

# St. Charles Parish

# **Meeting Minutes**

#### **Parish Council**

St. Charles Parish Courthouse 15045 Highway 18 P.O. Box 302 Hahnville, LA 70057 985-783-5000 www.stcharlesparish-la.gov

#### Final

Council Chairman Dick Gibbs Councilmembers Wendy Benedetto, Paul J. Hogan, Terrell D. Wilson, Mary K. Clulee, William Billy Woodruff, Marilyn B. Bellock, Traci A. Fletcher, Julia Fisher-Perrier

Monday, June 18, 2018

6:00 PM

Council Chambers, Courthouse

#### **ATTENDANCE**

Present 8 - Paul J. Hogan, Terrell D. Wilson, Mary K. Clulee, John R. 'Dick' Gibbs, William Woodruff, Marilyn B. Bellock, Traci A. Fletcher, and Julia Fisher-Perrier

Absent 1 - Wendy Benedetto

#### Also Present

Parish President Larry Cochran, Executive Secretary Robin Delahoussaye, Legal Services Director Robert Raymond, Chief Administrative Officer Billy Raymond, Executive Director Darrin Duhe, Executive Director Dwayne LaGrange, Finance Director Grant Dussom, Public Works/Wastewater Director Clayton Faucheux, Planning & Zoning Director Michael Albert, Grants Officer Carla Chiasson, Public Information Officer Tristan Babin

#### **CALL TO ORDER**

Meeting called to order at 6:01 pm.

#### PRAYER / PLEDGE

Pastor Allen C. Lagrange, Sr. True Vine Baptist Church, Hahnville

#### **APPROVAL OF MINUTES**

A motion was made by Councilmember Wilson, seconded by Councilmember Bellock, to approve the minutes from the regular meeting of June 4, 2018. The motion carried by the following vote:

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: (

Absent: 1 - Benedetto

# SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

#### **1** 2018-0158

In Recognition: William O. deBruler, III, Housing Authority Board of

Commissioners

Sponsors: Mr. Cochran

Read

#### 2 2018-0162

Proclamation: "242nd Anniversary of American Independence"

Sponsors: Mr. Cochran

Read

# REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

#### 2018-0164

The Arc of St. Charles

Ms. Victoria Bryant, Executive Director

Ms. Shelby King, Community Relations and Media Specialist spoke on the matter.

Mr. Trey King, Arc of St. Charles client, upstart recipient spoke on the matter.

Councilwoman Fisher-Perrier spoke on the matter.

Ms. Bryant spoke on the matter.

Councilwoman Clulee spoke on the matter.

Reported

#### 2018-0165

#### St. Charles Community Health Center

Mr. Andre Stolier, Quality Assurance Specialist/Government Relations Specialist, Access Health Louisiana

Mr. Stolier introduced the staff members from the St. Charles Community Health Center in Luling that were in attendance:

Ms. Kaycee Borras, Operations Manager

Ms. Cristin Weems, Medical Records Supervisor

Ms. Vanice Zenon, Behavioral Health Manager

Councilwoman Bellock spoke on the matter.

Mr. Stolier spoke on the matter.

Councilwoman Clulee spoke on the matter.

#### Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER. CHAIRMAN GIBBS AUTHORIZED THAT THE ORDINANCE, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS. ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING & ADOPTION TO BE HELD AT THE PUBLIC MEETING ON MONDAY, JULY 9, 2018, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

#### 2018-0156

An ordinance adopting, setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing. acquiring, maintaining, operating, extending and/or improving levees, facilities and structures associated with outer flood protection systems within the Parish; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program: Road Lighting District No. 1: Library Service District No. 1; the ARC of St. Charles; paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish; and for the purpose of paying the principal and interest on outstanding General Obligation Sewer Bonds for the year 2018.

Sponsors: Mr. Cochran and Department of Finance

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN GIBBS AUTHORIZED THAT THE ORDINANCES, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS, ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING TO BE HELD ON MONDAY, JULY 9, 2018, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

#### 2018-0163

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1M, Manufactured Home - RV Park to O-L, Open Land on Lot Q, Estay Subdivision, Paradis as requested by Clyde McCully for Woodlands RV Park, LLC.

Sponsors: Mr. Cochran and Department of Planning & Zoning

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

#### 2018-0171

An ordinance to approve and authorize the Parish President to acquire a 0.897 acre perpetual drainage servitude over property identified as Parcel No.6-4, in Sections 49 and 50, Township 12 South - Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from THE KANSAS CITY SOUTHERN RAILWAY COMPANY, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II.

Sponsors: Mr. Cochran and Department of Public Works

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

An ordinance to approve and authorize the Parish President to purchase and/or expropriate a 1.330 acre perpetual drainage servitude over property identified as Parcel No.6-5, in Sections 49 and 50, Township 12 South -Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana from KRISTI GERSTNER SMITH, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II, as shown on the attached drawing by Riverlands Surveying Co., LLC dated July 24, 2017.

Sponsors: Mr. Cochran and Department of Public Works

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

#### 2018-0150

An ordinance approving a purchase of 6.17 acres of property which is contiguous and adjacent to the East Bank Bridge Park, more fully described on the Murray Architects Drawing No. A.0.1 dated December 12, 2016, attached hereto and made a part hereof as Exhibit "A" and identified as UDP-2-B thereon, and the acceptance of the donation of parcel of ground identified as UDP-2A on said drawing, which together form UDP-2.

Sponsors: Mr. Cochran and Department of Legal Services

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

#### 2018-0151

An ordinance authorizing the Parish President to accept the donation of property known as the East St. Charles Volunteer Fire Station No. 2 from P & L Investments IX, L.L.C. for the East St. Charles Volunteer Fire Department's continued use.

Sponsors: Mr. Cochran and Department of Legal Services

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

An ordinance approving and authorizing the execution of an Act of Dedication for Destrehan Plantation Estates Subdivision, Destrehan.

Sponsors: Mr. Cochran and Department of Planning & Zoning

Publish/Scheduled for Public Hearing to the Parish Council on July 9, 2018

# ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

#### **3** 2018-0155

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on **Kosher Lane in Des Allemands to ten (10) miles per hour.** 

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

**Public Hearing Requirements Satisfied** 

Council Discussion

#### **VOTE ON THE PROPOSED ORDINANCE**

Yea: 7 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fisher-Perrier

Nay: 1 - Fletcher

Absent: 1 - Benedetto

Enactment No: 18-6-8

#### 4 2018-0157

An ordinance to amend the Code of Ordinances by revising Chapter 20 Railroads, Section 20-6. Switching. by removing (b) which is regarding residential structures near switching yards.

#### Sponsors: Mr. Gibbs

#### Reported:

Councilman Gibbs Recommended: Approval

Public Works/Wastewater Director Clayton Faucheux spoke on the matter.

#### Speakers:

Mr. Joey Murray, Murray Architects representing P & L Investments IX and representing 310 Developers, LLC

Mr. Joel Chaisson, Destrehan Mr. Milton Allemand. Hahnville

#### **Public Hearing Requirements Satisfied**

Council Discussion

Mr. Faucheux spoke on the matter.

#### **VOTE ON THE PROPOSED ORDINANCE**

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 18-6-9

#### RESOLUTIONS

#### **5** 2018-0159

A resolution requesting authorization for St. Charles Parish to accept the work as complete for the Willowridge Pump Station, State Project No. H.010102, through the State of Louisiana Department of Transportation and Development (DOTD) under the Louisiana Statewide Flood Control Program.

#### Sponsors: Mr. Cochran and Grants Office

Reported:

Grants Office Recommended: Approval Public comment opened; no public comment

Council Discussion

Grants Officer Carla Chiasson spoke on the matter.

#### **VOTE ON THE PROPOSED RESOLUTION**

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 6349

#### **6** 2018-0160

A resolution approving and authorizing the Parish President to submit an application for grant funds from the Delta Regional Authority States' Economic Development Assistance Program for the Paradis Canal Gate in the amount of \$200,000.

Sponsors: Mr. Cochran and Grants Office

Reported:

Grants Office Recommended: Approval

Public comment opened

Mr. Milton Allemand, Hahnville

Council Discussion

#### **VOTE ON THE PROPOSED RESOLUTION**

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 6350

#### **7** 2018-0161

A resolution adopting the revised St. Charles Parish Procurement Policy for all Louisiana Community Development Block Grant (LCDBG) Programs for the Parish.

Sponsors: Mr. Cochran and Grants Office

Reported:

Grants Office Recommended: Approval Public comment opened; no public comment

Council Discussion

Grants Officer Carla Chiasson spoke on the matter.

**VOTE ON THE PROPOSED RESOLUTION** 

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: (

Absent: 1 - Benedetto

Enactment No: 6351

#### **APPOINTMENTS**

#### 2018-0141

A resolution to appoint an Ad-Hoc member, with a health professional background, to the Board of Directors for the Arc of St. Charles.

Nominee:

Councilwoman Fisher-Perrier nominated Dr. Jeffrey S. Kuo, M.D.

Nomination(s) Accepted

Enactment No: 6354

A motion was made by Councilmember Fletcher, seconded by Councilmember Hogan, to Close Nomination(s) for File No. 2018-0141. The motion carried by the following vote:

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 6354

Nomination(s) Closed

Enactment No: 6354

#### **16** 2018-0166

A resolution to appoint Chief Sergio Morales to the St. Charles Parish Communications District representing Emergency Medical Services as requested by St. Charles Parish Hospital Service District No. 1 Board of Commissioners.

Councilwoman Fisher-Perrier requested Point of Privilege later in the meeting, stating for the record she voted Yea to confirm Chief Sergio Morales as a member on the St. Charles Parish Communications District representing Emergency Medical Services.

A motion was made by Councilmember Fisher-Perrier, seconded by Councilmember Wilson, to Confirm the appointment of Chief Sergio Morales. The motion carried by the following vote:

Yea: 8 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 6352

#### 2018-0167

Council appointment to the River Region Caucus

Vacancy Announced

#### 2018-0168

Council appointment to the River Region Caucus

**Vacancy Announced** 

#### 2018-0169

Council Alternate Appointment to the River Region Caucus

Vacancy Announced

Councilwoman Bellock departed the meeting.

#### 2018-0170

Council Alternate Appointment to the River Region Caucus

Vacancy Announced

Councilwoman Fisher-Perrier requested Point of Privilege stating for the record she voted Yea to confirm Chief Sergio Morales as a member on the St. Charles Parish Communications District representing Emergency Medical Services. (File No. 2018-0166)

#### **ADJOURNMENT**

A motion was made by Councilmember Clulee, seconded by Councilmember Fletcher, to adjourn the meeting at approximately 7:03 pm. The motion carried by the following vote:

Yea: 7 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Fletcher and Fisher-Perrier

Nay: 0

Absent: 2 - Benedetto and Bellock

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

Valarie Berthelot

**Interim Council Secretary** 

# The Parish of St. Charles

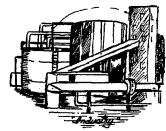
June 18, 2018





The St. Charles Parish Council
and the Parish President
Deeply Appreciate
Your Years of Service
as a member of the





HOUSING AUTHORITY
BOARD OF COMMISSIONERS





WILLIAM O. DEBRULER, III

February 2, 2016 – March 30, 2018

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

LARRY COCHRAN PARISH PRESIDENT

PAUL J. HOGAN, PE (COUNCILMAN AT LARGE, DIV. B

Tensell D. Wilson TERRELL D. WILSON GQUNCILMAN, DISTRICT I

MARY K. CLULEE COUNCILWOMAN, DISTRICT II

DÍCK GÌBBS COUNCILMAN, DISTRICT III Wenly Benedetto

COUNCILWOMAN AT LARGE, DIV. A

MILLIAM BILLY WOODRUFF

COUNCE MAN PISTRICTIN

MARILYN B. BELLOCK COUNCILWOMAN, DISTRICT Y

TRACIA. FLETCHER

COUNCILWOMAN, DISTRICT VI

JULA FISHER-PERRIER COUNCILWOMAN, DISTRICT VII

# PROCLAMATION

WHEREAS, the spirit of liberty and independence inspired the Second Continental Congress to resolve "That these United Colonies are, and of right ought to be free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and

ought to be, totally dissolved"; and,

WHEREAS, the Congress appointed a Committee of Five consisting of John Adams, Roger Sherman, Benjamin Franklin, Robert Livingston, and Thomas Jefferson to draft a declaration presenting to the world the colonies' case for independence; and.

WHEREAS, on July 4, 1776, fifty-six delegates to the Second Continental Congress risked their "Lives, their Fortunes, and their Sacred Honor" to sign the Declaration of Independence and to assert their conviction that "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness"; and.

WHEREAS, July 4, 2018, marks the 242<sup>nd</sup> Anniversary of American Independence; and,

**WHEREAS,** it is fitting and proper to accord official recognition to this memorable anniversary, and to the patriotic exercises that will commemorate the occasion.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM JULY 4, 2018, AS THE

# "242<sup>nd</sup> ANNIVERSARY OF AMERICAN INDEPENDENCE"

AND URGE OUR CITIZENS TO REFLECT ON THE BLESSINGS OF LIBERTY AND ON THE RIGHTS, PRIVILEGES, AND ATTENDANT RESPONSIBILITIES OF CITIZENSHIP IN OUR GREAT NATION.

BE IT FURTHER RESOLVED, THAT ALL CITIZENS IN THE PARISH ARE INVITED TO ATTEND THE TWENTY-EIGHTH ANNUAL FESTIVITIES AT THE ST. CHARLES PARISH WEST BANK BRIDGE PARK IN LULING, ON TUESDAY, JULY 3, 2018, FROM 6 PM-9 PM, WITH A FIREWORKS DISPLAY AT DARK.

S/LARRY COCHRAN
LARRY COCHRAN
PARISH PRESIDENT
S/PAUL J. HOGAN, PE
PAUL J. HOGAN, PE
COUNCILMAN AT LARGE, DIV. B
S/TERRELL D. WILSON
TERRELL D. WILSON
COUNCILMAN, DISTRICT I
S/MARY K. CLULEE
MARY K. CLULEE
COUNCILWOMAN, DISTRICT II
S/DICK GIBBS
DICK GIBBS

ABSENT
WENDY BENEDETTO
COUNCILWOMAN AT LARGE, DIV. A
s/WILLIAM BILLY WOODRUFF
WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT IV
s/MARILYN B. BELLOCK
MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V
s/TRACI A. FLETCHER
TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI
s/JULIA FISHER-PERRIER
JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

COUNCILMAN, DISTRICT III 242nd American Independence2018.PCL

	<u> 2018-0155</u>	
		ED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
	ORDINANCI	E NO18-6-8
		An ordinance to amend the Code of Ordinances to
		revise Chapter 15, Section 15-9, to provide an
		exception to the Twenty-five (25) Miles Per Hour
		Speed Limit, to lower the speed limit on Kosher Lane
		in Des Allemands to ten (10) miles per hour.
	WHEREAS,	paragraph (a) of Section 15-9 of the Code provides that it is unlawful to
		operate any motor vehicle at a speed in excess of twenty-five (25) miles
		per hour on Parish streets; and,
	WHEREAS,	that Paragraph (a) of Section 15-9 has been amended to provide
		exceptions; and,
	WHEREAS,	the Parish Council desires to provide an exception to lower the speed limit
		on Kosher Lane in Des Allemands which is a single lane dead end road.
	THE ST. CH	IARLES PARISH COUNCIL HEREBY ORDAINS:
	SECT	TION I. That Section 15-9 of the Traffic Code is hereby amended to add
	No. 86 as fo	llows:
	(a)	It shall be unlawful for any person to operate any motor vehicle
		at a speed in excess of twenty-five (25) miles per hour on any of
		the Parish streets, roads, highways and bridges,
		EXCEPT:
		(86) Kosher Lane in Des Allemands, speed limit shall
		be ten (10) miles per hour.
	The f	oregoing ordinance having been submitted to a vote, the vote thereon was
	as follows:	
	YEAS:	HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,
		FISHER-PERRIER
		FLETCHER
	ABSENT:	BENEDETTO
	And 1	the ordinance was declared adopted this <u>18th</u> day of <u>June</u> , 2018,
	to become e	effective five (5) days after publication in the Official Journal.
	2018-0155 Speed Limit Kost	her Lane In DA-10mph (5-25-18) (L-8-4-18)
		1()-() N H()
	CHAIRMAN:	Hat Italy
		Dalane Berhelot
ERIM	SECRETARY:_	10 7 410
	DLVD/PARISH	
	APPROVED:	DISAPPROVED:
	PARISH PRES	IDENT:
	RETD/SECRET	TARY: / June 20, 2018
	AT: 8:20	$\mathcal{L}_{\mathcal{L}}}}}}}}}}$
		<del>processes.</del>

INTRODUCED BY: DICK GIBBS, COUNCILMAN, DISTRICT III

ORDINANCE NO.

18-6-9

An ordinance to amend the Code of Ordinances by revising Chapter 20 Railroads, Section 20-6. Switching. by removing (b) which is regarding residential structures near switching yards.

WHEREAS, on November 6, 2006, Ordinance No. 06-11-16 was adopted by the St. Charles Parish Council to amend the Code of Ordinances to not allow the construction of residential structures within 500 feet of a Railway Switching Yard; and,

WHEREAS, it was the desire of the St. Charles Parish Council to demonstrate a commitment to the railroad to prohibit by law the construction of any residential development near the railroad based upon their investment required for the redesign of the railroad switching yard to the east; and,

**WHEREAS**, it is the desire of the Parish Council to amend the code as indicated below due to the railroad not moving forward with the design changes required to move the switching functions to the east.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

**SECTION I.** That the Code of Ordinances, Chapter 20 Railroads, Section 20-6. Switching is amended by removing "(b) It shall be unlawful to construct a residential structure within five hundred (500) feet of a railway switching yard."

**SECTION II.** That the foregoing provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the Parish of St. Charles as an addition or amendment thereto, and the provisions shall be appropriately renumbered to conform to the uniform numbering system of the Code.

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

YEAS:

HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,

FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: BENEDETTO

And the ordinance was declared adopted this <u>18th</u> day of <u>June</u>, 2018, to become effective five (5) days after publication in the Official Journal.

20	1	8-	0	1	5	9

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT (GRANTS OFFICE)

RESOLUTION NO.

6349 A resolution requesting authorization for St. Charles Parish to accept the work as complete for the Willowridge Pump Station, State Project No. H.010102, through the State of Louisiana Department of Transportation and Development (DOTD) under the

Louisiana Statewide Flood Control Program.

WHEREAS, St. Charles Parish has successfully completed the Willowridge Pump Station flood control project under the Statewide Flood Control Program by way of Certificate of Final Acceptance issued on February 27, 2018; and,

WHEREAS, the Louisiana Statewide Flood Control Program requires a resolution accepting the work.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, consider this project complete and accepts all improvements and modifications installed during the execution of the Willowridge Pump Station, State Project No. H.010102.

The foregoing resolution having been submitted to a vote, the vote thereon was

as follows:

YEAS:

HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,

FLETCHER, FISHER-PERRIER

NAYS:

NONE

ABSENT:

BENEDETTO

And the resolution was declared adopted this <u>18th</u> day of <u>June</u>, 2018, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: INTERIM SECRETARY: DLVD/PARISH PRES/DENT: DISAPPROVED: APPROVED: PARISH PRESIDENT: RETD/SECRETARY:

AT: <u>8:20 AM</u>RECD BY:

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT (GRANTS OFFICE)

RESOLUTION NO.

6350

A resolution approving and authorizing the Parish President to submit an application for grant funds from the Delta Regional Authority States' Economic Development Assistance Program for the Paradis Canal Gate in the amount of \$200,000.

WHEREAS, the Paradis Canal Gate is flood control structure that is necessary to prevent backflow flooding through the Paradis Canal during heavy rain and high tide events; and,

WHEREAS, the Paradis Canal Gate is an essential part of the St. Charles Parish West Bank Hurricane Protection Levee and the Upper Barataria Risk Reduction System; and,

WHEREAS, St. Charles Parish is requesting \$200,000 in DRA States' Economic Development Assistance Program funding to be applied towards construction costs for the project; and,

WHEREAS, the Delta Regional Authority application requires a resolution of support from the local governing body; and,

WHEREAS, St. Charles Parish is applying for this grant along with funds in the amount of \$2,540,724 from CPRA-Parish RESTORE Act Matching Opportunities Program and \$349,517 from the Parish's RESTORE Act Direct Component allocation.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby approve and authorize the submission of an application to Delta Regional Authority States' Economic Development Assistance Program for the Paradis Canal Gate in the amount of \$200.000.

**BE IT FURTHER RESOLVED**, that the Parish President is hereby authorized to execute said application and to act on behalf of St. Charles Parish in all matters pertaining to this project and subsequent grant award.

The foregoing resolution having been submitted to a vote, the vote thereon was

as follows:

YEAS: HO

HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,

FLETCHER, FISHER-PERRIER

NAYS:

NONE

ABSENT: BENEDETTO

And the resolution was declared adopted this <u>18th</u> day of <u>June</u>, 2018, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Jalane Blahelot DLVD/PARISH PRESIDENT: Jang 19, 2018

APPROVED: DISAPPROVED:

PARISH PRESIDENT: PARISH PRESIDENT: June 20, 2018

AT: 8: 20 am RECD BY: UB

20	1	8-	0	1	6	1

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT (GRANTS OFFICE)

RESOLUTION NO.

6351

A resolution adopting the revised St. Charles Parish Procurement Policy for all Louisiana Community Development Block Grant (LCDBG) Programs for the Parish.

WHEREAS, Resolution No. 5202 regarding the St. Charles Parish Procurement Policy for all LCDBG Programs was adopted by the St. Charles Parish Council on June 7, 2004; and,

WHEREAS, the guidelines for meeting the procurement standards referenced within the procurement policy have since changed; and,

WHEREAS, participation in the LCDBG Program requires the St. Charles Parish Council to adopt a policy by which the supplies, equipment, construction services and professional services required in the implementation of the LCDBG Programs for the Parish are procured; and,

WHEREAS, this policy must conform to all state and federal guidelines for approval by the State.

NOW, THEREFORE, BE IT RESOLVED, that the St. Charles Parish LCDBG Procurement Policy, attached hereto and made a part hereof, is hereby officially adopted for usage in the procurement of all goods and services required in the implementation of all St Charles Parish LCDBG Programs.

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

YEAS:

HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,

FLETCHER, FISHER-PERRIER

NAYS:

NONE

ABSENT: BENEDETTO

And the resolution was declared adopted this <u>18th</u> day of <u>June</u>, 2018, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN:

INTERIM SECRETARY: <u>Ua lavie</u> <u>Be A-relot</u>

DLVD/PARISH PRESIDENT: <u>June 19, 2018</u>

APPROVED: <u>DISAPPROVED:</u>

PARISH PRESIDENT:

RETD/SECRETARY: <u>June 20, 2018</u>

AT: 6:20 appreced by: <u>UB</u>

#### ST. CHARLES PARISH

#### LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

# PROCUREMENT POLICY

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the LCDBG Program. These guidelines meet the standards established in 2 CFR 200.317-326 and state requirements.

# **CODE OF CONDUCT**

No employee, officer, or agent of St. Charles Parish shall participate in the selection or in the award or administration of a contract supported by LCDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.

No officer, employee or agent of St. Charles Parish shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the Parish Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

# PROCUREMENT PROCEDURES

The director or supervisor of each department or agency of the Parish is responsible for procurement of services, supplies, equipment, or construction obtained with LCDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the Director or Supervisor, an analysis to determine which approach would be the most economical shall be undertaken.

St. Charles Parish shall take affirmative steps to assure that small and minority firms, women's business enterprises, and labor surplus firms are solicited whenever they are potential qualified sources. The Parish shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's

business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses.

St. Charles Parish shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

# SELECTION PROCEDURES

ALL procurement carried out with LCDBG funds, where St. Charles Parish is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. The Parish shall not place unreasonable requirements on firms in order for them to qualify to do business. Nor will St. Charles Parish encourage or participate in noncompetitive practices among firms. The Parish is alert to organizational conflicts which would jeopardize the negotiation process and limit competition. The Parish will not require unnecessary experience or bonding requirements.

Pursuant to state law, all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the material, service, or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible. A "brand name or equal" description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerers shall be clearly stated.

All solicitations of offers shall clearly set forth all requirements which offerers must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications.

Contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

Consideration shall be given to such factors as the contractor's/firm's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

# METHODS OF PROCUREMENT

Direct procurement by St. Charles Parish shall be made by using one of the following methods depending on the type of service to be procured.

<u>Procurement by Micro-Purchases</u>. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among

qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of materials, supplies, equipment, and/or other property will not cost in the aggregate more than \$30,000, and for construction with a cost of less than \$150,000, except where further limited by state law or LCDBG policy. The small purchase procedure can also be utilized to procure administrative consulting and other professional services costing less than \$150,000. The only exception to professional services is for architectural/engineering services that must be procured through competitive negotiation. The procurement officer must obtain a minimum of three oral or written price or rate quotations from qualified sources. Documentation on all quotations received (whether oral or written) shall be made a part of the file.

<u>Competitive Sealed Bids/Formal Advertising</u>. Under this procedure bids are publicly advertised in accordance with the state's Public Bid Law. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and that conforms to all the material terms and conditions of the advertisement for bids.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed-price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used the following conditions shall be met.

- i. The advertisement for bids shall be publicly advertised in accordance with state law.
- ii. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the advertisement.
- iii. All bids shall be opened publicly at the time and place specified in the advertisement for bids.
- iv. A firm fixed-price contract award shall be made by written notice to the lowest responsible bidder whose bid conforms to the advertisement for bids. Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.
- v. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the LCDBG Program.

Competitive Negotiation: Requests for Proposals/Qualification Statements. This method may be used when formal advertising is not appropriate. Architectural and engineering services must be procured via requests for qualification statements; administrative consulting services must be procured via requests for proposals. Other professional services may also be procured by requests for proposals. The following procedures will be used for competitive negotiation:

- i. Requests for proposals or qualification statements must be advertised in a newspaper in the nearest metropolitan area in accordance with the rules of the state's LCDBG Program. All submittals will be honored and entered into the competition.
- ii. The package for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system that will be used to rate the proposals/qualification statements.
- iii. The selecting official (or committee, if one is designated) shall review all proposals and statements received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made.
- iv. Contract award will be made to the responsible offerer whose submission is deemed most appropriate to the Parish with consideration for price, qualifications, and other factors set by the local government. Unsuccessful offerers shall be notified in writing within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.
- v. Following the review of the qualification statements received, the most qualified competitor will be selected to enter into contract negotiation. This shall always include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall be used when small purchase, formal advertising, or competitive negotiation procedures are not feasible. Noncompetitive negotiation will involve solicitations of a proposal from only one source. This can also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement. Noncompetitive negotiation shall only be used when written authorization has been obtained from the state's Office of Community Development, with the one exception noted. In order to qualify for this type of procurement, one of the following circumstances must apply:

- i. The item or service is available only from a single source;
- ii. It is determined that a public urgency or emergency exists and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement.

- iii. The state expressly authorizes noncompetitive proposes in response to a written request from St. Charles Parish.
- iv. After solicitation of a number of sources, competition is determined to be inadequate.

#### CONTRACT PRICING

Cost Plus percentage of cost and percentage of construction cost methods of contracting MUST NOT be used. St. Charles Parish shall perform cost or pricing analysis in connection with EVERY procurement action including contract modifications. Costs or prices based on estimated costs for LCDBG projects shall be allowed only to the extent that the costs incurred or the cost estimates included in negotiated prices are consistent with federal cost principals. Cost reimbursement, fixed price, per diem contracts, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined. A cost reimbursement contract MUST clearly establish a cost ceiling which may not be exceeded without formally amending the contract, and must identify a fixed dollar profit that may not be increased unless there is a contract amendment that increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract MUST establish a guaranteed price that may not increase unless there is a contract amendment that increases the scope of the work.

A per diem contract expected to exceed \$10,000 will not be considered unless St. Charles Parish has determined that a cost reimbursable or fixed price contract is not appropriate. Cost and profit included in the per diem rate MUST be specifically negotiated and shown separately in the proposal. The contract must clearly establish a ceiling price that may not be exceeded without formally amending the contract.

St. Charles Parish may use a multiplier type of compensation under either the cost reimbursement or fixed price contract. The multiplier and the portions of the multiplier applicable to overhead and profit must be specifically negotiated and separately identified in the contract.

# PROCUREMENT RECORDS

St. Charles Parish shall maintain records sufficient to detail the history of the procurement. The records shall include the following contract provisions and conditions, as applicable for construction contracts.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must

address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
- (D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- (E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week

is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
- (G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- (H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- (I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier, up to the non-Federal award.

- (J) See §200.322 Procurement of recovered materials.
- (K) Pursuant to LRS 38:2227, public entities are required to obtain an attestation regarding past criminal convictions, if any, from the lowest bidder responding to advertisements and letting for bids for public works contracts. The Past Criminal Convictions of Bidders form must be included in all contracts for public works.
- (L) Pursuant to LRS 38:2212.10, all bidders and contractors performing physical services with public entities must be registered and participate in a status verification system to verify that all employees in the state are legal citizens of the United States, or are legal aliens. The bidder/contractor must sign an attestation that they are complying with this law, and that all subcontractors will comply with this law.
- (M) Pursuant to LRS 23:1726 bidders and contractors must certify that they are not being assessed penalties regarding unpaid worker's compensation insurance.

# CONTRACT ADMINISTRATION

St. Charles Parish shall maintain contract administration systems that insure contractors/firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The accepted performance of contractors/ firms will be a factor in subsequent contract negotiations and award. Remedial action by the Parish through legal processes shall be considered in instances of identified significant nonperformance.

# RESOLUTION NO. 6352

A resolution to appoint a member to the St. Charles Parish Communications District representing Emergency Medical Services as requested by St. Charles Parish Hospital Service District No. 1 Board of Commissioners.

WHEREAS, there exists a vacancy on the <u>ST. CHARLES PARISH</u> <u>COMMUNICATIONS DISTRICT</u>; due to <u>Ms. Deanna Tarullo</u> ceasing to be an active member of the agency represented on <u>May 30, 2018</u>; and,

WHEREAS, it is the desire of the Parish Council to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, that Chief Sergio Morales

P. O. Box 87, Luling, Louisiana 70070 is hereby appointed to fill the unexpired term on the ST. CHARLES PARISH COMMUNICATIONS DISTRICT.

BE IT FURTHER RESOLVED that said appointment shall be effective IMMEDIATELY and shall expire AUGUST 19, 2018.

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

YEAS:

HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,

FLETCHER, FISHER-PERRIER

NAYS:

NONE

ABSENT:

BENEDETTO

And the resolution was declared adopted this <u>18th</u> day of <u>June</u>, 2018, to become effective five (5) days after publication in the Official Journal.

une 20, 20/8

CHAIRMAN:

INTERIM SECRETARY: Valarie by Ahelot

DLVD/PARISH PRESIDENT: Jorgo 19 2018

APPROVED: DISAPPROVED:

PARISH PRESIDENT:

RETD/SECRETARY:

AT: 8:20 am RECD BY: