



St. Charles Parish Meeting Minutes

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Parish Council

Draft

*Council Chairman Billy Raymond, Sr.
Councilmembers Carolyn K. Schexnaydre, Terry Authement,
Shelley M. Tastet, Wendy Benedetto, Paul J. Hogan,
Larry Cochran, Marcus M. Lambert, Dennis Nuss*

Monday, January 11, 2010

6:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present: 8 - Carolyn K. Schexnaydre, Terry Authement, Billy Raymond, Sr., Shelley Tastet, Wendy Benedetto, Paul J. Hogan, Marcus M. Lambert, Dennis Nuss

Absent: 1 - Lawrence 'Larry' Cochran

Also Present: Chief Operations Officer John "Rusty" Walker, Chief Administrative Officer Timmy Vial, Legal Director Leon C. Vial, III, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Kimberly Marousek, Finance Director Grant Dussom, Grant Officer Holly Fonseca, Public Information Officer Renee Simpson, CZM Administrator Earl Matherne, Waterworks Director Robbie Brou, Parks and Recreation Director Duane Foret

CALL TO ORDER

PRAYER

*Bishop Otis Kenner
Faith Praise & Deliverance Temple*

PLEDGE

*Bishop Otis Kenner
Faith Praise & Deliverance Temple*

APPROVAL OF MINUTES

A motion was made by Councilmember Tastet, and seconded to approve the minutes from the Regular Meeting of December 7, 2009. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss

Nay: 0

Absent: 1 - Cochran

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 **2010-0002** (1/11/2010, Lambert)
 In Recognition: Sean D. Moore, Zoning Board of Adjustment
 Mr. Sean D. Moore was not in attendance to accept the In Recognition.
 Read

- 2 **2010-0018** (1/11/2010, Cochran)
 In Recognition: Keith M. Adams, Zoning Board of Adjustments
 Mr. Keith M. Adams was not in attendance to accept the In Recognition.
 Read

- 3 **2010-0001** (1/11/2010, Raymond)
 Proclamation: Martin Luther King, Jr. Day
 Read

- 4 **2010-0003** (1/11/2010, Raymond)
 In Recognition: Councilman Terry Authement, 2009 Council Chairman
 Read

- 5 **2010-0004** (1/11/2010, Cochran)
 In Recognition: Councilman Marcus M. Lambert, 2009 Council Vice-Chairman
 Read

- 6 **2010-0021** (1/11/2010, St. Pierre)
 Proclamation: "Krewe of Young at Heart Day"
 A motion was made by Councilmember Tastet, and seconded to deviate from the regular order of the Agenda to take up File No. 2010-0021; no public comment. The motion carried by the following vote:

 Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
 Nay: 0
 Absent: 1 - Cochran
 Read

- 2010-0002** (1/11/2010, Lambert)
 In Recognition: Sean D. Moore, Zoning Board of Adjustment
 Mr. Sean D. Moore arrived in the meeting and his plaque was presented to him at this time.
 Read

- 2010-0018** (1/11/2010, Cochran)
 In Recognition: Keith M. Adams, Zoning Board of Adjustments
 Mr. Keith M. Adams arrived in the meeting and his plaque was presented to him at this time.
 Read

2010-0021 (1/11/2010, St. Pierre)

Proclamation: "Krewe of Young at Heart Day"

A motion was made, and seconded to return to the regular order of the Agenda. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss

Nay: 0

Absent: 1 - Cochran

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2010-0011 (1/11/2010)

Department of Parks & Recreation

Reported

2010-0012 (1/11/2010, St. Pierre)

Parish President Remarks/Report

Not Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN RAYMOND 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, JANUARY 25, 2010, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2010-0005 (1/11/2010, St. Pierre, Department of Planning & Zoning)

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Billy Butler - "Olympus Con" - a general contractor - at 200 North Bend, Montz.

Publish/Scheduled PH

2010-0006 (1/11/2010, St. Pierre, Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance to change the zoning classification from R-1AM to R-2 at 464 and 470 Killona Drive, Killona, as requested by Frank & Shirline Johnson.

Publish/Scheduled PH

2010-0007 (1/11/2010, St. Pierre, Department of Planning & Zoning)

An ordinance to revoke and abandon a 464.35-foot portion of an undeveloped right-of-way of Parsons Avenue in St. Rose extending north from Airline Drive in favor of the abutting property owner.

Publish/Scheduled PH

2010-0008 (1/11/2010, St. Pierre, Department of Finance)

An ordinance adopting the St. Charles Parish Council Road and Bridges Capital Program Budget for fiscal year 2010 through 2012 in accordance with the Parish Transportation Act.

Publish/Scheduled PH

2010-0009 (1/11/2010, Hogan, Schexnaydre)

An ordinance to amend the Code of Ordinances by adding Section 2-24. Department of Planning and Zoning Commission Agenda (a) to Chapter 2 Administration, Article II. Departments.

Publish/Scheduled PH

2010-0010 (1/11/2010, Schexnaydre, Hogan, Nuss)

An ordinance to amend the Code of Ordinances by adding Section 2-73. Consolidated Operating and Capital Budget to Chapter 2 Administration, Article IV. Finance, Div. 1. Generally.

Publish/Scheduled PH

2010-0022 (1/11/2010, St. Pierre, General Government Buildings)

An ordinance to approve and authorize the execution of a Contract with Zimmer - Eschette Service II, LLC for the 3rd Floor Prison Demolition at the St. Charles Parish Courthouse in Hahnville.

Publish/Scheduled PH

2010-0023 (1/11/2010, Hogan)

An ordinance to amend Ordinance No. 09-12-6 which named an unnamed private road Ruby Lane to correct the address from 16271 Old Spanish Trail in Des Allemands to 16721 Old Spanish Trail in Des Allemands.

Publish/Scheduled PH

2010-0024 (1/11/2010, St. Pierre, Department of Planning & Zoning)

An ordinance to approve and authorize the execution of an Act of Donation by Landcraft, Inc. to St. Charles Parish for a certain parcel of property, identified as Lot 1AA, Highland Oaks Subdivision, Phase 3, in St. Rose.

Publish/Scheduled PH

2010-0025 (1/11/2010, St. Pierre, Department of Planning & Zoning)

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Michael McClain - "T&M Installation, LLC" - a heating and air conditioning contractor - at 303 Ormond Village Drive, Destrehan.

Publish/Scheduled PH

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

7

2009-0421 (12/21/2009, Hogan)

An ordinance to amend the Code of Ordinances Chapter 7, Drainage and Flood Control, Article I., In General, Section 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals.

Reported:

Councilman Hogan Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss

Nay: 0

Absent: 1 - Cochran

- 8 **2009-0490** (12/21/2009, St. Pierre, Department of Public Works)
An ordinance approving and authorizing the execution of Change Order No. 1 and Final for Parish Project No S080201, Beaupre & Lakewood Pump Station and Force Mains, to decrease the contract time by 61 days and to decrease the contract amount by \$17,027.34.
Reported:
Public Works Department Recommended: Approval
PH Requirements Satisfied
Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran
- 13 **2009-0491** (12/21/2009, St. Pierre, Department of Public Works)
An ordinance approving and authorizing the execution of a Professional Services Agreement with Permit Application Services on a Parishwide basis to provide Right of Way and Servitude acquisition services for new construction and existing facility/maintenance requirements.
Reported:
Public Works Department Recommended: Approval
PH Requirements Satisfied
Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran
- 19 **2009-0492** (12/21/2009, St. Pierre)
An ordinance to amend Ordinance No. 07-1-11, Department of the Army License No. DACW29-2-07-01, Easement for Boat Ramp, Access Road and Parking Lot in the Bonnet Carre' Spillway at Interstate 10 in Norco to approve Amendment No. 1, to add conditions 25 & 26 as requested by the Dept. of Army .
Reported:
Parish President Recommended: Approval
PH Requirements Satisfied
Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran
- 24 **2009-0494** (12/21/2009, St. Pierre, Department of Waterworks)
An ordinance to amend Ordinance No. 03-8-3, as amended, Engineering Services contract with Shread-Kuyrkendall & Associates, Inc. to delete any additional professional services for design and construction management of the West Bank Plant Filter Upgrade Parish Project No WWKS-44.
Reported:
Waterworks Department Recommended: Approval
PH Requirements Satisfied
Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran

- 26 **2009-0495** (12/21/2009, St. Pierre, Department of Planning & Zoning)
 An ordinance to revoke and abandon a portion of the right-of-way for an undeveloped, unnamed street located between Lots 28 and 34 in Almedia Plantation, St. Rose in favor of the abutting property owners.
- Reported:*
P & Z Department Recommended: Approval
Planning Commission Recommended: Approval
- PH Requirements Satisfied**
- Votes:** Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
 Nay: 0
 Absent: 1 - Cochran

- 29 **2009-0496** (12/21/2009, St. Pierre, Department of Planning & Zoning)
 An ordinance to revoke and abandon a portion of the right-of-way for an undeveloped, unnamed street located between Lots 29 & 29A and Lot 33 in Almedia Plantation, St. Rose in favor of the abutting property owner.
- Reported:*
P & Z Department Recommended: Approval
Planning Commission Recommended: Approval
- PH Requirements Satisfied**
- Votes:** Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
 Nay: 0
 Absent: 1 - Cochran

RESOLUTIONS

- 32 **2009-0493** (1/11/2010, St. Pierre, Grants Office)
 A resolution to approve and authorize the execution of an Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for funding of the Overlay of 1.38 miles of LA 3127 Eastbound Lanes (log mile 9.76 to I-310) and Guardrail Improvements, State Project No. 428-03-0013, Federal Aid Project No. ARR-4508(502).
- Reported:*
Grants Office Recommended: Approval
- Votes:** Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
 Nay: 0
 Absent: 1 - Cochran

APPOINTMENTS

- 2009-0415** (10/19/2009)
 A resolution appointing a member to the Zoning Board of Adjustment as the District II Representative.
- Nominee:*
Councilman Tastet nominated Ms. Leslie Cooper
- Nomination(s) Accepted**

A motion was made, and seconded to Close Nomination(s) for this file. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran

2009-0444 (11/16/2009)

A resolution to appoint a member to the New Orleans Aviation Board - Noise Abatement Committee.

Deferred

39

2009-0445 (11/16/2009)

A resolution to appoint Mr. Edward Magri, Jr. to the New Orleans Aviation Board - Noise Abatement Committee.

VOTE ON THE APPOINTMENT OF MR. EDWARD MAGRI, JR.

A motion was made, and seconded that this matter be Confirmed. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran

2009-0464 (12/7/2009)

Council Appointment to the R.S.V.P. Advisory Council

Nominee:

Councilwoman Schexnaydre nominated Councilman Terry Authement

Nomination(s) Accepted

A motion was made by Councilmember Hogan, and seconded to Close Nomination(s) for this file. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Absent: 1 - Cochran

VOTE ON THE APPOINTMENT OF COUNCILMAN TERRY AUTHEMENT

A motion was made, and seconded that this matter be Confirmed. The motion carried by the following vote:

Votes: Yea: 7 - Schexnaydre, Raymond, Tastet, Benedetto, Hogan, Lambert, Nuss
Nay: 0
Abstain: 1 - Authement
Absent: 1 - Cochran

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2010-0013 (1/11/2010)

Appointment of Chairman to the Operations, Maintenance, and Construction Management Committee

Council Chairman named Councilman Authement to act as Chairman

Confirmed

2010-0014 (1/11/2010)

Appointment of Chairman to the Legislative Committee

Council Chairman named Councilman Lambert to act as Chairman

Confirmed

2010-0015 (1/11/2010)

Appointment of Chairman to the Contract/Finance and Administrative Committee

Council Chairman named Councilman Cochran to act as Chairman

Confirmed

2010-0016 (1/11/2010)

Appointment of Chairman to the Special Projects/Public Safety, Health, and Environmental Committee

Council Chairman named Councilman Nuss to act as Chairman

Confirmed

2010-0017 (1/11/2010)

Appointment of Chairman to the Hurricane Protection Projects Committee

Council Chairman named Councilman Nuss to act as Chairman

Confirmed

ADJOURNMENT

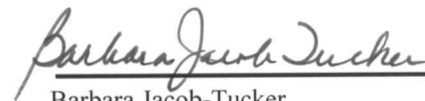
A motion was made by Councilmember Lambert, and seconded to adjourn the meeting at approximately 7:15 pm. The motion carried by the following vote:

Votes: Yea: 7 - Schexnaydre, Authement, Raymond, Tastet, Hogan, Lambert, Nuss

Nay: 0

Absent: 2 - Benedetto, Cochran

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

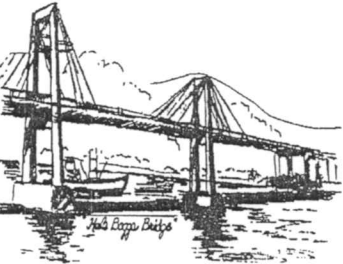
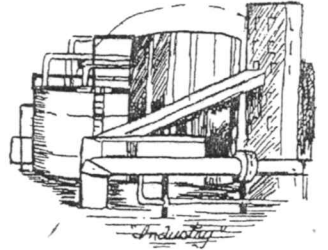
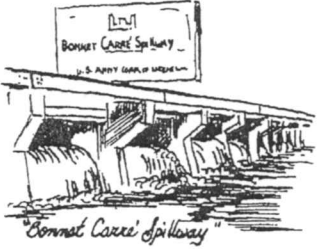
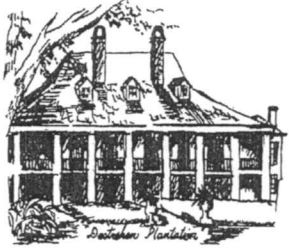


Barbara Jacob-Tucker,
LCMC,CAA,CMA,CPO
Council Secretary

The Parish of St. Charles

January 11, 2010

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



ZONING BOARD OF ADJUSTMENT

September 5, 2000 – December 7, 2009

SEAN D. MOORE

"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.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

LARRY COCHRAN
COUNCILMAN, DISTRICT V

SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

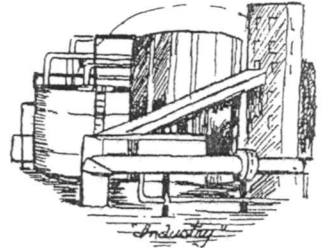
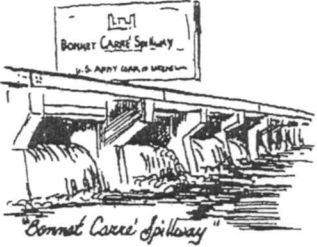
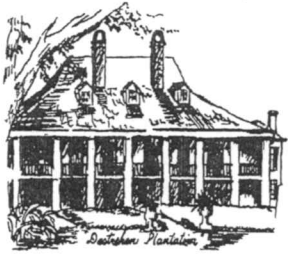
WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

DENNIS NUSS
COUNCILMAN, DISTRICT VII

The Parish of St. Charles

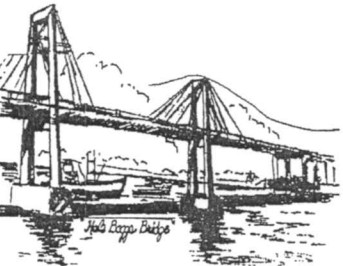
January 11, 2010

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



ZONING BOARD OF ADJUSTMENT

November 4, 2002 – December 7, 2009



KEITH M. ADAMS

"PARISH OF PLENTY"
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V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

LARRY COCHRAN
COUNCILMAN, DISTRICT V

SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, *it is appropriate that on January 18, 2010, we celebrate and offer special recognition to Dr. Martin Luther King, Jr. for his unselfish nonviolent dedication to the Civil Rights Movement; and,*

WHEREAS, *we recognize that his fortitude and dedication to the Civil Rights Movement has carved a place for Dr. King in history for all races as a continual fight for freedom, equality, and justice; and,*

WHEREAS, *Dr. King, born in Atlanta, ordained a Baptist Minister in 1954, received his doctorate from Boston University in 1955, received the 1964 Nobel Peace Prize and became a leader of U. S. Civil Rights, spoke from his heart on August 28, 1963 on the steps of the Lincoln Memorial when he gave his famous speech "I Have a Dream"; and,*

WHEREAS, *Dr. King's words rang out across America and became deeply rooted in the American dream that we would follow the true meaning of the words of Abraham Lincoln, "We hold these truths to be self-evident; that all men are created equal", the true dream of Dr. King; and,*

WHEREAS, *Dr. King was assassinated on the balcony of the Lorraine Hotel in Memphis, Tennessee on April 4, 1968 marking a passage of history and the understanding that Dr. King did not die in vain but whose leadership and dreams will live on through history with a yearly celebration throughout the United States as a day of remembrance.*

SO, IN REMEMBRANCE OF THE CONTRIBUTION OF DR. MARTIN LUTHER KING, JR. AS A LEADER OF THE CIVIL RIGHTS MOVEMENT, THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT DO HEREBY PROCLAIM

JANUARY 18, 2010

AS

MARTIN LUTHER KING, JR. DAY

IN

ST. CHARLES PARISH

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT
s/TERRY AUTHEMENT
TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B
s/BILLY RAYMOND, SR.
BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I
s/SHELLEY M. TASTET
SHELLEY M. TASTET
COUNCILMAN, DISTRICT II
s/WENDY BENEDETTO
WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A
s/PAUL J. HOGAN, PE
PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV
ABSENT
LARRY COCHRAN
COUNCILMAN, DISTRICT V
s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI
s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

The Parish of St. Charles

January 11, 2010

IN RECOGNITION OF SERVICE

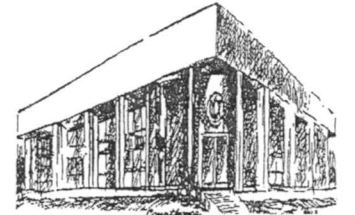
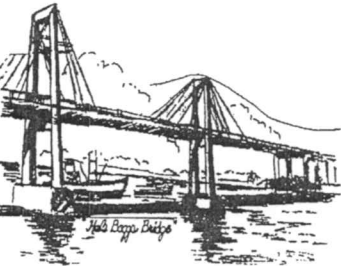
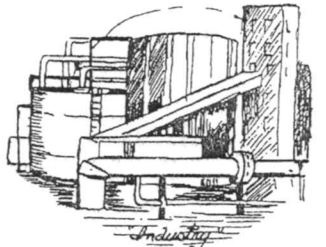
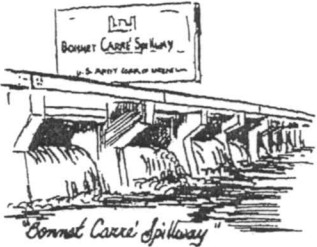
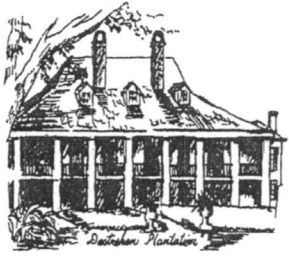
DEEPLY APPRECIATES YOUR
YEAR OF COMMITMENT

AS

COUNCIL CHAIRMAN
OF THE
ST. CHARLES PARISH COUNCIL

January 5, 2009 – December 21, 2009

TERRY AUTHEMENT



"PARISH OF PLENTY"
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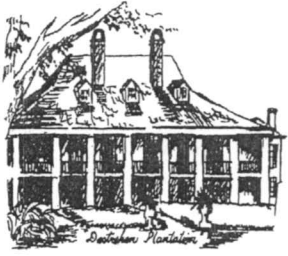
MARCUS M. LAMBERT
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The Parish of St. Charles

January 11, 2010

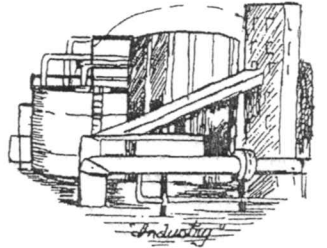
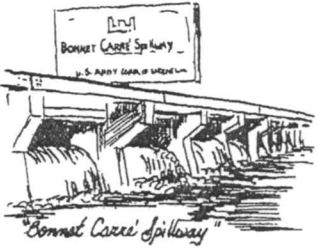


IN RECOGNITION OF SERVICE

DEEPLY APPRECIATES YOUR

YEAR OF COMMITMENT

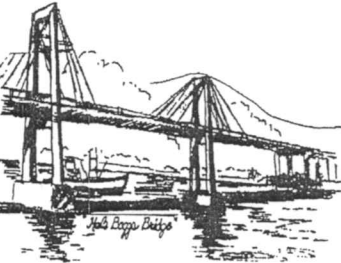
AS



COUNCIL VICE - CHAIRMAN
OF THE
ST. CHARLES PARISH COUNCIL



January 5, 2009 – December 21, 2009



MARCUS M. LAMBERT



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V.J. ST. PIERRE, JR.
PARISH PRESIDENT

TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, on Saturday, January 16, 2010, the **Krewe of Young at Heart** will hold its Fourteenth Annual Mardi Gras Ball at the Jerusalem Shrine Center, Destrehan, Louisiana; and,

WHEREAS, this ball is traditionally enjoyed by hundreds of Senior Citizens of St. Charles Parish each year for an evening of fellowship and festivity; and,

WHEREAS, this event is sponsored and organized by St. Charles Council on Aging, Inc., and St. Charles Parish Department of Parks and Recreation; their staff and volunteers make this event possible; and,

WHEREAS, the Residents and Senior Citizens of St. Charles Parish are truly grateful for their dedication and hard work.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM SATURDAY, JANUARY 16, 2010, AS

"KREWE OF YOUNG AT HEART DAY"

BE IT FURTHER RESOLVED, THAT, ON BEHALF OF THE CITIZENS OF ST. CHARLES PARISH, WE DO HEREBY EXTEND OUR SINCERE THANKS AND APPRECIATION TO ST. CHARLES COUNCIL ON AGING, INC., ST. CHARLES PARISH DEPARTMENT OF PARKS AND RECREATION, AGENCY STAFF MEMBERS, MARDI GRAS COMMITTEE MEMBERS, AND VOLUNTEERS FOR THEIR CONTRIBUTIONS TO THE KREWE OF THE YOUNG AT HEART.

s/V.J. ST. PIERRE, JR.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

s/TERRY AUTHEMENT

TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.

BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET

SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

s/PAUL J. HOGAN, PE

PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

ABSENT

LARRY COCHRAN
COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT

MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

s/DENNIS NUSS

DENNIS NUSS
COUNCILMAN, DISTRICT VII

2009-0421

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. 10-1-1

An ordinance to amend the Code of Ordinances Chapter 7, Drainage and Flood Control, Article I., In General, Section 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals.

WHEREAS, blocking drainage ditches, canals, catch basins, or other drainage infrastructure can be detrimental to the welfare of the citizens of St. Charles Parish; and,

WHEREAS, under State RS33:1243, Maximum penalties, A. (1) any parish with a population of four hundred twenty-five thousand or less, the maximum penalty which may be imposed for a violation of any parish ordinance shall be five hundred dollars (\$500.00) and imprisonment of thirty days in the parish jail.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances Chapter 7, Drainage and Flood Control, Article I., In General, Section 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals is hereby amended as follows:

AS WRITTEN:

Sec. 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals.

- (a) It shall be unlawful for any person to allow any dirt, sand, concrete, lumber, etc., to be placed or be allowed to be placed so as to slip, fall, or run into any drainage ditches and canals under the jurisdiction of the parish council.
- (b) Any person found guilty of violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or both, at the discretion of the court for each offense.

REVISED:

Sec. 7-1. Permitting fill material and debris to fall into and/or to block drainage ditches, canals, catch basins, or other drainage infrastructure.

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc. and/or any other material or debris to be placed such that 1) its placement impedes flow in any drainage ditch or canal, or 2) it blocks flow into any catch basins or any other drainage infrastructure, under the jurisdiction of the Parish Council.
- (b) Any person found guilty of violating the provisions of this Section shall be fined not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or both, at the discretion of the court for each offense.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

Amend Code - Chapter 7, Section 7-1 revised

CHAIRMAN: Billy Raymond, Sr

SECRETARY: William Jacker

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: Will

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: BJT

2009-0490

INTRODUCED BY: V.J. ST. PIERRE, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 10-1-2

An ordinance approving and authorizing the execution of Change Order No. 1 and Final for Parish Project No S080201, Beaupre & Lakewood Pump Station and Force Mains, to decrease the contract time by 61 days and to decrease the contract amount by \$17,027.34.

WHEREAS, Ordinance No. 09-5-10 adopted May 18, 2009 by the St. Charles Parish Council awarded construction of Parish Project No S080201, Beaupre & Lakewood Pump Station and Force Mains, to DigCo Utility Construction, LP; and,

WHEREAS, it is necessary to amend the contract to adjust the original contract quantities with actual quantities resulting in a decrease to the contract time by 61 days and an decrease to the contract amount by \$17,027.34,

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Change Order No. 1 and Final for Parish Project No S080201, Beaupre & Lakewood Pump Station and Force Mains, to decrease the contract time by 61 days and to decrease the contract amount by \$17,027.34 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.

SECRETARY: William Jack Tucker

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: [Signature]

OWNER

CHANGE ORDER

No. 1 - Final
(Balancing Change Order)

DATE OF ISSUANCE _____

EFFECTIVE DATE _____

OWNER St. Charles Parish
 CONTRACTOR Digco Utility Construction, LP
 Contract: _____
 Project: Beaupre & Lakewood Pump Station and Force Mains
 OWNER's Contract No. S080201 ENGINEER's Contract No. 0817
 ENGINEER Environmental Engineering Services, Inc.

You are directed to make the following changes in the Contract Documents:

Description:

1. Delete the Following Work Items:

Contract Item # 43: Relocation of Infrastructure
 Delete item in its entirety. (-\$30,000)

Total of Deducted Items = (-\$30,000)

2. Add the Following Work Items:

New Contract Item #45: Additional work performed. See attached for details.
 Addition of \$18,562.66 (L.S.). See attached cost breakdown for details.

Total of Added Work Items = (+\$18,562.66)

3. Revise the Following Work Item Quantities:

- a. Contract Item # 5b: 1" Air Release Valve Assembly (Type II) Complete
The quantity is to be changed from 7 to 1 installed quantity. (-\$6,000)
- b. Contract Item # 11a: 12" HDPE SDR14 Force Main (Jack and Bore)
The quantity is to be changed from 6000 feet to 6156 feet installed. (+\$7,800)
- c. Contract Item # 11b: 8" HDPE SDR17 Force Main (Jack and Bore)
The quantity is to be changed from 2500 feet to 2229 feet installed. (-\$8,130)
- d. Contract Item # 12: Ductile Iron Fittings
The quantity is to be changed from 0.5 tons to 0.474 tons installed. (-\$260)
- e. Contract Item # 38a: 12" Transition Fitting (Harvey Adapter)
The quantity is to be changed from 1 to 3 installed quantities. (+\$1,000)

Total of Change in Work Items Quantity = (-\$5,590)

Reason for Change Order: List a reason for each Line Item listed above.

- 1. Deleted Work Items
There was no infrastructure that was encountered in course of Project that needed to be relocated.
- 2. Add Work Items
Additional miscellaneous work needed to complete the Project. See attached cost breakdown for details.
- 3. Revise Work Item Quantities
 - a. To adjust contract quantities to actual installed quantities.
 - b. To adjust contract quantities to actual installed quantities.
 - c. To adjust contract quantities to actual installed quantities.
 - d. To adjust contract quantities to actual installed quantities.
 - e. To adjust contract quantities to actual installed quantities.

Attachments: (List documents supporting change)

- 1. Balancing Change Order Summary
- 2. Contractor's Cost Breakdown and Summary

00806_rev1

00640-1

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>827,975.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>-</u> to <u>-</u> : \$ <u>-0-</u>
Contract Price prior to this Change Order: \$ <u>827,975.00</u>
Net decrease of this Change Order: \$ <u>-17,027.34</u>
Contract Price with all approved Change Orders: \$ <u>810,947.66</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>180</u> Ready for final payment: <u>225</u> (days or dates)
Net change from previous Change Orders No. <u>-</u> to <u>-</u> : Substantial Completion: <u>-0-</u> Ready for final payment: <u>-0-</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>180</u> Ready for final payment: <u>225</u> (days or dates)
Net decrease this Change Order: Substantial Completion: <u>61</u> Ready for final payment: <u>61</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>119</u> Ready for final payment: <u>164</u> (days or dates)

RECOMMENDED: [Signature] By: [Signature] APPROVED: [Signature] ACCEPTED: [Signature]
 ENGINEER (Authorized Signature) OWNER (Authorized Signature) CONTRACTOR (Authorized Signature)
 Date: 11/30/09 Date: 1/13/10 Date: 12/7/09

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

BALANCING CHANGE ORDER SUMMARY SHEET

Beaupre & Lakewood Pump Station Upgrades & Force Mains

St Charles Project #S080201 / EES Project #0817

ST CHARLES PARISH, LA

PROJECT NO. 0817

DATE: November 18, 2009

ITEM #	DESCRIPTION	ORIGINAL CONTRACT			ADDITIONS		DELETIONS		TOTALS	
		CONTRACT QUANTITY	UNIT PRICE	CONTRACT VALUE	QUANTITY	TOTAL	QUANTITY	TOTAL	QUANTITY	VALUE
1(a)	14" PVC Dr 25 C-9900 Force Main (Open Cut)	75	\$20.00	\$1,500.00					75	\$1,500.00
1(b)	8" PVC Dr 18 C-900 Force Main (Open Cut)	50	\$10.00	\$500.00					50	\$500.00
1(c)	8" Flg x PE Spool Pipe	3	\$300.00	\$900.00					3	\$900.00
4	14" MJ Plug Valve w/Valve Box	1	\$7,000.00	\$7,000.00					1	\$7,000.00
5(a)	2" Air Release Valve Assembly, (Type I) Complete	5	\$2,000.00	\$10,000.00					5	\$10,000.00
5(b)	1" Air Release Valve Assembly (Type II) Complete	7	\$1,000.00	\$7,000.00			6		1	\$1,000.00
8(a)	Tie-into Existing 14" Force Main Pipe	2	\$3,500.00	\$7,000.00					2	\$7,000.00
8(b)	Tie-into Existing 8" Force Main Pipe	1	\$2,500.00	\$2,500.00					1	\$2,500.00
8(c)	Tie-into Existing 4" Force Main Pipe	1	\$2,000.00	\$2,000.00					1	\$2,000.00
11(a)	12" HDPE SDR 14 Force Main (Jack & Bore)	6000	\$50.00	\$300,000.00	156	\$7,800.00			6156	\$307,800.00
11(b)	8" HPPE SDR 17 Force Main (Jack & Bore)	2500	\$30.00	\$75,000.00			271	\$8,130.00	2229	\$66,870.00
12	Ductile Iron Fittings	0.5	\$10,000.00	\$5,000.00			0.026	\$260.00	0.474	\$4,740.00
17	Sewer Flow Control & By-Pass Pumping	1	\$67,000.00	\$67,000.00					1	\$67,000.00
31	Mobilization	1	\$25,000.00	\$25,000.00					1	\$25,000.00
33	Rehabilitate Pump Station	1	\$275,000.00	\$275,000.00					1	\$275,000.00
38(a)	12" Transition Fitting (Harvey Adapter)	1	\$500.00	\$500.00	2	\$1,000.00			3	\$1,500.00
38(b)	8" Transition Fitting (Harvey Adapter)	2	\$400.00	\$800.00					2	\$800.00
43	Relocation of Infrastructure	1	\$30,000.00	\$30,000.00			1	\$30,000.00	0	\$0.00
44	12" Flow Meter, Complete	1	\$11,275.00	\$11,275.00					1	\$11,275.00
45	Additional Work See Change Order #1				1	\$18,562.66			1	\$18,562.66
				\$827,975.00	TOTAL ADDITIONS	\$27,362.66	TOTAL DELETIONS	\$38,390.00	TOTAL	\$810,947.66

**Beau Pre & Lakewood Pump Stations & Force Mains
Additional Work Change Order Summary (Item #45)**

Item No.	Work Performed	Reason Work Had to Be Performed	Debit/ Cost (-)	Credit (+)
1	Formed and Poured Electrical Pad	Had to Remove Existing Broken Electric Conduits in Existing Slabs at Beau Pre Station	\$1,714.63	
2	Explore and Excavate Site	To Locate Undocumented Force Main Locations at Beau Pre Pump Station	\$10,203.11	
3	Steel Sheet Pile Installation Not Performed	Some Steel Sheet Piling was Already In Place for Beau Pre Influent Installation		\$12,312.11
4	Installed (3) 30' Long Steel Sheet Piles and Left in Place	Steel Sheet Piles (3) Could Not Be Removed Without Ground Collapsing for Beau Pre Influent Installation	\$3,137.60	
5	Installed a 4 Ft. Manhole Instead of a 5 Ft. Manhole	Due to Constricted Work Area (Limited Access) Near Beau Pre Pump Station		\$20.29
6	Video Gravity Sewer	Parish Uncertain of Force Main Locations Between Manholes. Checked Condition of Pipes Near Beau Pre Pump Station	\$3,674.41	
7	Omitted 12 Ft. of Sewer Pipe to New Manhole	Was Able to Use Existing Sewer Pipe at Beau Pre Pump Station. Location & Condition of Pipe Good.		\$83.77
8	Discovery & Removal of Existing Force Main	Existing Force Main in Path of New Force Main, Had to be Removed Near Beau Pre Pump Station.	\$2,748.05	
9	Installed Plastic Sheets and Strong Backs	Eroding Embankment Along Ditch Required Support at Beau Pre Pump Station.	\$6,826.38	
10	Fiberglass Repair at Pipe Penetrations at Existing Wet Well & Dry Pit	Existing Wetwell and Dry Pit at Beau Pre Pump Stations was Found to be Fiberglass and Not Concrete as Believed	\$866.19	
11	Poured Concrete Rings at Top of Existing Wetwells & Dry Pit	To Support New Pre-Cast Slabs Above Both Fiberglass Wells at Beau Pre Pump Station	\$924.52	

Total Debits - Total Credits \$30,094.89 - \$12,416.17

Subcontractor's Price \$17,678.72

Contractor's Markup 5% \$883.94

Total Additional Work \$18,562.66

2009-0491

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 10-1-3

An ordinance approving and authorizing the execution of a Professional Services Agreement with Permit Application Services on a Parishwide basis to provide Right of Way and Servitude acquisition services for new construction and existing facility/maintenance requirements.

WHEREAS, St. Charles Parish is in need of right of way and servitude services to construct new facilities and perform maintenance on existing facilities concerning Parish drainage and capital projects in the parish; and,

WHEREAS, in order to maintain approximately fifty (50) miles of major drainage canals to optimum efficiency to drain storm water, various maintenance, right of ways and servitudes are required from land owners in the parish; and,

WHEREAS, the Department of Public Works does not have the manpower available to perform the work required in a timely manner to research courthouse records, interview landowners and coordinate the legal request to obtain right a ways and servitudes; and,

WHEREAS, St. Charles Parish requires that the drainage facilities and systems are maintained properly to ensure the safety and well being of its citizens and their property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,

SECTION I. That a Professional Services Agreement with Permit Application Services for Parishwide right of ways, and servitudes acquisition is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Professional Services Agreement on behalf of St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr

SECRETARY: Barbara Jean Tucker

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: [Signature]

ST. CHARLES PARISH

DEPARTMENT OF PUBLIC WORKS AND WASTEWATER

PROFESSIONAL SERVICES AGREEMENT

This AGREEMENT made and entered into the 13th day of Jan, 2009¹⁰, by and between ST. CHARLES PARISH acting herein by and through its President, who is duly authorized to act on behalf of the Parish, hereinafter called the OWNER and PERMIT APPLICATION SERVICES, 392 Marcia Dr. Luling La 70070, a Louisiana Corporation acting herein and through its President, hereinafter called the CONSULTANT. Whereas the OWNER desires to employ the CONSULTANT to perform the services described herein for Parish Project No. P091102 titled LAND MANAGEMENT SERVICES.

1. GENERAL

- a. The OWNER engages the CONSULTANT to perform specific professional services identified and described in the Scope of Services. CONSULTANT services shall conform to the requirements of the OWNER and all participating regulating agencies.

2. SERVICES OF THE CONSULTANT

- a. The services consist of the work defined in the following Scope of Services.

b. SCOPE OF SERVICES:

- Research to define property land owners that are affected by Public Works Projects.
- Research to define St. Charles Parish owned property or dedicated Servitudes / ROW that are included with Public Works Projects.
- Initiate Communication, both written and oral, with land owners concerning property that is affected by Public Works Projects.
- Follow-up on responses from land owners on St. Charles Parish proposals or requests of landowners.
- Contact with land owners to set up meetings to review projects with Engineering and St. Charles Parish personnel.
- Participate in meetings with all landowners as third party witness.
- Coordinate Legal issues concerning land acquisition, servitudes or ROW with the St. Charles Parish Legal Dept for Public Works Projects.
- Participate in meetings with Utility companies that may include the acquisition of additional property for Public Works Projects.
- Coordinate obtaining Property appraisals on property considered for purchase by St. Charles Parish for Public Works Projects.

3. PERIOD OF SERVICE

- a. This AGREEMENT is for a period of one year.
- b. Upon agreement between all parties, the AGREEMENT may be extended for an additional one year period.

4. CONSULTANT'S COMPENSATION

- a. The method of payment for this AGREEMENT is Standard Hourly Rates plus related Reimbursable Expenses.

- b. Hourly compensation shall be made in accordance with the CONSULTANT'S Standard Hourly Rate Schedule attached to this AGREEMENT as Exhibit A.
- c. Documented reimbursable expenses that are directly related to the Scope of Services shall be reimbursed at actual cost.
- d. Total compensation for the Scope of Services described in Section 2B, shall not exceed \$25,000.00 annually, including reimbursable expenses.
- e. CONSULTANT shall attach timesheets, logs, or other documentation, satisfactory to OWNER, for all hours billed, by each classification listed on the Standard Hourly Rate Schedule, to the monthly invoices for payment.
- f. CONSULTANT shall distribute all billable hours between each individual authorized task as applicable.
- g. Current month charges and cumulative charges, including reimbursable expenses, shall be shown on all invoices for payment by each individual authorized task.
- h. The use of overtime is not authorized under this AGREEMENT.

5. SERVICES OF THE OWNER

- a. OWNER shall assist CONSULTANT in carrying out the Scope of Services by placing at his disposal all existing relevant data and records in its possession.
- b. CONSULTANT shall be responsible for searching said data and records provided and shall request specific clarification of the information as needed.
- c. OWNER guarantees CONSULTANT access to all public property as required in order to complete the Scope of Services.

6. TERMINATION

- a. This AGREEMENT may be terminated without cause by either party upon ten (10) days written notice.
- b. Immediately after receiving such notice, the CONSULTANT shall discontinue advancing the services under this AGREEMENT, and submit a final invoice to St. Charles Parish for all services rendered to date under the AGREEMENT.
- c. OWNER, upon receiving any applicable completed or partially completed deliverable, and after the final fee is mutually agreed upon, shall make payment within thirty (30) days.
- d. In the event that this contract is terminated, OWNER shall have the option of completing the Scope of Services in house or entering into an AGREEMENT with another party to complete the work.

7. COMPLIANCE WITH LAWS AND ORDINANCES

- a. The CONSULTANT hereby agrees to comply with all Federal, State, and Local Laws and Ordinances applicable to the Scope of Services under this AGREEMENT.

8. SUCCESSORS AND ASSIGNS

- a. This AGREEMENT is not assignable.

9. INSURANCE

- a. Insurance for bodily injury or death shall be in the unencumbered amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for one person and not less than THREE HUNDRED THOUSAND (\$300,000.00) for all injuries and/or deaths resulting from any one occurrence.
- b. Insurance for property damage shall be in the unencumbered amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for each accident and not less than THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) aggregate.
- c. Comprehensive Automobile Liability insurance shall be in the unencumbered amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)
- d. All certificates of insurance shall be furnished to the OWNER within five (5) days after execution of the AGREEMENT and shall provide that insurance not be cancelled without ten (10) days prior written notice to the OWNER.
- e. St. Charles Parish shall be named as additional insured on general liability insurance policies.
- f. OWNER may examine all insurance policies.
- g. For all purposes under Louisiana law, the principals of this AGREEMENT shall be recognized as the statutory employer of all contract employees as provided in LSA-R.S. 23:1061.

10. OTHER

- a. CONSULTANT shall indemnify and save harmless the OWNER against any and all claims, demands, suits or judgments for sums of money to any party for loss of life or injury or damages to person or property growing out of, resulting from or by reason of any negligent act by the CONSULTANT, its agents, servants or employees, while engaged upon or in connection with the services required or performed hereunder.
- b. This AGREEMENT constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this AGREEMENT. This AGREEMENT may not be modified, supplemented or amended, in any manner, except by written agreement signed by both parties.

11. EXCLUSIVE JURISDICTION AND VENUE

- a. For all claims arising out of or related to this agreement, CONSULTANT hereby consents and yields to the exclusive jurisdiction and venue of the Twenty-Ninth Judicial District Court for the Parish of St. Charles and expressly waives any (a) pleas of jurisdiction based upon CONSULTANT'S residence and (b) right of removal to Federal Court based upon diversity of citizenship.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT the day, month and year first above mentioned.

ATTEST

Barbara Jacob Tucker

ST. CHARLES PARISH

W. J. St. Pierre, Jr.

By: Mr. V.J. St. Pierre, Jr.
Parish President

ATTEST

Brad Butcher

PERMIT APPLICATION
SERVICES

Phil Dufrene

By: Mr. Phil Dufrene
President

Permit Application Services--St. Charles Parish

392 Marcia Dr.

*

Luling, LA 70070

*

(985) 212-2374

2010 RATE SCHEDULE

Land Services Consultant

\$58.50 Hourly

Documented reimbursable expenses reimbursed at actual cost.

Rate subject to annual renewal.

2009-0492

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT

ORDINANCE NO. 10-1-4

An ordinance to amend Ordinance No. 07-1-11, Department of the Army License No. DACW29-2-07-01, Easement for Boat Ramp, Access Road and Parking Lot in the Bonnet Carre' Spillway at Interstate 10 in Norco to approve Amendment No. 1, to add conditions 25 & 26 as requested by the Dept. of Army .

WHEREAS, St. Charles Parish currently has a Department of the Army License for use of the property at Interstate 10 in the Bonnet Carre' Spillway for a Boat Ramp, Access Road and Parking Lot (DACW29-2-07-01); and,

WHEREAS, the Department of the Army has proposed to amend said Easement to add conditions 25 and 26 as part of the permit for the improvements to the Wetlands Watchers Park; and,

WHEREAS, it is the desire of the Parish Council to approve said Amendment No. 1.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 to Easement No. DACW29-2-07-01 for the boat ramp, access road and parking lot in the Bonnet Carre' Spillway at Interstate 10 in Norco is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Amendment No. 1 on behalf of the St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, SR.
SECRETARY: William Jacob Tucker
DLVD/PARISH PRESIDENT: January 12, 2010
APPROVED: DISAPPROVED:
PARISH PRESIDENT: Will
RETD/SECRETARY: January 13, 2010
AT: 12:05 pm RECD BY: [Signature]

AMENDMENT NO. 1
TO EASEMENT NO. DACW29-2-07-01

WHEREAS, on 1 February 2007, Easement No. DACW29-2-07-01 was entered into between the Government, as Grantor, and St. Charles Parish Council, as Grantee, to construct, use, maintain, control, operate and repair a boat launching ramp, an access road to the ramp, and a parking area, in our Bonnet Carre Spillway Project, Sections 39 & 40, Township 11 South, Range 8 East, St. Charles Parish, Louisiana.

WHEREAS, it is acceptable to the Secretary of the Army to continue the easement until 1 October 2031.

NOW THEREFORE, Page 6 is being amended to include Conditions 25 and 26 which states:

25. The grantee is required to maintain and refurbish the existing access road along the top of the Bonnet Carre Spillway east guide levee, during construction activities.

26. This permit does not authorize interference with an existing or proposed federal project, therefore the grantee shall uphold coordination and conformity with the USACE, Bonnet Carre Spillway Manager, in order to maintain integrity of existing public access along the eastern guide levee and/or incorporate necessary improvements for public access to the recreational park.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this _____ day of _____ 20__.

WITNESSES:

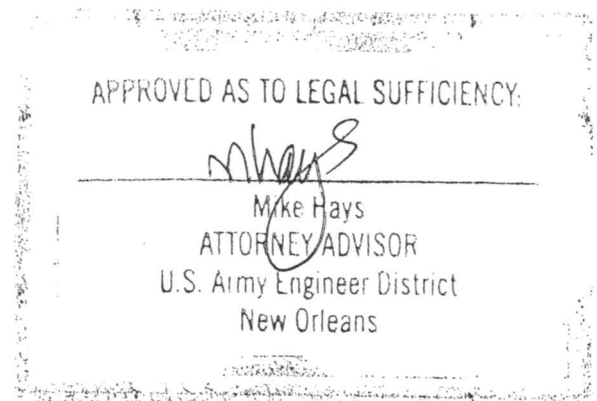
Signed: _____

Printed Name: _____

Signed: _____


Printed Name: _____

LINDA C. LABURE
Chief, Real Estate Division
U.S. Army Corps of Engineers
New Orleans District



The above Amendment is hereby accepted this 13th of January,
2010.

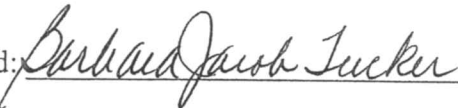
ST. CHARLES PARISH COUNCIL

Signed: 


Typed Name: V.J. St. Pierre, Jr.

Title: Parish President

WITNESSES:

Signed: 

Printed Name: Barbara Jacob-Tucker

Signed: 

Printed Name: Valarie Berthelot

CERTIFICATE OF AUTHORITY

I, _____, do hereby certify that I am the principle legal officer of the ST. CHARLES PARISH COUNCIL (SCPC), that the SCPC is a legally constituted public body with full authority and legal capability to adhere and comply with the terms and conditions for Easement No. DACW29-2-07-01, and subsequent amendments thereto, for a boat launching ramp, an access road to the ramp and a parking area, in connection with the Bonnet Carre Spillway Project, and that the persons who executed Easement No. DACW29-2-07-01 on behalf of the SCPC has acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification on this _____ day of _____, 20 ____.

Signed: _____

Printed name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF Louisiana

COUNTY/PARISH OF St. Charles

On this _____ day of _____, 20____, before me appeared V.J. St. Pierre, Jr., to me personally known, who, being by me duly sworn, did say that he is the Parish President of St. Charles Parish Council (SCPC), and that the easement was signed in behalf of SCPC, by authority duly and legally granted and bestowed upon him, and that SCPC acknowledged the easement to be the free act and deed of SCPC and the SCPC has no seal.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Signed: _____

Printed Name: _____

Notary Public
State of Louisiana

Parish of _____

My Commission Expires: _____

Bar Association Number: _____

2009-0494

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF WATERWORKS)

ORDINANCE NO. 10-1-5

An ordinance to amend Ordinance No. 03-8-3, as amended, Engineering Services contract with Shread-Kuyrkendall & Associates, Inc. to delete any additional professional services for design and construction management of the West Bank Plant Filter Upgrade Parish Project No WWKS-44.

WHEREAS, St. Charles Parish entered into a contract for engineering and design of multiple water treatment plant upgrades at both the East & West Bank Water Treatment Plants with Shread-Kuyrkendall & Associates through Ordinance No. 03-8-3, adopted on August 4, 2003; and,

WHEREAS, Due to population and economic changes affecting St. Charles Parish the immediate priority need for the West Bank Plant Filter Upgrade has diminished; and

WHEREAS, St. Charles Parish desires to terminate any further design work as it relates to the West Bank Plant Filter Upgrade portion of the system improvements,

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 3 to the Engineering Services Contract with Shread-Kuyrkendall & Associates, Inc. to delete any additional professional services for design and construction management of the West Bank Plant Filter Upgrade is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said amendment to the Engineering Services Contract.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr

SECRETARY: William Jacob Tucker

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: W. St. Pierre

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: [Signature]

Amendment No. 3 to Contract for Engineering Services

THIS AGREEMENT made and effective as of the _____ day of _____, 2010, by and between ST. CHARLES PARISH acting, herein by and through its President, who is duly authorized to act on behalf of said Parish, hereinafter called the Owner, and SHREAD-KUYRKENDALL AND ASSOCIATES, INC. CONSULTING ENGINEER, a corporation acting herein by and through its Contracting Officer, hereinafter called Engineer. Whereas the Owner desires to modify its Contract for Engineering to delete any additional professional services for design and construction management of the WEST BANK PLANT FILTER UPGRADE.

Section 2.0 CHARACTER AND EXTENT OF BASIC SERVICES OF THE ENGINEER is hereby amended as follows:

Delete any future professional services for design and construction management of the WEST BANK PLANT FILTER UPGRADE.

IN WITNESS WHEREOF, the parties to these presents have hereunto caused these presents to be executed the day, month and year first above mentioned.

WITNESSES:

ST. CHARLES PARISH

Barbara Jane Tucker
Ularie Berthelet

V. J. St. Pierre, Jr.
V. J. ST. PIERRE, JR., PRESIDENT

SHREAD-KUYRKENDALL & ASSOC.

Richard R. Shread
RICHARD R. SHREAD

2009-0495

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. 10-1-6

An ordinance to revoke and abandon a portion of the right-of-way for an undeveloped, unnamed street located between Lots 28 and 34 in Almedia Plantation, St. Rose in favor of the abutting property owners.

WHEREAS, certain property was laid out for use as "16' ROAD" and "8' DITCH" between Lots 28 and 34 on the plat entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920; and,

WHEREAS, the property has been determined to have no public use and/or benefit as required by Chapter 2 Section 2-4 of the St. Charles Parish Code of Ordinances; and,

WHEREAS, the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2 Section 2-4 of the Code of Ordinances; and,

WHEREAS, proposed Plot 34A does not have required street frontage.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Revocation of a portion of property laid out for use as "16' ROAD" and "8' DITCH" between Lots 28 and 34 on the plat entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920, is hereby approved.

SECTION II. That the requirement for street frontage is waived for proposed Plot 34A shown on the plat entitled, "The Revocation of a Portion of the 16 Foot Road and 8 Foot Ditch and Resubdivision of Lots K-1, 28-1, a Portion of Lot 29, a Portion of Plot 34, the Portion of the 16 Foot Road and 8 Foot Ditch to be Revoked" by Lucien GAssen, PLS dated September 18, 2007 and updated October 8, 2009.

SECTION III. That the Parish President is hereby authorized to execute the Act of Revocation of a Portion of property laid out for use as "16' ROAD" and "8' DITCH" located between Lots 28 and 34 in favor of adjacent property owners.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.
SECRETARY: Dallas Gaudin
DLVD/PARISH PRESIDENT: January 12, 2010
APPROVED: **DISAPPROVED:**
PARISH PRESIDENT: W. St. Pierre
RETD/SECRETARY: January 13, 2010
AT: 12:05 pm **RECD BY:** [Signature]

**ACT OF REVOCATION
OF DEDICATED PROPERTY
BY: ST. CHARLES PARISH**

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. CHARLES**

BE IT KNOWN, that on this 13th day of the month of January, in the year of Our Lord, two thousand ten (2010)

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned;

PERSONALLY CAME AND APPEARED:

THE HONORABLE V. J. ST. PIERRE, JR., Parish President and Chief Executive Officer of the Parish of St. Charles, duly authorized by Ordinance No. 10-1-6 passed at a meeting of the St. Charles Parish Council held on January 11, 2010.

Pursuant to the above recited ordinance, the Parish of St. Charles, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the dedication of that undeveloped portion of an unnamed, undeveloped 16' wide roadway and the adjacent 8' wide drainage ditch shown between Lot 28 and Lot 34 shown on the dedication survey entitled "Map of a Portion of Almedia Plantation in St. Charles Parish LA," by G. Stepheus, C. E. dated December 6, 1920 and more fully shown on the survey by Lucien Gassen, PLS dated September 18, 2007 and updated October 8, 2009; that the revocation of the dedicated property described herein is deemed to be in the best interest of the Parish, as such property no longer constitutes property utilized or needed by the Public.

Further, pursuant to LA R.S. 48-701 et seq, the revocation of the dedicated property shall be made unto the present owners of the land contiguous thereto.

THUS DONE AND SIGNED on this _____ day of _____, 2010 in the Parish of St. Charles, State of Louisiana, in the presence of the undersigned competent witnesses and me, Notary, after a reading of the whole.

WITNESSES:

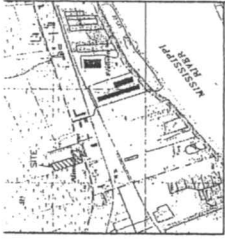
Barbara Jacob Tucker
Valerie Berthelot

ST. CHARLES PARISH

By: [Signature]
V. J. St. Pierre, Jr.
Parish President

Leon C. Vial, III

#13061
NOTARY PUBLIC



VICINITY MAP
SCALE 1" = 2000'

Approved in the Office of the Clerk of Court's Office
By Charles P. ...
Date: ...

Surveyor's Name	_____
Surveyor's License No.	_____
Date	_____
Client's Name	_____
Client's Address	_____
Project Name	_____
Date	_____

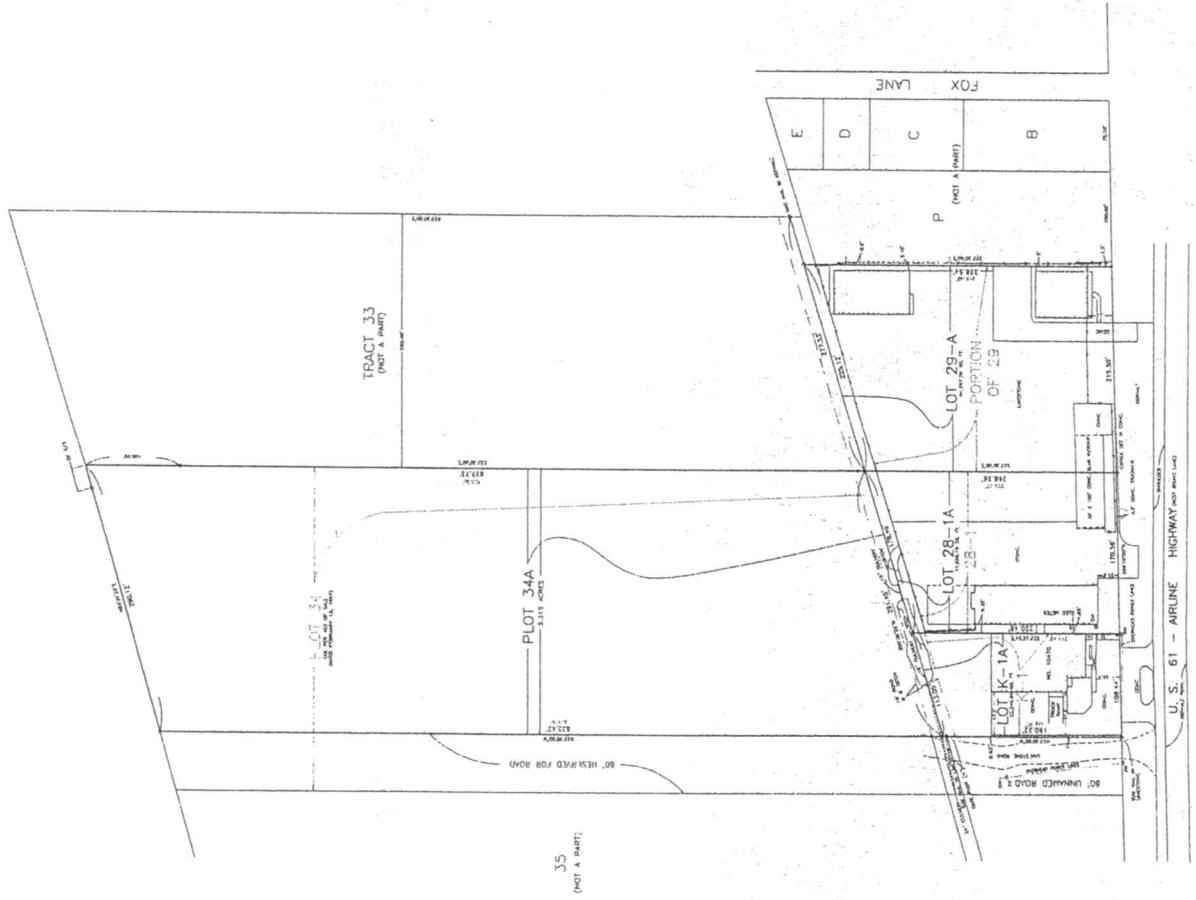
THE REVOCATION OF A PORTION OF THE
16 FOOT ROAD AND 8 FOOT DITCH
RESUBDIVISION OF LOTS K-1, 28-1, A PORTION
OF LOT 29, A PORTION OF PLOT 34,
THE PORTION OF THE 16 FOOT ROAD
AND 8 FOOT DITCH TO BE REVOKED
INTO LOTS K-1A, 28-1A, 29-1A AND PLOT 34A
IN SECTION 40, T125 - R5E
ST. CHARLES PARISH, LOUISIANA
DATE: FEBRUARY 16, 2007

COMPILED BY SPANISH TECHNOLOGY CO., INC.

NOTE:
LOT K-1A, LOT 28-1A, LOT 29-1A AND PLOT 34A
SHALL BE REVOKED AND THE LAND SHALL BE ELIMINATED
ANY POSSIBLE LAND LOCKED LOTS



ROBERT C. GIBSON, P.E.



1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT OF 1968, AS AMENDED.
2. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES UP TO THE REQUIREMENTS OF SAID ACT.
3. I AM A LICENSED SURVEYOR IN THE STATE OF LOUISIANA.
4. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY.
5. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN THE STATE OF LOUISIANA.
6. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER STATE.
7. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER COUNTRY.
8. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER JURISDICTION.
9. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER PROFESSION.
10. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER OCCUPATION.
11. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER VOCATION.
12. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER TRADE.
13. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER BUSINESS.
14. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER INDUSTRY.
15. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER SERVICE.
16. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER FIELD.
17. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER AREA.
18. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER PLACE.
19. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER TIME.
20. I HAVE NOT BEEN DEBARRED FROM PRACTICING SURVEYING IN ANY OTHER MANNER.

2009-0496

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. 10-1-7

An ordinance to revoke and abandon a portion of the right-of-way for an undeveloped, unnamed street located between Lots 29 & 29A and Lot 33 in Almedia Plantation, St. Rose in favor of the abutting property owner.

WHEREAS, certain property was laid out for use as "16' ROAD" and "8' DITCH" between Lots 29 & 29A and Lot 33 on the plat entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920; and,

WHEREAS, the property has been determined to have no public use and/or benefit as required by Chapter 2 Section 2-4 of the St. Charles Parish Code of Ordinances; and,

WHEREAS, the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2 Section 2-4 of the Code of Ordinances; and,

WHEREAS, proposed Tract 33-A does not have required street frontage.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Revocation of a portion of property laid out for use as "16' ROAD" and "8' DITCH" between Lots 29 & 29A and Lot 33 on the plat entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920, is hereby approved.

SECTION II. That the requirement for street frontage is waived for proposed Tract 33-A shown on the plat entitled "The Revocation of a Portion of the 16 Foot Road and 8 Foot Ditch and Resubdivision of Tract 33 & Lot P, the Portion of the 16 Foot Road & 8 Foot Ditch to be Revoked into Tract 33-A and Lot P-A" by J. F. Ruello, PLS dated January 13, 2009 and updated on _____.

SECTION III. That the Parish President is hereby authorized to execute the Act of Revocation of a portion of property laid out for use as "16' ROAD" and "8' DITCH" located between Lots 29 & 29A and Lot 33 on the plat entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920 in favor of adjacent property owners.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.

SECRETARY: Brian Jackson

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: [Signature]

**ACT OF REVOCATION
OF DEDICATED PROPERTY
BY: ST. CHARLES PARISH**

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. CHARLES**

BE IT KNOWN, that on this 13th day of the month of January, in the year of Our Lord, two thousand ten (2010)

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned;

PERSONALLY CAME AND APPEARED:

THE HONORABLE V. J. ST. PIERRE, JR., Parish President and Chief Executive Officer of the Parish of St. Charles, duly authorized by Ordinance No. 10-1-7 passed at a meeting of the St. Charles Parish Council held on January 11, 2010.

Pursuant to the above recited ordinance, the Parish of St. Charles, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the dedication of that undeveloped portion of an unnamed, undeveloped 16' wide roadway and the adjacent 8' wide drainage ditch shown between Lots 29 & 29A and Lot 33 which runs north eastward approximately 278.05' from the dividing line between Lots 33 and 34 to the dividing line between Lots 33 and 32 on the dedication survey entitled "Map of a portion of Almedia Plantation in St. Charles Parish LA," by G. Stepheus, C. E. dated December 6, 1920 and more fully shown on two surveys: the first by Lucien Gassen, PLS dated September 18, 2007 and updated October 8, 2009 and the second by J. F. Ruello, PLS dated January 13, 2009 and updated on _____; that the revocation of the dedicated property described herein is deemed to be in the best interest of the Parish, as such property no longer constitutes property utilized or needed by the Public.

Further, pursuant to LA R.S. 48-701 et seq, the revocation of the dedicated property shall be made unto the present owners of the land contiguous thereto.

THUS DONE AND SIGNED on this _____ day of _____, 2010 in the Parish of St. Charles, State of Louisiana, in the presence of the undersigned competent witnesses and me, Notary, after a reading of the whole.

WITNESSES:

Barbara J. Tucker
Valerie Berthelot

ST. CHARLES PARISH

By: V. J. St. Pierre, Jr.
V. J. St. Pierre, Jr.
Parish President

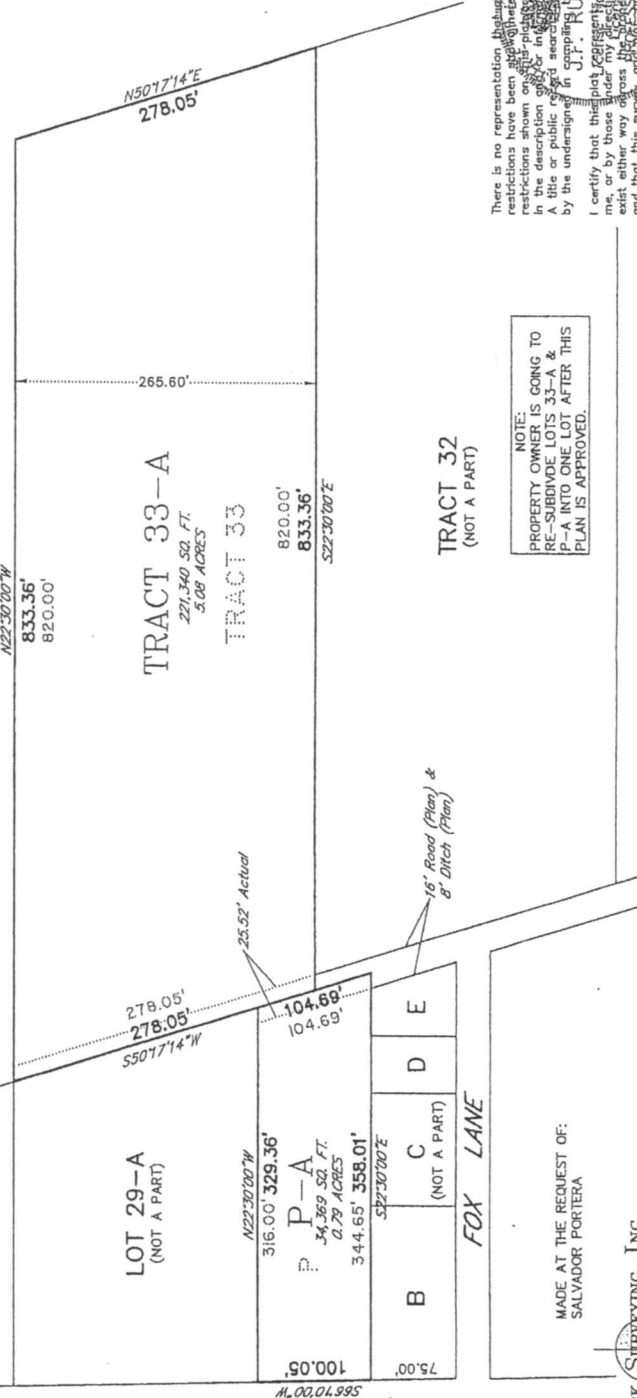
Leon C. Vial, III

#13061
NOTARY PUBLIC

THE REVOCATION OF A PORTION OF THE 16 FOOT ROAD AND 8 FOOT DITCH & RESUBDIVISION OF TRACT 33 & LOT P THE PORTION OF THE 16 FOOT ROAD & 8 FOOT DITCH TO BE REVOKED INTO TRACT 33-A & LOT P-A ALMEDIA PLANTATION SECTION 40, T 12 S ~ R 9 E ST. CHARLES PARISH, LOUISIANA

Recorded in the Clerk of Court's office
St. Charles Parish on the _____ day of _____
in Book _____
Folio _____ Entry # _____
Signature _____ Title _____

Approved/Disapproved _____
Planning Commission Chairman _____
Date _____
Council Chairman _____
Date _____
Parish President _____
Date _____



LOT 29-A (NOT A PART)
TRACT 33-A 277.340 SQ. FT. 5.08 ACRES
TRACT 33
P-A 34.369 SQ. FT. 0.79 ACRES
P 344.65' 358.01'

NOTE:
PROPERTY OWNER IS GOING TO RE-SUBDIVIDE LOTS 33-A & P-A INTO ONE LOT AFTER THIS PLAN IS APPROVED.

There is no representation that applicable servitudes and/or restrictions have been extinguished by the servitudes and/or restrictions shown on this plat. It is the responsibility of the owner of the land to determine the status of the land. A title or public record search for such information was not made by the undersigned in compiling the data for this survey.
I certify that this plat represents an original ground survey made by me, or by those under my direction, that no double encroachments exist either way across the land shown hereon. I am a duly Licensed Professional Land Surveyor in the State of Louisiana. Minimum Standards for Professional Land Surveying for a Class C Survey.

LANDMARK SURVEYING, INC.
1513 Euclid Street
Harahan, Louisiana 70123
Phone: 504-734-3301
Fax: 504-734-8387
© Copyright

MADE AT THE REQUEST OF:
SALVADOR PORTERA

REFERENCE MAP: SURVEY BY LANDMARK SURVEYING, INC.
DATED 3/17/92, JOB NO: 92-0281, PLAT FILE NO: 201-348

J.F. RUELLO
PROFESSIONAL LAND SURVEYOR

DATE: 1/13/09
SCALE: 1"=100'- HAS BEEN REDUCED - ALL

JOB NO. 08-0286
PLAT FILE NO. 080286

2009-0493

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)

RESOLUTION NO. 5707

A resolution to approve and authorize the execution of an Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for funding of the Overlay of 1.38 miles of LA 3127 Eastbound Lanes (log mile 9.76 to I-310) and Guardrail Improvements, State Project No. 428-03-0013, Federal Aid Project No. ARR-4508(502).

WHEREAS, in a Memorandum of Understanding between the New Orleans Area Metropolitan Planning Organization; Regional Planning Commission (RPC), and the Louisiana Department of Transportation and Development (LADOTD) executed June 11, 2009, RPC selected said State project to be funded with a portion of its American Recovery and Reinvestment Act of 2009 (ARRA) sub-allocation; and,

WHEREAS, the State has prepared an Agreement between the LADOTD and St. Charles Parish for the funding of said project and it is the desire of the Parish Council to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby approve and authorize the execution of an Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for funding of the Overlay of 1.38 miles of LA 3127 Eastbound Lanes (log mile 9.76 to I-310) and Guardrail Improvements, State Project No. 428-03-0013, Federal Aid Project No. ARR-4508(502).

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

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the resolution was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.
SECRETARY: Pauline Jara Tucker
DLVD/PARISH PRESIDENT: January 12, 2010
APPROVED: DISAPPROVED:
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: January 13, 2010
AT: 12:05 pm RECD BY: [Signature]

FEDERAL STIMULUS PROJECT

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

CITY/STATE AGREEMENT
STATE PROJECT NO. 428-03-0013
FEDERAL AID PROJECT NO. ARR-4508(502)
LA 3127 (EASTBOUND LANES LM 9.76 TO I-310)
LA 3127
ST. CHARLES PARISH

THIS AGREEMENT made and executed in three original copies on this _____ day of _____, 2009, by and between the Department of Transportation and Development, through its Secretary, hereinafter referred to as "DOTD", and **the St. Charles Parish**, a political subdivision of the State of Louisiana, hereinafter referred to as ("Entity").

WITNESSETH: That;

WHEREAS, under the provisions of Title 23, United States Code, "Highways", as amended, funds have been appropriated out of the Highway Trust Fund to finance improvement projects under the direct administration of the DOTD; and

WHEREAS, the Entity has requested an appropriation of funds to finance a portion of the project as described herein; and

WHEREAS, the project is part of a transportation improvements program serving to implement the areawide transportation plan held currently valid by the metropolitan planning organization, and developed as required by Section 134 of Title 23, U.S.C.; and

WHEREAS, under provisions of Division A, Title XII of the American Recovery and Reinvestment Act of 2009, funds have been appropriated to finance certain projects under the direct administration of the DOTD; and

WHEREAS, under the provisions of ARRA, Metropolitan Planning Organization (MPO) are sub-recipients of these funds and are responsible for selecting projects to utilize this funding:

WHEREAS, the New Orleans Area MPO (Regional Planning Commission) (RPC) has selected this Project for ARRA funding as shown in ATTACHMENT A; and

WHEREAS, the DOTD is agreeable to the implementation of the Project and desires to cooperate with the Entity as hereinafter provided:

NOW, THEREFORE, in consideration of the premises and mutual dependent covenants herein contained, the parties hereto agree as follows:

ARTICLE I: PROJECT DESCRIPTION

The scope of this project will be to cold plane and overlay the existing LA 3127 eastbound lanes from log mile 9.76 to I-310 with superpave asphaltic concrete, guardrail improvements and the application of new pavement striping and markers, for a distance of 1.38 miles in St. Charles Parish.

For purposes of identification and record keeping State and Federal Project Numbers have been assigned to this project as follows:

For construction cost, **State Project No. 428-03-0013 and Federal Project No. ARR-4508(502)** has been assigned.

ARTICLE II: FUNDING

Except for services hereinafter specifically listed to be furnished at the DOTD's expense or at the Entity's expense, as the case may be, the cost of this project shall be funded through the American Recovery and Reinvestment Act of 2009 (ARRA), of which 100% funding has been allocated for construction of this project. In the case the ARRA funds are exceeded, then per ATTACHMENT A, the MPO will have the option of canceling the project, using STP>200k funds, if available, or using 100% local funds. Once the ARRA allocation has been expended, then all remaining project costs may be a joint participation between the DOTD, and the Federal Highway Administration ("FHWA"), with the **DOTD** contributing 20% and FHWA contributing, through the DOTD, the remaining 80% of the overall project costs using STP>200k funds. If STP>200k funds are not available, then the MPO can cancel the project or the Entity will be responsible for 100% of the remaining project cost. Funds will be disbursed in accordance with DOTD's normal procedures. The Entity does, however, reserve the right to incorporate items of work into the construction contract not eligible for Federal-Aid participation, if it so desires, and at its own cost.

No Notice to Proceed shall be issued and no compensable costs for construction may be incurred prior to a formal notification from DOTD that FHWA authorization has been received. Any costs incurred prior to such authorization will not be compensable.

ARTICLE III: CONCEPTUAL PLANS AND ENVIRONMENTAL DECISION

This project has been reviewed and the finding is that this project meets the requirements for actions classified as "Programmatic Categorical Exclusions."

ARTICLE IV: PRE-CONSTRUCTION ENGINEERING

The DOTD District 02 shall perform all pre-construction engineering services necessary for the

preparation of complete plans, specifications and estimates for the proposed improvements as covered herein, on behalf of St. Charles Parish.

ARTICLE V: BIDS/CONSTRUCTION

The DOTD shall prepare bid proposals, advertise for, receive bids for the work, award and enter into a contract with the lowest responsible bidder.

The DOTD shall construct this Project in accordance with its requirements and shall provide technical administration and inspection services during construction in accordance with its normal procedures.

ARTICLE VI: RIGHT-OF-WAY ACQUISITION AND RELOCATION

It is anticipated that no right-of-way will be required for this project. If right-of-way is required, this Article will be amended by Supplemental Agreement.

ARTICLE VII: UTILITY RELOCATION

Utilities are a compensable item. The DOTD is responsible for obtaining all of the agreements, if required. The District DOTD Utility Representative will determine the eligibility of the relocated system for reimbursement with federal funds and will review the utility agreements to ensure they have been accurately completed. The design of the new system is not eligible for federal funds; the cost of the design or any ineligible items is borne by the Entity or its representative.

No Notice to Proceed shall be issued and no compensable costs for utility relocation may be incurred prior to a formal notification from DOTD and FHWA that authorization has been received. Any costs for which the Entity expects to be reimbursed prior to such authorization will not be compensable.

ARTICLE VIII: CONSTRUCTION ADMINISTRATION AND INSPECTION

The DOTD will conduct the construction administration and inspection or advertise and select a consultant utilizing American Recovery and Reinvestment Act of 2009 funds and, in the event that said funds are completely exhausted, the remaining costs for construction administration and inspection will be funded through the STP>200K funds with local match from the DOTD. The selected consultant shall enter into a contract (prepared by DOTD) with the DOTD to provide a construction administration and inspection during the project construction.

ARTICLE IX: INCIDENTAL PROJECT COSTS

Incidental Project costs, if any, incurred by the Entity shall be its responsibility. Incidental Project costs, if any, incurred by the DOTD will be absorbed by DOTD.

ARTICLE X: CANCELLATION

The terms of this Agreement shall be binding upon the parties hereto until the work has been completed and accepted and all payments required to be made have been made; but this Agreement may be terminated under any or all of the following conditions:

1. By mutual agreement and consent of the parties hereto.
2. By the Entity should it desire to cancel the project prior to the receipt of bids, provided any cost that has been incurred for the preparation of plans is not eligible for reimbursement by the DOTD or the FHWA.
3. By the DOTD due to the withdrawal or reduction of State or Federal funding for the Project.

ARTICLE XI: PUBLIC LIABILITY

The Entity shall indemnify and save harmless the DOTD against any and all claims, demands, suits and judgments for sums of money allegedly due to any party for loss of life or injury or damage to persons or property growing out of, resulting from, or by reason of, any negligent act or omission, operation or work of the Entity, its agents, servants or employees while engaged upon or in connection with the services required or performed by the Entity or resulting from the ownership, possession or control of the improvement during its life.

ARTICLE XII: FINAL INSPECTION AND MAINTENANCE

Upon completion and Final Acceptance of the project, the DOTD shall assume the maintenance of the improvement at its expense and in a manner satisfactory to the DOTD and/or the FHWA. Before making the final inspection, the Entity and the DOTD's District Administrator shall be notified so that they may have representatives present for such inspection.

ARTICLE XIII: CONTRACTUAL OBLIGATIONS OF THE STATE

The provisions of this Agreement are in no way and to no extent intended to nor shall they be construed in any manner which will impair the contractual obligations of the State, the DOTD, or the Entity, in violation of Louisiana Constitution, Article 1, § 23.

IN WITNESS THEREOF, the parties have caused these presents to be executed by their respective officers thereunto duly authorized as of the day and year first above written.

WITNESSES:

Barbara Jacob Lucka

Valerie Berthelot

STATE OF LOUISIANA
ST CHARLES PARISH

BY: W. St. Pierre

V.J. St. Pierre, Jr.
Typed or Printed Name

Parish President
Title

72-6001208
Taxpayer Identification Number

WITNESSES:

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

BY: _____
William D. Ankner, PH.D.
Secretary

RECOMMENDED FOR APPROVAL:

BY: _____
William Temple
Chief Engineer

MEMORANDUM OF UNDERSTANDING
BETWEEN THE NEW ORLEANS AREA METROPOLITAN PLANNING ORGANIZATION
(REGIONAL PLANNING COMMISSION) AND THE LOUISIANA DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT
REGARDING METROPOLITAN PLANNING ORGANIZATION-AMERICAN RECOVERY
REINVESTMENT ACT OF 2009 FUNDING

June 11, 2009

In the American Recovery and Reinvestment Act of 2009 (ARRA), Metropolitan Planning Organization's (MPO) are sub-recipients of ARRA funding, and are responsible for selecting projects to utilize this funding. The New Orleans Area MPO (Regional Planning Commission) was sub-allocated \$29,124,109 of ARRA funds. In cases where the ARRA funding provided to the MPO is found to be either insufficient or in excess of the amount required to complete any of the selected projects, this Memorandum of Understanding will define the agreed upon approach to handling the situation which may exist:

The New Orleans Area MPO (Regional Planning Commission) proposes to implement the following projects:

S.P. 742-26-0053	Lapalco (Manhattan – Fatma)
S.P. 838-03-0018	LA 406 (LA 23 – LA 407)
S.P. 742-36-0008	Earhart (Hamilton – Fern)
S.P. 742-36-0117	Fleur de Lis (Vet. – 30 th St)
S.P. 450-90-0230	I-10 Fencing, safety, beautification
S.P. 428-03-0013	LA 3127 (Logmile 9.7 – I-310)
S.P. 046-03-0076	LA 46 (Orleans Line – Paris Road)

In the event ARRA funding is insufficient to fully fund all the projects, the MPO will have the option to cancel projects which do not have sufficient ARRA funding, or, through its member local government agencies, provide the additional funding as needed. This additional funding may be 100% local funds or funds from the MPO's regular Urban Systems (>200K) Program, with the 20% match being provided by the local government entity. An exception to this would be if the project is on a State route, in which case the Department of Transportation and Development (DOTD) may provide the 20% match.

In the event there are MPO-ARRA funds remaining after the MPO's projects have been funded, DOTD will work closely with the MPO to ensure that the funds are utilized on another project within the MPO area. Every effort will be taken to ensure that the funds are not lost or reallocated to another State.

Walter R. Brooks
Walter R. Brooks, Executive Director
Regional Planning Commission

Shirley L. Cox
DOTD

RESOLUTION NO. 5708

A resolution to appoint a member to the New Orleans Aviation Board – Noise Abatement Committee.

WHEREAS: There exists a vacancy on the NEW ORLEANS AVIATION BOARD - NOISE ABATEMENT COMMITTEE due to the expiration of the term of Mr. Edward Magri, Jr. on December 31, 2009; and,

WHEREAS: It is the desire of the Parish Council to fill this vacancy; and,

NOW, THEREFORE, BE IT RESOLVED, that Mr. Edward Magri, Jr.

127 Oak Manor Lane, St. Rose, Louisiana 70087

is hereby appointed to the NEW ORLEANS AVIATION BOARD – NOISE ABATEMENT COMMITTEE; and,

BE IT FURTHER RESOLVED that said appointment shall be effective DECEMBER 31, 2009 and shall expire DECEMBER 31, 2011.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: COCHRAN

And the resolution was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

APPOINT Aviation Noise (Magri)

CHAIRMAN: Billy Raymond, Sr

SECRETARY: Barbara Judd Tucker

DLVD/PARISH PRESIDENT: January 12, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: January 13, 2010

AT: 12:05 pm RECD BY: [Signature]