

The following ordinance was introduced by Mr. Phillip Gouaux in regular session convened on October 28, 2014.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by Mr. Phillip Gouaux, seconded by Mr. Aaron Caillouet.

ORDINANCE NO. 5560

AN ORDINANCE AUTHORIZING AMENDMENT NO. 4 TO THE EXISTING CONTRACT BETWEEN LAFOURCHE PARISH GOVERNMENT AND RIVER BIRCH INCORPORATED AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AMENDMENT AND ANY AND ALL RELEVANT DOCUMENTS.

WHEREAS, Amendment No. 1 increased the gate fee to the rate of \$24.00 per ton and extended the contract to July 31, 2009 under Ordinance No. 3494 at the September 28, 2004 Council Meeting; and

WHEREAS, Amendment No. 2 extended the contract to March 31, 2010 under Ordinance No. 4603 at the July 28, 2009 Council Meeting; and

WHEREAS, Amendment No. 3 extended the contract to December 31, 2014 under Ordinance No. 4714 at the March 23, 2010 Council Meeting; and

WHEREAS, this amendment will extend the contract to December 31, 2019 with an option to renew for an additional five years; and

WHEREAS, this amendment will also increase the gate fee to \$28.60 per ton; and

WHEREAS, this ordinance was sponsored for Administration by Mr. Phillip Gouaux, Councilman, District 7; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorizes Amendment No. 4 to the existing contract between Lafourche Parish Government and River Birch Incorporated and authorizes the Parish President to sign, execute and administer said amendment and any and all relevant documents.

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council convened in Regular Session on November 11, 2014, and hereby authorizes Amendment No. 4 to the existing contract between Lafourche Parish Government and River Birch Incorporated and authorizes the Parish President to sign, execute and administer said amendment and any and all relevant documents.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on November 11, 2014, that:

SECTION 1. The Parish President is hereby authorized to enter into an amendment to the existing contract (Ordinance No. 2769) and the amendments (Ordinance Nos. 3494, 4603 and 4714) between Lafourche Parish Government and River Birch Incorporated, extending the contract to December 31, 2019 with an option to renew for an additional five years, and increasing the gate fee to \$28.60; and is hereby authorized to sign said amendment.

SECTION 2. If any section, clause, paragraph, provision, or portion of these Regulations shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these regulations.

SECTION 3. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. A certified copy of this Ordinance shall be forwarded to River Birch Incorporated, Lafourche Parish Government Department of Solid Waste, Department of Finance, and the Office of the Parish Administrator.

SECTION 6. 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: Mr. Jerry Jones
Mr. Michael Delatte
Mr. Aaron Caillouet
Mr. Joseph "Joe" Fertitta
Mr. John Arnold
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Jerry LaFont

NAYS: None

ABSENT: Mr. Daniel Lorraine

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

/s/ Daniel Lorraine
DANIEL LORRAINE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

/s/ Carleen B. Babin
CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

November 13, 2014, at 4:10 p.m.

APPROVED: X

UNAPPROVED:

VETOED:

/s/ Charlotte A. Randolph
Lafourche Parish President

Returned to the Council Clerk on

November 18, 2014, at 4:00 p.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. 5560, enacted by the Assembled Council in Regular Session on November 11, 2014, at which meeting a quorum was present, and was finally adopted on November 18, 2014.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE ON THIS 26TH DAY OF NOVEMBER, 2014.

/s/ Carleen B. Babin
CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: DECEMBER 1, 2014

DATE EFFECTIVE: DECEMBER 11, 2014