West Fifth Street (building and parking lot) Thibodaux, Louisiana and authorizing the Parish President to hire an attorney to prepare an environmental assessment and to sign any and all associated documents necessary to acquire said property.** (J. JONES FOR ADMINISTRATION)

C. RESOLUTIONS:

5. **RESOLUTION approving a Change Order adding Labor Services for installation of pump for the West Camelia Pump Station from Associated Pump & Supply Co., Inc., for a total of \$3,800.00 and authorizing the Parish President to sign, execute, and administer said Change Order and any and all relevant documents.**
(J. JONES FOR ADMINISTRATION)

6. **RESOLUTION approving Change Order No. 3 for the project entitled “Hardsurfacing of East 94th Street” increasing the contract price by \$5,700.00 and increasing contract time by 1 (one) calendar day and authorizing the Parish President to sign said Change Order and any and all relevant documents.**
(R. DOUCET FOR ADMINISTRATION)

ITEM 2

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 4282 REQUIRING PARISH VENDORS TO COMPLY WITH EXHIBIT "A", "LAFOURCHE PARISH GOVERNMENT INSURANCE REQUIREMENTS" (COPY ATTACHED); WHICH OUTLINES INSURANCE COVERAGE NEEDED TO PERFORM WORK FOR THE LAFOURCHE PARISH GOVERNMENT

WHEREAS, the Insurance Requirements currently used are not sufficient to protect the Lafourche Parish Government; and

WHEREAS, Lafourche Parish Government (Parish) is required to specify the insurance requirements in a written agreement prior to the start of any work involving non-employees such as Professional Services, Contractors, Subcontractors, and Vendors; and

WHEREAS, the Parish does not have an ordinance establishing Minimum Insurance Requirements; and

WHEREAS, the Parish currently uses generally construed figures for Minimum Insurance Requirements in the areas of Professional Liability Insurance, General Liability Insurance, Workman's Compensation Insurance, Auto Liability Insurance, Water Craft Liability Insurance, and Aircraft Liability Insurance; and

WHEREAS, the required limit of liability for aircraft liability insurance is now \$1,000,000 instead of \$10,000,000 and company will be restricted from flying over populated area (see attached Exhibit A); and

WHEREAS, the insurance agent has reviewed each of the said areas and found the attached Minimum Insurance Requirements to be the appropriate figures; and,

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THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that;



SECTION 1. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 2. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 3. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 4. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 7. This Ordinance shall become effective on the tenth day after final publication.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2009, at _____, __.m.

ITEM 2

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2009, at _____, __.m.

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2009.

CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 2

LAFOURCHE PARISH GOVERNMENT INSURANCE REQUIREMENTS

EXHIBIT "A"

1. GENERAL REQUIREMENTS

Each of the insurance policies maintained by Contractor for work/services performed under this agreement must be endorsed as follows, in addition to any other requirements:

- A. To provide to Lafourche Parish Government thirty (30) days written notice of cancellation, reduction of coverage or material change.
- B. For liabilities and indemnities assumed by Contractor under this agreement, Contractor's Insurance policies (except with respects to Worker's Compensation and Employer's Liability) shall name Lafourche Parish Government as additional insured.
- C. For liabilities and indemnities assumed by Lafourche Parish Government under this agreement, Contractors insurance policies shall provide that the Contractors' insurers waive their rights of subrogation against Lafourche Parish Government and their insurers.
- D. It is understood and agreed that (i) such insurance provided by Contractor shall be primary to and receive no contribution from any insurance maintained by or on behalf of Contractor, and (ii) Lafourche Parish Government shall not be responsible or liable for any deductibles, self insured retentions and/or premiums of Contractor's insurance.
- E. It is further understood and agreed that such insurance provided by Contractor shall not be reduced, voided, waived or in any other manner limited with respect to Government if Contractor violates any warranties, terms or conditions of Contractor's insurance policies.
- F. Lafourche Parish Government reserves the right to require complete, certified copies of all required insurance policies, at any time.
- G. Any deductibles or self-insured retentions must be declared and approved by Lafourche Parish Government. Prior to entering into this agreement, and at the option of the Lafourche Parish Government either, the Parish shall accept and approve the deductible or self-insured retention, the insurer shall reduce or eliminate such deductibles or self-insured retentions with respect to the Parish, or the vendor shall procure a bond guaranteeing payment for losses and related investigations, claim administration and defense expense.
- H. Insurance is to be placed with insurers with an A. M. Best's Rating or no less than A:VII. This requirement could be waived for workers' compensation coverage only for those vendors whose workers' compensation coverage is placed with companies who participate in the State of Louisiana Workers' Assigned Risk Pool or Louisiana Workers' Compensation Corporation.

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2. MINIMUM INSURANCE REQUIREMENTS

The required limits for coverage are as follows:

- A. Workers' Compensation, as required by statute, and Employee's Liability Insurance, \$1,000,000 limits, covering Contractor's employees engaging in work/services under this agreement in compliance with applicable state, federal and/or maritime laws. Lafourche Parish Government shall be provided with a waiver of subrogation as well as listed as Alternate Employer. Contractor expressly agrees to comply with all provision of the Workers' Compensation Laws of the state or federal jurisdiction where the work/service is being performed. For work/services performed on or near water, and where applicable, the policy should be endorsed to provide the Harbor Workers' Compensation Act, and/or Maritime Operations coverage, Maritime Employer's Liability Including wages, maintenance and transportation, and coverage for Master and Crews.
- B. Automobile Liability Insurance, \$1,000,000 limit, covering owned vehicles, leased, non-owned and hired vehicles.
- C. Commercial General Liability insurance, \$1,000,000 limit, covering 3rd party bodily injury and property damage to include the following:
- Premises and Operations coverage;
 - Contractual Liability covering liabilities assumed under this Agreement;
 - Products and Completed Operations Coverage;
 - Action Over/Indemnity Buyback/
 - Underground resources liability endorsement (when applicable);
 - Broad form property damage;
 - Pollution liability coverage.
- D. Aircraft Liability insurance when aircraft (including fixed wing and helicopters) that are owned, rented or chartered are used in the operation under this agreement. The required limit of liability is ~~\$10,000,000~~ **\$1,000,000** combined single limit to include passenger liability. If owned aircraft are utilized, then a waiver of subrogation in favor of Government should also be provided for Hull Damage to the craft. **Company will be restricted from flying over populated area.**
- E. Marine Liability, Charters Legal Liability, and Towers Liability insurance when tugs, vessels or barges that are owned, rented, or chartered are used in the operations under this agreement. The required limit of liability is \$10,000,000 which can be provided under a separate, stand alone policy or under Contractor's Commercial General Liability or Excess/Umbrella Liability Coverage.
- F. Watercraft Hull Damage insurance if owned watercraft are utilized, including a waiver of subrogation in favor of Lafourche Parish Government.
- G. Architect, Engineers, and other Professionals shall maintain Professional Liability Coverage with limits of \$1,000,000. This coverage shall extend to all professional subcontractors employed by Professionals contracted with Lafourche Parish Government.
- H. Minimum required limits can be obtained either with primary policies, and/or combination with excess or umbrella policies.

ITEM 3

The following ordinance, having been previously introduced on _____, 20____, and a public hearing having been held thereon on _____,20____, was offered by _____ and seconded by _____:

ORDINANCE

An ordinance authorizing the incurring of debt and issuance of a Sewer Revenue Bond, Series 2009 in an amount not to exceed \$1,100,000, by the Parish of Lafourche, State of Louisiana; making application to the State Bond Commission for approval of said bonds; employing bond counsel, and providing for other matters in connection therewith.

BE IT ORDAINED by the Parish Council of the Parish of Lafourche, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Lafourche, State of Louisiana (the "Parish"), that:

SECTION 1. Authorization and Sale of Bond. Pursuant to La. R.S. 39:1430 and La. R.S. 30:2079 (the "Act"), and other constitutional and statutory authority, the Parish of Lafourche, State of Louisiana, (the "Parish") is hereby authorized to incur debt for the purpose of acquiring, constructing and installing improvements, extensions and additions to the sewerage system of the Parish, and to represent said indebtedness, the Parish shall issue its Sewer Revenue Bond, Series 2009, in an amount not exceeding One Million One Hundred Thousand Dollars (\$1,100,000) (the "Bond"). The Bond shall be issued in the form of a single fully registered bond, dated the date of delivery thereof and numbered R-1. The Bond shall be non-interest bearing, and shall mature in a single installment not later than twenty (20) years from date thereof. The principal of the Bond will be subject to forgiveness as provided in Section 3 below, and will be subject to prepayment at any time, in whole or in part at the option of the Parish, at a price of par plus accrued interest to the date of prepayment.

Pursuant to the Act and La. R.S. 39:1426(B), the Parish has determined to sell the Bond at a private sale without the necessity of publishing any notice of sale. Accordingly, the Bond is hereby sold to the Louisiana Department of Environmental Quality, Municipal Facilities Revolving Loan Fund (the "Department"). The purchase price of the Bond shall be paid to the Parish by the Department in installments on an "as-needed" basis, and the date and amount of each installment of the purchase price shall be noted on the Bond and the obligation of the Parish to repay the principal of the Bond shall only accrue to the extent of the purchase price of the Bond theretofore paid by the Department.

SECTION 2. Form and Execution of Bond. The Bond shall be in substantially the form attached hereto as Exhibit A, and the Parish President and Clerk of the Parish are authorized and directed on behalf of the Parish to execute, seal and deliver the Bond to the Department.

SECTION 3. Security for Bond; Principal Forgiveness. The Bond will be secured by and payable from the revenues of Parish's sewerage system (the "System"), subject to the prior payment of the reasonable and necessary costs and expenses of operating and maintaining the

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System, until the Bond is paid in full in accordance with its terms, all in accordance with the provisions of La. R.S. 30:2079, La. R.S. 39:1430 and other constitutional and statutory authority. The Parish shall budget and set aside from time to time as necessary sufficient of the net revenues of the System to pay the principal of the Bond when due.

However, it is understood that the terms of the purchase of the Bonds by the Department provide that the Parish's obligation to repay the principal of the Bond will be forgiven simultaneously with the payment by the Department of each installment of the purchase price of the Bond. Accordingly, it is anticipated that no payments of principal, interest or administrative fees to the Department will ever be due and payable on the Bonds. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of the Bond theretofore advanced by the Department shall in no way extinguish the Bond or the obligation thereof with respect to the yet-to-be advanced portion of the principal thereof.

SECTION 4. Loan Documents. The (i) Commitment Agreement, (ii) Loan & Pledge Agreement and (iii) Supplemental Loan Agreement, in substantially the forms attached hereto as Exhibit B, are hereby approved, and the Parish President and Clerk of the Parish are authorized to execute and deliver the aforesaid documents on behalf of the Parish, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the Bond.

SECTION 5. Authorization of Officers. The Parish President and Clerk of the Parish are hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such additional documents, certificates and other instruments as are required in connection with the authorization, issuance, sale and delivery of the Bond and to take such further action as may be appropriate or required by law or advised by bond counsel in connection with the authorization, issuance, sale and delivery of the Bond.

SECTION 6. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance of the Bond. A certified copy of this ordinance shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application.

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

SECTION 7. Employment of Bond Counsel. A real necessity is hereby found for the employment of special bond counsel in connection with the issuance of the Bond, and accordingly the law firm of Crawford Lewis, PLLC, Bond Counsel, is hereby employed as Bond Counsel to handle all matters of a legal nature in connection with the negotiation, sale, issuance and delivery of the Bond. Said special bond counsel shall prepare and submit to the Parish all

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proceedings necessary for the due authorization, issuance, sale and delivery of the Bond, shall counsel the Parish as to the issuance and sale of the Bond, and shall furnish its opinion covering the legality of the Bond. The fee of special bond counsel in this connection, which shall be contingent upon the delivery of the Bond, is hereby established and fixed at a sum not to exceed _____, plus "out-of-pocket" expenses. A certified copy of this ordinance shall be forwarded to the Attorney General of the State of Louisiana for his approval of the employment herein provided for.

SECTION 8. Publication; Peremption. A copy of this ordinance shall be published immediately after its adoption in one issue of the official journal of the Parish, provided that the exhibits to this ordinance (the form of Bond and the Agreements) need not be published but will instead be available for public inspection at the office of the Clerk during regular business hours on weekdays.

For a period of thirty (30) days from the date of such publication any person in interest shall have the right to contest the legality of this ordinance or of the Bond and the provisions securing the Bond. After the expiration of said thirty (30) days, no one shall have any right of action to contest the validity of the Bond or the provisions of this ordinance, and the Bond shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

SECTION 9. No Recourse on the Bond. No recourse shall be had for the payment of the Bonds or for any claim based thereon or on this ordinance against any member of the Governing Authority or officer of the Parish or any person executing the Bond.

SECTION 10. Effective Date. This ordinance shall take effect immediately.

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

YEAS: Jerry Jones, Michael F. Delatte, Louis Richard, Joseph Fertitta, Matt Matherne, Lindel Toups, L. Phillip Gouax, II, Rodney Doucet and Daniel Lorraine

NAYS:

ABSENT:

And the ordinance was declared adopted on this, the 25th day of August, 2009.

/s/ Carleen Babin
Clerk

/s/ Charlotte A. Randolph
Parish President

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**EXHIBIT A
to Bond Ordinance**

[FORM OF BOND]

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF LAFOURCHE**

**SEWER REVENUE BOND, SERIES 2009
OF THE
PARISH OF LAFOURCHE, STATE OF LOUISIANA**

<u>Bond Number</u>	<u>Bond Date</u>	<u>Maturity Date</u>	<u>Principal Amount</u>
R-1	_____, 20__	_____, 20__	\$1,100,000

THE PARISH OF LAFOURCHE, STATE OF LOUISIANA (the "Parish"), promises to pay, but solely from the source and as hereinafter provided, to:

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

ATTN: Financial Services Division, Accounts Receivable

P. O. Box 4311

Baton Rouge, LA 70821-4311 (the "Department")

or registered assigns, on the dates and in the amounts as shown below, but solely from the revenues hereinafter specified, the principal amount stated above, on the Maturity Date stated above. This bond shall be non-interest bearing.

The purchase price of this Bond shall be paid by the Department to the Parish in installments. The date and amount of each purchase price installment, together with the amount of principal forgiveness associated therewith and the cumulative outstanding balance of this Bond, shall be noted on Schedule A attached hereto. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of this Bond theretofore advanced by the Department shall in no way extinguish this Bond or the obligation of this Bond with respect to the yet-to-be advanced portion of the principal hereof.

This Bond represents the entire issue of bonds designated "Sewer Revenue Bond, Series 2009, of the Parish of Lafourche, State of Louisiana" and this Bond is issued by the Parish pursuant to an ordinance adopted by its governing authority on August 25, 2009 (the "Ordinance"), for the purposes set forth in the Ordinance, under the authority conferred by La. R.S. 30:2079 and La. R.S. 39:1430, and other constitutional and statutory authority (collectively, the "Act").

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The principal installments of this Bond are subject to prepayment by the Parish in the manner set forth in the Ordinance.

The payment of this Bond is secured by and payable from the revenues of Parish's sewerage system (the "System"), subject to the prior payment of the reasonable and necessary costs and expenses of operating and maintaining the System, until this Bond is paid in full in accordance with its terms, all in accordance with the provisions of the Act and the Ordinance. For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Ordinance.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligations of the Parish have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Parish, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof and shall be incontestable in the hands of *bona fide* purchasers or owners for value thereof.

IN WITNESS WHEREOF, the Parish has caused this Bond to be executed in its name by the signatures of its Parish President and Clerk, and its official seal to be imprinted or impressed hereon.

PARISH OF LAFOURCHE, STATE OF
LOUISIANA

Clerk

Parish President

(SEAL)

* * * * *

ITEM 3

SCHEDULE A SCHEDULE OF PRINCIPAL DRAWS AND PRINCIPAL BALANCE

\$1,100,000 SEWER REVENUE BOND, SERIES 2009 OF THE PARISH OF LAFOURCHE, STATE OF LOUISIANA

Date: _____ Draw Number: _____
Principal Draw Paid to Parish this Date: \$ _____
Amount of Principal Forgiveness this Date: \$ _____
Cumulative Amount of Principal Draws Paid to Date: \$ _____
Cumulative Amount of Principal Forgiveness to Date: \$ _____
Outstanding Balance of Principal \$ _____
Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____
Principal Draw Paid to Parish this Date: \$ _____
Amount of Principal Forgiveness this Date: \$ _____
Cumulative Amount of Principal Draws Paid to Date: \$ _____
Cumulative Amount of Principal Forgiveness to Date: \$ _____
Outstanding Balance of Principal \$ _____
Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____
Principal Draw Paid to Parish this Date: \$ _____
Amount of Principal Forgiveness this Date: \$ _____
Cumulative Amount of Principal Draws Paid to Date: \$ _____
Cumulative Amount of Principal Forgiveness to Date: \$ _____
Outstanding Balance of Principal \$ _____
Signature of Authorized Officer of Department: _____

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Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

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Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

Date: _____ Draw Number: _____

Principal Draw Paid to Parish this Date: \$ _____

Amount of Principal Forgiveness this Date: \$ _____

Cumulative Amount of Principal Draws Paid to Date: \$ _____

Cumulative Amount of Principal Forgiveness to Date: \$ _____

Outstanding Balance of Principal \$ _____

Signature of Authorized Officer of Department: _____

ITEM 3

**EXHIBIT B
to Bond Ordinance**

**[LOAN & PLEDGE AGREEMENT
AND SUPPLEMENTAL LOAN AGREEMENT]**

ITEM 3

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Clerk of the Parish Council of the Parish of Lafourche, State of Louisiana (the "Governing Authority"), do hereby certify that the foregoing _____ (__) pages constitute a true and correct copy of an ordinance adopted by the Governing Authority on August 25, 2009, authorizing the incurring of debt and issuance of not to exceed \$1,100,000 of Sewer Revenue Bond, Series 2009, of Parish of Lafourche, State of Louisiana; making application to the State Bond Commission for approval of said bonds; employing bond counsel, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish at Lafrouche, Louisiana, on this, the 25th day of August, 2009.

Clerk

(SEAL)

ITEM 4

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF LAND AND IMPROVEMENTS LOCATED AT 705 WEST FIFTH STREET (BUILDING AND PARKING LOT) THIBODAUX, LOUISIANA AND AUTHORIZING THE PARISH PRESIDENT TO HIRE AN ATTORNEY TO PREPARE AN ENVIRONMENTAL ASSESSMENT AND TO SIGN ANY AND ALL ASSOCIATED DOCUMENTS NECESSARY TO ACQUIRE SAID PROPERTY.

WHEREAS, according to Article V, Section 1(12) of the Lafourche Parish Charter, an ordinance to acquire real rights on behalf of the parish must be approved by ordinance of the council; and,

WHEREAS, the Lafourche Parish Council authorizes the Administration to acquire the property and improvements located at 705 West Fifth Street (Building and Parking Lot), Thibodaux, Louisiana in the amount of two million two hundred sixty five thousand dollars (\$2,265,000); and

WHEREAS, this ordinance was sponsored for Administration by Mr. Jerry Jones, Councilman, District 1; and



NOW, THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that;

SECTION 1. Authorization is hereby granted to the Parish President to sign a purchase agreement between Lafourche Parish Government and Comet-Press Newspaper, Inc. (property description as shown in Exhibit A)

SECTION 2. Authorization is hereby granted to purchase the property for an amount not to exceed the appraised value plus applicable closing costs.

SECTION 3. Authorization is hereby granted to hire an attorney to prepare an

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environmental assessment for said property.

SECTION 4. Authorization is hereby granted to deposit earnest money in the amount of ten thousand dollars (\$10,000) to be applied toward the purchase price.

SECTION 5. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 7. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 8. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

SECTION 7. This Ordinance shall become effective immediately upon signing.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2009, at _____, __.m.

APPROVED: _____

ITEM 4

VEETOED: _____

Charlotte A. Randolph
Lafourche Parish President

Returned to the Council Clerk on

_____, 2009, at _____, __.m.

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2009.

CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

LEGAL DESCRIPTION

ITEM 4**MAIN SITE**

A certain fractional lot of ground or city lot, situated in the Parish of Lafourche, in the City of Thibodaux, State of Louisiana, measuring fifty-four (54') front on West Fifth Street (formerly St. Bridget), by twenty-three (23') in depth and fifty feet (50') more or less, on the back line. Bounded to the east or north by West Fifth Street, East by lot belonging to Drs. F. J. and R. H. Desnoes, formerly, now V. L. Caldwell; South by property belonging to Dr. J. L. and E. L. Drexler, formerly, now Barry and Delap; and West by property of Mrs. Sarah Hoffman, Sr. Together with all the buildings and improvements thereon, and all the rights, ways and servitudes thereunto belonging as in and by the appertaining.

The whole of a certain fractional lot of ground in the City of Thibodaux, Lafourche Parish, Louisiana, fronting on the south side of West Fifth Street and extending along said street from the rear wall of the brick house holding at the corner of West Fifth and Jackson Avenues to the property line of the lot formerly belonging to Tristram Clement, Joseph Roger, and now the property of Edward R. Jackson and Joseph Silverberg, thence along the line separating it from the said Edward R. Jackson and Joseph Silverberg lot, to the boundary line of the property of Mills Lafort, formerly, now Grand Theatre, Inc., in the case; thence along said boundary line separating it from the Grand Theatre, Inc. lot to a point in line with the rear wall of the aforementioned brick store building; thence in a straight line to the point of beginning on West Fifth Street; bounded North by West Fifth Street (formerly St. Bridget Street); East by the property formerly belonging to Tristram Clement, Joseph Roger, and now the property of Edward R. Jackson and Joseph Silverberg, and West of V. L. Caldwell, Jr.; South by the property of Mills Lafort formerly, now Grand Theatre, Inc.; and West by property now belonging to Sidney Poller, Teddy Hoffman, and Harry Hoffman, and that of Roda Transacare. Together with all the buildings and improvements thereon and all the rights, ways and servitudes thereunto belonging.

ITEM AND EXCEPT: a certain strip of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, and situated in Lot 16 of the plan of the Town of Thibodaux and more particularly described as that portion of land included between the points "A", "B", "C" and "D" on a topographic map prepared by George Bergeron, Jr., Licensed Surveyor, dated October 15, 1937, a copy of which is annexed hereto and said strip being bounded north and to the east by property of Sidney B. George, Vendor, and bounded south and west by property of Rodco Transacare, Jr., together with all servitudes, rights and ways thereon appertaining.

ITEM 4

A certain fractional lot of ground, situated in the Town of Thibodaux, Parish of Lafourche, State of Louisiana, on the East side of Jackson Street, being parts of Lots Nos. Fourteen (14) and Fifty (50) on a plan of said Town of Thibodaux, made and executed by James H. Grizzard, Surveyor, on the 1st day of May, 1842, measuring one hundred four (104) feet, more or less, front on Jackson Street, by one hundred two (102) feet, more or less, in width on the east or Eastern line, by the depth of said Lots Nos. Fourteen (14) and Fifty (50), of about one hundred seventy and eight-hundredths (170-8/100) feet, bounded in front or West by Jackson Street, South by other portions of said Lots Nos. Fourteen (14), now or formerly, belonging to Frank Hoffman and the estate of Theodore Gagnon, East by the lot belonging to Dr. Philip Burrows and others, and South by other portions of said Lot No. Fifty (50), now or formerly belonging to Dr. and Mrs. Rosalind P. Spaulding.

HOWEVER, LESS AND EXCEPT A lot of ground measuring twenty seven (27) feet front on Jackson Street by a depth of one hundred ten (110) feet, with a width in the rear or on its Eastern line of twenty six (26) feet, bounded North by lands of Frank Hoffman, Sr., now or formerly, and to the east (East) and on the South by land of purchasers.

Being the same property which Sidney Gary and Charles E. Dale, Sr. acquired from J. L. and S. L. Brander, by act of sale dated September 2nd, 1936, recorded September 2nd, 1936, in Catachoula Book 76, Page 61, under Entry No. 3269 of the Catachoula Records of the Parish of Lafourche, Louisiana, and acquired by Edward Ray Jackson and Joe H. Schenck from Sidney Gary and Charles E. Dale, Sr. by deed dated March 10, 1954, recorded under Entry No. 11523 of the records of Lafourche Parish, Louisiana.

A certain fractional lot of ground situated in the City of Thibodaux, Parish of Lafourche, State of Louisiana, being fractional portion of Lot No. 14 on the plan of said city; said fractional portion herein said has a front of 27 feet on Jackson Avenue by a depth of 110 feet, and the said fractional lot of ground situated in the rear or Eastern line 26 feet. The said fractional lot of ground herein conveyed is bounded in front by Jackson Avenue, North by the lands of Frank Hoffman, Sr., as aforesaid, and in the rear and South by lands belonging to Joseph L. Brander and Susan L. Brander, now or formerly, together with all the buildings and improvements thereon and all the rights, ways, privileges and servitudes thereon belonging or in anywise appertaining.

PARKING LOT

A certain tract of land or town lot situated in the City of Thibodaux, Parish of Lafourche, being Lot Thirty-Two (32) on the plan of the Town of Thibodaux, bounded in front or West by Jackson Street, on the East by Focus Street, on the North by West 4th Street and on the South by West 5th Street; together with all buildings and improvements thereon and all rights, ways, privileges and servitudes thereto belonging or in anywise appertaining.

LESS AND EXCEPT, however, thirty-five (35) feet front on Jackson Street, by the whole depth of said lot to be taken from the north side of said Lot #32 belonging to Thomas McDermott, now or formerly.

ITEM 5

On motion by _____, seconded by _____, the following resolution was introduced and adopted;

RESOLUTION NO. ____

RESOLUTION APPROVING A CHANGE ORDER ADDING LABOR SERVICES FOR INSTALLATION OF PUMP FOR THE WEST CAMELIA PUMP STATION FROM ASSOCIATED PUMP & SUPPLY CO., INC. FOR A TOTAL OF \$3,800.00 AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE, AND ADMINISTER SAID CHANGE ORDER AND ANY AND ALL RELEVANT DOCUMENTS.

WHEREAS, a change order is needed for the installation of the pump at West Camelia Pump Station; and

WHEREAS, installation also includes labor, Crane Truck, Operator, Welder, Installers, Tools and Materials; and

WHEREAS, this project was approved in the 2009 Capital Project Budget; and

WHEREAS, this resolution was sponsored for Administration by Mr. Jerry Jones, Councilman, District 1; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council approves said change order for installation of pump for West Camelia Pump Station from Associated Pump & Supply Co., Inc. for a total of \$3,800.00 and authorizes the Parish President to sign, execute, and administer said Change Order and any and all relevant documents.



THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does hereby approve said change order for installation of pump for West Camelia Pump Station from Associated Pump & Supply Co., Inc. for a total of \$3,800.00 and authorizes the Parish President to sign, execute, and administer said Change Order and any and all relevant documents.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to; Associated Pump & Supply Co., Inc. 9074 Park Ave., Houma, LA 70363; the Lafourche Parish Government Department of Public Works; Department of Finance, and the Office of the Parish Administrator.

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

ITEM 5

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

I, CARLEEN B. BABIN Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2009.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Charlotte A. Randolph, *Parish President*

Department of Public Works

MEMORANDUM

TO: COUNCILMEN
PURCHASING DEPARTMENT

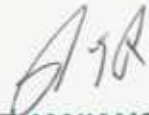
DEPARTMENT: PUBLIC WORKS

FROM: RONNIE ROBICHAUX

DATE: AUGUST 5, 2009

RE: CHANGE ORDER FOR WEST CAMELIA PUMP STATION
PURCHASE ORDER # 09002203

A CHANGE ORDER IS NEEDED FOR THE INSTALLION OF THE PUMP AT WEST CAMELIA PUMP STATION. THIS INCLUDES EQUIPMENT, TIME AND PERSONNEL WE DIDN'T HAVE TO ACCOMPLISH THIS PROJECT.



THANK YOU

Charlotte A. Randolph
Jerry Jones
Michael Delatte
Louis Richard
Joe Fertitta

Parish President
District 1
District 2
District 3
District 4

Matt Matherne
Lindel Toups
Phillip Gouaux
Rodney Doucet
Daniel Lorraine

District 5
District 6
District 7
District 8
District 9

ITEM 5



ASSOCIATED
PUMP & SUPPLY CO., INC.

July 23, 2009

*Lafourche Parish Government
Attn: Gary Washington
Ph: 446-8427
Fax: 446-9964*

Re: Public Works Department -- Installation of Pump for the West Cameila Pump Station Project

We are pleased to offer for your consideration the following equipment:

Qty: (1) Labor, Crane Truck, Operator, Welder, Installers, Tools, & Materials to Install Pump at the Cameila Pump Station Project Site.

Price: \$3,800.00

Once again, we appreciate the opportunity to quote you on the above equipment and we look forward to your favorable consideration. Please feel free to call, should you have any questions.

*Best Regards,
Kevin Dupre*

**Sales•Rental•Service
9074 Park Ave.
Houma, LA 70363
Ph: 985-851-7077 Fax: 985-876-9854**

ITEM 5

LAFOURCHE PARISH GOVERNMENT

CHANGE ORDER

Vendor: ASSOCIATED PUMP & SUPPLY

Vendor #: 010081

P.O. #: 09002203

P.O. Issue Date: 5/27/09

Fund/Acct.#: 29910400

Location/Classroom/Code: THIBODAUX

Fund Acct.#: 478000

Ship To: SERVICE FOR WEST CAMEILA PUMP STATION

Fund Acct.#: P1005

Received By: _____

Item	Qty	Description	Job Description	Unit Price		Amount	
1.	1	LABOR SERVICES	INSTALLATION OF PUMP AT WEST CAMEILA PUMP STATION	\$ 3,800	00	\$ 3,800	00
2.			P1005 PROJECT CODE				
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
TOTAL						\$ 3,800	00

Authorized Signature/Date Approved:
PUBLIC WORKS DIRECTOR

Authorized Signature/Date Approved:
PARISH PRESIDENT

ITEM 6

On motion by _____, seconded by _____, the following resolution was introduced and adopted;

RESOLUTION NO. ____

RESOLUTION APPROVING CHANGE ORDER NO. 3 FOR THE PROJECT ENTITLED “HARDSURFACING OF EAST 94TH STREET” INCREASING THE CONTRACT PRICE BY \$5,700.00 AND INCREASING CONTRACT TIME BY 1 (ONE) CALENDAR DAY AND AUTHORIZING THE PARISH PRESIDENT TO SIGN SAID CHANGE ORDER AND ANY AND ALL RELEVANT DOCUMENTS.

WHEREAS, Change Order No. 3 will add Item S-003, Patching on Existing Street, lump sum (+\$5,700.00); and

WHEREAS, Justification for said Change Order is as follows:

- Patch six areas on the existing street outside of the original project limits, at the request of the Owner

WHEREAS, the contract price due to this change order will be increased by \$5,700.00 for a new contract price totaling \$569,061.40; and

WHEREAS, this change order will also increase the contract time by 1 (one) Calendar day; and

WHEREAS, it is the recommendation of J. Wayne Plaisance, Inc. that said Change Order be accepted; and

WHEREAS, this resolution was sponsored for Administration by Mr. Rodney Doucet, Councilman, District 8; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council approve Change Order No. 3 for the Project entitled “Hardsurfacing of East 94th Street” increasing the contract price by \$5,700.00 and increasing contract time by 1 (one) calendar day and authorizes the Parish President to sign said Change Order and execute and administer any and all relevant documents.



BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does hereby approve Change Order No. 3 for the Project entitled “Hardsurfacing of East 94th Street” increasing the contract price by \$5,700.00 and increasing contract time by 1 (one) calendar day and authorizes the Parish

ITEM 6

President to sign said Change Order and execute and administer any and all relevant documents.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to; J. Wayne Plaisance, Inc. P.O. Drawer 730, Galliano, LA 70354; Lafourche Parish Government Department of Finance; Department of Public Works, and the Office of the Parish Administrator.

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

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____, 2009.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2009.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Lafourche Parish Council
Hardsurfacing of East 94th Street

ITEM 6

12/22/08

SECTION 00 63 63 - CHANGE ORDER

Change Order No. 3 (three)

Date August 10, 2009

Agreement Date April 3, 2009

Council's Project No. _____

Project Name: Hardsurfacing of East 94th Street

Owner: Lafourche Parish Council

Contractor: Huey Stockstill, Inc.

The following changes are hereby made to the Contract Documents:

- 1) Add Item S-003, Patching on Existing Street, lump sum (+\$5,700.00)
-
-
-
-
-
-
-
-

Justification:

- 1) Patch six areas on the existing street outside of the original project limits, at the request of the Owner.
-
-
-
-
-
-
-
-

Lafourche Parish Council
Hardsurfacing of East 94th Street

12/22/08

ITEM 6

Change to Contract Price:

Original Contract Price:	\$ 476,983.90
Current Contract Price adjusted by previous Change Order:	\$ 563,361.40
The Contract Price due to this Change Order will be increased by:	\$ 5,700.00
The new Contract Price including this Change Order will be:	\$ 569,061.40

Change to Contract Time:

Original Completion Date:	August 8, 2009
Current Completion Date adjusted by previous Change Order:	August 18, 2009
The Contract Time due to this Change Order will be increased by the indicated calendar days:	1 calendar days
The new Completion Date including this Change Order will be:	August 19, 2009

Recommended by:
(Engineer)

By: John J. Plaisance, II
Title: President

Date: _____

Accepted by:
(Contractor)

By: _____
Title: _____

Date: _____

Ordered by:
(Owner)

By: Charlotte A. Randolph
Title: Parish President

Date: _____

END SECTION 00 63 63