

PUBLIC NOTICE

L A F O U R C H E P A R I S H C O U N C I L
G O V E R N I N G A U T H O R I T Y
M E E T I N G N O T I C E A N D A G E N D A

AGENDA FOR MEETING TO BE HELD: Tuesday, November 10, 2009

**PLACE: Mathews Government Complex, 4876 Highway 1,
Mathews, Louisiana 70394**

TIME: 5:00 P.M.

CALL TO ORDER: Mr. Jerry Jones, Chairman

ROLL CALL: Mr. Jerry Jones, Chairman
Mr. Michael Delatte
Mr. Louis Richard
Mr. Joseph "Joe" Fertitta
Mr. Matt Matherne
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Rodney Doucet
Mr. Daniel Lorraine, Vice Chairman
Ms. Charlotte Randolph, Parish President

INVOCATION: Mr. Joseph "Joe" Fertitta

PLEDGE OF ALLEGIANCE: Mr. Phillip Gouaux

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NOTICE TO THE PUBLIC: If you wish to address the Council, please complete the "Public Wishing to Address the Council" form located at the back of the meeting room and return it to the Council Chairman or Council Clerk prior to the beginning of the meeting.

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the Lafourche Parish Council Clerk's Office at (985) 446-8427 describing the assistance that is necessary.

A. MINUTES:

1. Motion to **accept** the **minutes** of the **October 13, 2009 Regular Session.**
(DEFERRED AT THE 10-27-09 LPC MEETING)
2. Motion to **accept** the **minutes** of the **October 19, 2009 Special Session.**
3. Motion to **accept** the **minutes** of the **October 27, 2009 Regular Session.**

B. EXECUTIVE SESSION:

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

4. **108672 Eula Mae Serigny Dardar, v. Lafourche Parish Government.**
(R. DOUCET 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.

C. ADMINISTRATIVE REPORTS:

5. **Update from the Administration or the Administrator on the drainage project on West 175th Street and West 130th Street.** (D. LORRAINE)
6. **Update from the Administration regarding the restroom on the Galliano Bridge.** (D. LORRAINE)

D. QUESTIONS FOR THE ADMINISTRATION:

7. **In the event of an emergency situation concerning a danger to the general public, what authority does the Parish President have in order to make a decision to correct the situation or leave it as is whether it is on private property or if it connects to the public drainage system above and below in order to avoid a lawsuit.** (M. MATHERNE)

E. ENGINEERS/ARCHITECTS REPORTS:

F. LEGAL ADVISOR REPORT:

G. SECOND BUDGET PUBLIC HEARING:

Motion by _____, second by _____, to open the budget public hearing.

8. Public Hearing for public comments on the proposed 2010 Operations and Capital Budgets for the Lafourche Parish Council.

Motion by _____, second by _____, to close the public hearing.

H. REVIEW OF THE 2010 OPERATIONS AND MAINTENANCE BUDGET AND THE CAPITAL BUDGET FOR THE LAFOURCHE PARISH COUNCIL AS FOLLOWS:

	<u>FUND NO.</u>	<u>FUND NAME</u>
1)	101	Animal Shelter
2)	102	Building Maintenance
3)	103	Roads and Bridges
4)	104	Drainage Maintenance
5)	105	Street Lights
6)	107	Solid Waste
7)	108	Royalty Fund
8)	109	Board of Health
9)	110	Recreation
10)	118	Planning Commission
11)	119	Library
12)	123	Civil Defense
13)	126	Commission for Women
14)	127	Senior Citizens Activity Fund
15)	128	2004 Rededication Fund
16)	129	Health Activity Fund

I. 2010 BUDGET AMENDMENTS:

9. Amendments to the 2010 Operations and Capital Budgets as follows:

a) **AMENDMENT 2010-4--RICHARD--OPERATIONS AND MAINTENANCE BUDGET**

110 - RECREATION

~Decrease Fund Balance of Recreation No. 110 by
\$14,439.00

<u>Amendment 4</u> <u>2010 Operations and Maintenance Budget</u>	<u>Amendment 4</u> <u>2010 Operations and Maintenance Budget</u>
Decrease Recreation (110) Fund Balance \$14,439	JUSTIFICATION: Parish will be sharing the cost of building restroom facilities at the Eric Andolsek Park. Bid came in at \$108,878. Therefore the Parish's portion is \$54,439 and not \$40,000 as originally budgeted.
Increase Miscellaneous \$14,439	
	ESTIMATED COSTS: \$14,439
	METHOD OF FINANCING: Recreation (110)
	ESTIMATED TIME SCHEDULE: N/A
	ANNUAL MAINTENANCE/OPERATION COSTS: -0-

b) **AMENDMENT 2010-5--TOUPS--OPERATIONS AND MAINTENANCE AND CAPITAL BUDGETS**

128 - RE-DEDICATION

~Decrease Transfer Out of Animal Shelter No. 101 by
\$15,000.00

~Increase Transfer Out Building and Maintenance No. 102 by
\$15,000.00

<u>Amendment 5</u> <u>2010 Operations and Maintenance Budget</u>	<u>Amendment 5</u> <u>2010 Capital Budget</u>
Decrease Re-dedication (128) Transfer Out (129) \$15,000	JUSTIFICATION: Reduce transfer out to the Animal Shelter as total transfer not needed and to create a new project for the Alidore Community Center Architectural fees. ESTIMATED COSTS: \$15,000 METHOD OF FINANCING: Re-dedication (128) ESTIMATED TIME SCHEDULE: N/A ANNUAL MAINTENANCE/OPERATION COSTS: -0-
Decrease Health Activities Transfer In (128) \$15,000	
Decrease Health Activities Transfer Out (101) \$15,000	
Decrease Animal Shelter Transfer In (129) \$15,000	
Increase Re-dedication (128) Transfer Out (102) \$15,000	
Increase Buildings & Maintenance (102) Transfer In (128) \$15,000	
Increase Buildings & Maintenance (102) Transfer Out (299) \$15,000	
<u>2010 Capital Budget</u>	
Increase Capital Outlay (299) Transfer In (102) \$15,000	
Increase Capital Outlay (299) Professional Services \$15,000	

c) **AMENDMENT 2010-6--FERTITTA--OPERATIONS AND MAINTENANCE AND CAPITAL BUDGETS**

108 - ROYALTY
 ~Decrease Miscellaneous (Royalty) No. 108 by
 \$1,200,000.00

<u>Amendment 6 2010 Operations and Maintenance Budget</u>	<u>Amendment 6 2010 Capital Budget</u>
Decrease Miscellaneous Royalty (108) \$1,200,000	JUSTIFICATION: To improve drainage
Increase Transfer Out Capital Projects (299) \$1,200,000	ESTIMATED COSTS: \$1,200,000
<u>2010 Capital Budget</u>	METHOD OF FINANCING: Royalty (108)
Increase Transfer In Royalty (108) \$1,200,000	ESTIMATED TIME SCHEDULE: N/A
Increase Capital Outlay (299) \$1,200,000	ANNUAL MAINTENANCE/OPERATION COSTS: -0-

d) **AMENDMENT 2010-7--LORRAINE--OPERATIONS AND MAINTENANCE BUDGET**

110 - RECREATION

~Decrease Fund Balance of Recreation No. 110 by \$50,000.00.

<i>Amendment 7 2010 Operations and Maintenance Budget</i>	<i>Amendment 7 2010 Operations and Maintenance Budget</i>
Decrease Recreation (110) Fund Balance \$50,000	JUSTIFICATION: Playground equipment for children
Increase Miscellaneous (Recreation Fund No. 110) \$50,000	ESTIMATED COSTS: \$50,000
	METHOD OF FINANCING: Recreation (110)
	ESTIMATED TIME SCHEDULE: N/A
	ANNUAL MAINTENANCE/OPERATION COSTS: -0-

J. ORDINANCES FOR DISCUSSION AND RATIFICATION:

K. PUBLIC HEARING AND ORDINANCES FOR RATIFICATION:

Motion by _____, seconded by _____ to open the public hearing.

10. **ORDINANCE establishing a “No Parking-Fire Lane” on East 18th Street in Cut Off, Louisiana, with said signs being placed on the north side of the street from the first cross street all the way to the end of the Parish Street, Ward (10), District (7), Parish of Lafourche, State of Louisiana; installing the necessary “No Parking-Fire Lane” signs; and providing for penalties for the violations thereof. (P. GOUAUX)**
11. **ORDINANCE providing for a 2009 Supplemental Appropriation (09-024) within the 2009 Operations and Maintenance Budget and the 2009 Capital Budget to adjust various items and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. (P. GOUAUX FOR ADMINISTRATION)**
12. **ORDINANCE providing for a 2009 Supplemental Appropriation (09-026) within the 2009 Operations and Maintenance Budget and the 2009 Capital Outlay Budget to purchase an x-ray system to be used within the Coroner’s Office and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. (R. DOUCET FOR ADMINISTRATION)**
13. **ORDINANCE providing for a 2009 Supplemental Appropriation (09-027) within the 2009 Operations and Maintenance Budget and the 2009 Capital Outlay Budget to budget for anticipated costs and revenue to be incurred/received from a grant from the Department of Environmental Quality as a result of ARRA and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. (L. TOUPS FOR ADMINISTRATION)**
14. **ORDINANCE approving the attached servitude agreement between Family Farms Investments LLC and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. (M. DELATTE FOR ADMINISTRATION)**

15. **ORDINANCE approving the attached servitude agreement between Sherrie Bobbie Bond Carroll and the Lafourche Parish Council;** and authorizing the Parish President to sign, execute and administer said agreement.
(M. MATHERNE FOR ADMINISTRATION)
16. **ORDINANCE approving the attached servitude agreement between Henry Benjimen Carroll, Jr. and Rhonda Parrish Carroll and the Lafourche Parish Council;** and authorizing the Parish President to sign, execute and administer said agreement. (M. MATHERNE FOR ADMINISTRATION)
17. **ORDINANCE approving the attached servitude agreement between Evelyn Schouest and the Lafourche Parish Council;** and authorizing the Parish President to sign, execute and administer said agreement.
(M. MATHERNE FOR ADMINISTRATION)

Motion by _____ seconded by _____ to close the public hearing.

L. PROPOSED ORDINANCES:

18. **PROPOSED ORDINANCE requesting that traffic calming devices and the appropriate signage be installed** (pending appropriate funding is available) **on West 162nd - 167th Streets and West Avenue A Street as well as Chevron signs being installed at the end of West 163rd Street in front of the residence on West Avenue A, Galliano, Louisiana, Ward (10), District (9), Parish of Lafourche, State of Louisiana.** (D. LORRAINE)
19. **PROPOSED ORDINANCE de-dedicating the rear seven hundred eighty (780') feet of East 19th Street, Larose Louisiana, Ward (10), District (7), Parish of Lafourche, State of Louisiana.** (D. LORRAINE)
20. **PROPOSED ORDINANCE rescinding Ordinance No. 4645 as it pertains to submitting a proposed amendment to the Home Rule Charter to be placed on the ballot for the October 2, 2010 election.** (J. JONES)
21. **PROPOSED ORDINANCE reducing the speed limit to ten (10) miles per hour on Emily Street in Pointe Aux Chene, Louisiana, Ward (11), District (5), Parish of Lafourche, State of Louisiana; and providing for the placement of "Speed Limit" and "Caution Children At Play" signs and providing for the penalties for the violations thereof.** (P. GOUAUX)

22. **PROPOSED ORDINANCE providing for a 2009 Supplemental Appropriation (09-029) within the 2009 Operations and Maintenance Budget and the 2009 Capital Budget to fund the repairs needed to the Ludevine Pump #1** and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. (P. GOUAUX FOR ADMINISTRATION)

M. RESOLUTIONS:

23. **RESOLUTION requesting the Louisiana Department of Transportation and Development (LADOTD) to clean the culverts in the 2700 block of Hwy. 316.** (J. FERTITTA)
24. **RESOLUTION requesting the Director of the LA-1 Coalition to give a report at the next Council meeting scheduled for November 24, 2009 on the revenue collected and where they are placing the kiosk machines for the Tommy Doucet Toll Bridge.** (D. LORRAINE)
25. **RESOLUTION appointing one (1) Commissioner to the Lafourche Parish Heroes Monument Commission.** (L. RICHARD FOR ADMINISTRATION)
26. **RESOLUTION appointing one (1) Commissioner to the Fire Protection District No. 4 Board.** (J. FERTITTA FOR ADMINISTRATION)
27. **RESOLUTION appointing one (1) Commissioner to the Recreation District No. 2 Board.** (L. TOUPS FOR ADMINISTRATION)
28. **RESOLUTION appointing one (1) Commissioner to the Recreation District No. 5 Board.** (M. DELATTE FOR ADMINISTRATION)
29. **RESOLUTION accepting the low bid from F. Miller Construction, LLC in the amount of \$2,177,644.69 for constructing the Coastal Impact Assistance Program (CIAP) Small Dredge Program,** and authorizing the Parish President to sign, execute and administer a contract and any and all relevant documents. (D. LORRAINE FOR ADMINISTRATION)
30. **RESOLUTION in support of the fiscal year 2010/2011 Capital Outlay Appropriation requests by Lafourche Parish Government to the State of Louisiana through the Office of Facility Planning & Control.** (M. DELATTE FOR ADMINISTRATION)

31. RESOLUTION approving **Change Order No. 2** for the project entitled **“Farm To Market Road Project”** for a decrease in contract price by **\$43,541.59** as a balancing Change Order; and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents. (L. TOUPS FOR ADMINISTRATION)
32. RESOLUTION approving a **Cooperative Endeavor Agreement** between the **State of Louisiana, Division of Administration, Office of Community Development and Lafourche Parish Government for the Parish Recovery Planning Capacity Building Program**; and authorizing the Parish President to sign, execute and administer said agreement and any all relevant documents and amendments. (P. GOUAUX FOR ADMINISTRATION)
33. RESOLUTION approving the estimate of repair of **36" Pump #1** for the **Ludevine Pump Station from M & L Engine, Inc. for a total of \$16,388.00** and authorizing the Parish President to sign, execute and administer any and all relevant documents. (P. GOUAUX FOR ADMINISTRATION)
34. RESOLUTION approving a **reduction Change Order No. 1** for the project entitled **“West 25th Street Drainage Project”** for a decrease in contract price by **\$14,367.00** and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents.
(R. DOUCET FOR ADMINISTRATION)
35. RESOLUTION approving **Change Order No. 4** for the project entitled **“Hardsurfacing of East 94th Street”** for an increase in contract price by **\$10,421.17** and a **5 day increase in contract time**; and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents. (R. DOUCET FOR ADMINISTRATION)
36. RESOLUTION approving the **purchase of one (1) 40 KW Generator** from **Arrco** in the amount of **\$22,817.00** under **State Contract #408104** through the **Department of Public Works for the Lockport Field Office** and authorizing the Parish President to sign, execute and administer any and all relevant documents. (L. TOUPS FOR ADMINISTRATION)
37. RESOLUTION **rescinding Resolution Number 09-386** that approved an **Intergovernmental Agreement with the Lafourche Parish School Board for the use of a parcel of land located in the Choctaw area adjacent to the Sixth Ward Middle School Site** and authorizing the Parish President to sign, execute and administer said agreement and any and all relevant documents.
(M. DELATTE ADMINISTRATION)

38. RESOLUTION authorizing the hiring of Duplantis Design Group, PC for a Modular Building Project for the Thibodaux Head Start Site and authorizing the Parish President to sign, execute and administer any and all relevant documents. (J. JONES FOR ADMINISTRATION)
39. RESOLUTION approving Change Order No. 1 for the project entitled “Roadway and Drainage Improvements in Road Sales Tax District No. 2, Project 4G - East 51st and 52nd Street Drainage” for an increase in contract price by \$271,603.75 and an increase in contract time by 60 days; and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents. (R. DOUCET FOR ADMINISTRATION)
40. RESOLUTION approving Change Order No. 1 for the project entitled General Maintenance Contract Road Sales Tax District 2 for an increase in contract price by \$4,980.00 for additional items and an increase of contract days; and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents. (R. DOUCET FOR ADMINISTRATION)

N. PUBLIC WISHING TO ADDRESS THE COUNCIL

O. DISCUSSION:

41. Discussion concerning Lefort Bypass. (J. FERTITTA)
42. Discussion regarding the trimming of oak trees in Parish right-of-ways.
(J. FERTITTA)
43. Discussion concerning badges for the Courthouse. (L. TOUPS)

P. QUESTIONS/DISCUSSION REGARDING THE 2010 BUDGET:

Q. ADJOURNMENT:

On motion by _____ seconded by _____, and with no further business, the Lafourche Parish Council meeting of **November 10, 2009** adjourned at _____.