



St. Charles Parish

Meeting Agenda

Parish Council

***Council Chairman Desmond J. Hilaire
Councilmembers Lance Marino, Clayton "Snookie" Fauchaux,
Brian A. Fabre, 'Ram' Ramchandran, Derryl Walls, April Black,
Dickie Duhe, Barry Minnich***

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5125
www.stcharlesparish.gov

Monday, August 1, 2005

6:00 PM

Council Chambers, Courthouse

Final

Minutes

CALL TO ORDER

PRAYER

PLEDGE

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

[2005-0204](#) Proclamation: "National Night Out"

Sponsors: Mr. Hilaire

[2005-0222](#) Proclamation: "Community Health Center Week"

Sponsors: Mr. Laque

2005-0201

A Fourth Supplemental Ordinance amending and supplementing an ordinance (the "General Bond Ordinance") adopted on September 19, 1988; providing for the issuance and sale of Public Improvement Refunding Bonds, Series ST-2005, of the Parish of St. Charles, State of Louisiana (the "Issuer"), pursuant to the General Bond Ordinance; prescribing the form, fixing the details and providing for the payment of principal of and interest on such Bonds; accepting an appropriate offer for the purchase of the Bonds; approving the Official Statement; and providing for other matters in connection therewith.

..Body

WHEREAS, the St. Charles Parish Council, acting as the governing authority of the Issuer (the "Gove-rning Authority"), adopted an ordinance on September 19, 1988 (the "General Bond Ordinance"), authorizing the issuance from time to time of Sales Tax Revenue Bonds of the Issuer on the terms and conditions set forth in the General Bond Ordinance; and

WHEREAS, the General Bond Ordinance provides that the details of the Bonds of each Series of Bonds issued thereunder shall be specified in a supplemental ordinance adopted by the Issuer authorizing the issuance of such Series of Bonds, subject to the terms, conditions and limitations established in the General Bond Ordinance; and

WHEREAS, the Issuer presently has outstanding the following described sales tax bonds (the "Outstanding Bonds") which are payable from a pledge and dedication of the revenues of the Tax (hereinafter defined), viz:

\$9,490,000 of Public Improvement Bonds, Series ST-1996 (the "1996 Bonds"), maturing on December 1 of the years 2005 through 2010, inclusive, bearing interest at 5.00%, 5.20%, 5.20%, 5.25% and 5.30% per annum, authorized by virtue of the General Bond Ordinance, as supplemented by the Third Supplemental Ordinance adopted by the governing authority of the Issuer on December 18, 1995;

WHEREAS, other than the December 1, 2005 maturity of the 1996 Bonds, the Issuer has no other outstanding indebtedness payable from the net revenues of the Tax and the Issuer has authority to issue additional bonds on a complete parity with the 1996 Bonds under the terms and conditions provided in the General Bond Ordinance; and

WHEREAS, the Issuer has found and determined that the refunding of \$8,105,000 of the 1996 Bonds which mature December 1 of the years 2006 through 2010, inclusive, (the "Refunded Bonds"), would be financially advantageous to the Issuer; and

WHEREAS, pursuant to Sub-Part F, Part III, Chapter 4 and Chapter 14A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, it is now the desire of the Issuer to adopt this Fourth Supplemental Ordinance to authorize the issuance of _____ Dollars (\$_____) principal amount of its Bonds to be the fourth issue of such bonds issued under the General Bond Ordinance and to be designated "Public Improvement Refunding Bonds, Series ST-2005 (the "Series 2005 Bonds") for the purpose of refunding a portion of the Issuer's outstanding Public Improvement Bonds, Series ST-1996 and paying their costs of issuance, to fix the details of the Bonds and to sell the Bonds to the purchasers thereof; and

WHEREAS, it is further necessary to provide for the application of a portion of the proceeds of the Series 2005 Bonds to the refunding of the Refunded Bonds and to provide for other matters in connection with the payment or redemption of the Refunded Bonds; and

WHEREAS, in connection with the issuance of the Series 2005 Bonds, it is necessary that provision be made for the payment of the principal, interest and redemption premium, if any, of the Refunded Bonds described in Exhibit A hereto, and to provide for the call for redemption of the Refunded Bonds, pursuant to Notices of Defeasance and Call for Redemption; and

WHEREAS, it is necessary that this Parish Council, as the governing authority of the Issuer, prescribe the form and content of an Escrow Deposit Agreement providing for the payment of the principal, premium and interest of the Refunded Bonds and authorize the execution thereof as hereinafter provided; and

WHEREAS, the Issuer desires to sell the Bonds to the purchasers thereof and to fix the details of the Bonds and the terms of the sale of the Bonds;

WHEREAS, this Governing Authority has determined that all the terms and conditions specified in this Fourth Supplemental Ordinance for the issuance of the Bonds have been or will be complied with prior to the delivery of the Bonds; and

WHEREAS, this Governing Authority has investigated the operating history and the revenues collected from the levy and collection of the Tax, and has determined that the estimated revenues to be derived from the Tax in calendar year 2005 will be at least the sum of \$9,000,000, which is greater than three times the highest combined principal and interest requirements for any succeeding fiscal or calendar year period on the proposed Bonds; and

WHEREAS, the maturities on the Bonds have been arranged so that

the total amount of principal and interest falling due in any year on the Bonds will never exceed 75% of the proceeds of the Tax estimated to be received by the Issuer in calendar year 2005; and

WHEREAS, the sale and issuance of the Bonds has been approved by the Louisiana State Bond Commission;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Charles, State of Louisiana, acting as the governing authority of said Parish:

SECTION 1. Definitions. Unless the context shall clearly indicate some other meaning, all words and terms used in this Third Supplemental Ordinance which are defined in an ordinance (the "General Bond Ordinance") adopted by this Parish Council on September 19, 1988, entitled: "An ordinance authorizing the issuance from time to time of Public Improvement Sales Tax Bonds of the Parish of St. Charles, State of Louisiana, payable from the proceeds of the one percent (1%) sales and use tax authorized by Proposition at an election held on July 16, 1988, prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and for the rights of the registered owners thereof" shall have the same meanings as are assigned to them in the General Bond Ordinance. In addition, unless the context shall clearly indicate some other meaning, the following terms shall, for all purposes of the General Bond Ordinance and of this Fourth Supplemental Ordinance or of any ordinance or other instrument amendatory thereof or supplemental thereto have the following meanings:

"Act" shall include, in addition to those sections listed in the General Bond Ordinance, and Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

"Bonds" or **"Series 2005 Bonds"** shall mean \$_____ of Public Improvement Refunding Bonds, Series ST-2005, authorized by the General Bond Ordinance and this Fourth Supplemental Ordinance.

"Debt Service Reserve Fund Requirement" After the Outstanding Parity Bonds have been discharged by payment or defeasance, Reserve Fund Requirement shall mean a sum equal to the lesser of (i) 10% of the proceeds of the Bonds, the Outstanding Parity Bonds and any issue of additional parity bonds, (ii) the highest combined principal and interest requirements for any succeeding Bond Year on the Bonds, the Outstanding Parity Bonds and any issue of additional parity bonds hereafter issued in the manner provided by the General Bond Ordinance or (iii) 125% of the average aggregate amount of principal installments and interest becoming due in any Bond Year on the Bonds, the Outstanding Parity Bonds and any additional parity bonds.

"Escrow Agent" shall mean J.P. Morgan Trust Company, National Association, and its successor or successors, and any other person

which may at any time be substituted in its place pursuant to the Bond Ordinance.

"Escrow Agreement" shall collectively mean the Escrow Deposit Agreements dated as of September 14, 2005, between the Issuer and the Escrow Agent, substantially in the form attached hereto as Exhibit B, as the same may be amended from time to time, the terms of which are incorporated herein by reference.

"Executive Officers" shall mean collectively the Parish President, Secretary and Director of Finance of the Issuer.

"Government Securities" shall mean direct general obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which may be United States Treasury Obligations such as the State and Local Government Series and may be in book-entry form.

"Outstanding Parity Bonds" shall mean the Issuer's unrefunded Public Improvement Bonds, Series ST-1996, maturing December 1, 2005.

"Paying Agent" shall mean J. P. Morgan Trust Company, National Association.

"Purchaser" shall mean Morgan Keegan & Company, Inc., of New Orleans, Louisiana.

"Refunded Bonds" shall mean the Issuer's outstanding \$8,105,000 of Public Improvement Bonds, Series ST-1996, maturing December 1, 2006 to December 1, 2010, inclusive, which are being refunded by the Bonds, as more fully described in Exhibit A hereto.

"Supplemental Ordinance" shall mean this Fourth Supplemental Ordinance as the same may be supplemented or amended hereafter.

"Tax" shall mean the 1% sales and use tax authorized at an election held in the Parish of St. Charles on July 16, 1988.

Unless or except as the context shall clearly indicate otherwise or may otherwise require in this Supplemental Ordinance: (i) all references to a particular section, paragraph or subdivision of the General Bond Ordinance or this Supplemental Ordinance, as the case may be, are to the corresponding section, paragraph or subdivision of the General Bond Ordinance only, or this Supplemental Ordinance only, as the case may be; (ii) the terms "herein", "hereunder", "hereby", "hereto", "hereof", and any similar terms, refer to this Supplemental Ordinance only, and to this Supplemental Ordinance as a whole and not to any particular section, paragraph or subdivision thereof; (iii) the terms "therein", "thereunder", "thereby", "thereto", "thereof", and any similar terms, refer to the General Bond Ordinance, and to the General Bond Ordinance as a whole and not to any particular section, paragraph or subdivision thereof; and (iv) the term "heretofore" means before the time of effectiveness of this Supplemental Ordinance and the term "hereafter"

means after the time of the effectiveness of this Supplemental Ordinance.

SECTION 2. Interpretation. In this Supplemental Ordinance, unless the context otherwise requires, (a) words importing persons include firms, associations and corporations, (b) words importing the singular include the plural and vice versa and (c) words of the masculine gender shall be deemed and considered to include correlative words of the feminine and neuter genders.

SECTION 3. Authorization and Designation and Escrow Deposit Agreement. (a) Pursuant to the provisions of the General Bond Ordinance, this Supplemental Ordinance and the Act, there is hereby authorized the issuance of _____ Dollars (\$_____) principal amount of Series 2005 Bonds of the Issuer to be designated "Public Improvement Refunding Bonds, Series 2005", for the purpose of refunding the Refunded Bonds and paying their costs of issuance. The Series 2005 Bonds shall be special obligations of the Issuer payable solely from the avails or proceeds of the Tax, subject only to the payment of the reasonable costs and expenses of collecting and administering the Tax, shall be entitled, pursuant to and in accordance with the General Bond Ordinance, to the pledge and lien created thereby and shall be otherwise entitled to the security and benefits thereof.

(b) A portion of the proceeds of the Bonds, together with other available moneys of the Issuer, shall be deposited at delivery of the Bonds in an escrow account in the form of Government Securities plus an initial cash deposit, in accordance with the terms of the Escrow Agreement, in order to provide for the payment of the principal of, premium, and interest on the Refunded Bonds as they mature or upon earlier redemption as provided in Section 24 hereof.

(c) Provision having been made for the orderly payment until maturity or earlier redemption of all the Refunded Bonds, in accordance with their terms, it is hereby recognized and acknowledged that as of the date of delivery of the Bonds under this Supplemental Ordinance, provision will have been made for the performance of all covenants and agreements of the Issuer incidental to the Refunded Bonds, and that accordingly, and in compliance with all that is herein provided, the Issuer is expected to have no future obligation with reference to the Refunded Bonds, except to assure that the Refunded Bonds are paid from the Government Securities, and funds so escrowed in accordance with the provisions of the Escrow Agreement.

(d) The Escrow Agreement is hereby approved by the Issuer, and the Executive Officers are hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the Issuer substantially in the form of Exhibit B hereof, with such changes, additions, deletions or completions deemed appropriate by such Executive Officers and it is expressly provided and covenanted that all of the provisions for the payment of the principal of, premium, if any, and interest on the

Refunded Bonds from the special trust funds created under the Escrow Agreement shall be strictly observed and followed in all respects.

(e) This Governing Authority does hereby find, determine and declare that the Issuer has complied, or will comply prior to the delivery of the Bonds, with all of the terms and conditions set forth in the General Bond Ordinance, as supplemented, with respect to authorizing the issuance of the Bonds on a parity with the Outstanding Parity Bonds.

SECTION 4. Principal Amount and Type. The Series 2005 Bonds shall be issued in the aggregate original principal amount of _____ Dollars (\$_____), said Bonds being issuable as fully registered Current Interest Serial Bonds.

SECTION 5. Denominations, Dates, Maturities and Interest. The Bonds shall be dated September 14, 2005, shall be in the denomination of \$5,000 or any integral multiple thereof within a maturity and shall be numbered from R-1 upward. The unpaid principal of the Bonds shall bear interest from the date thereof or from the most recent interest date to which interest has been paid or duly provided for, payable on June 1 and December 1 of each year, commencing December 1, 2005, at the following rates of interest per annum, and shall mature on December 1 of each of the years and in the aggregate principal amounts set forth below:

DATE (DEC. 1)	PRINCIPAL PAYMENT	INTEREST RATE
2006		
	2007	
	2008	
	2009	
	2010	

SECTION 6. Parity. The Bonds shall be and the same are hereby issued on a parity with the Outstanding Parity Bonds and the Bonds shall rank equally with and shall enjoy compete parity of lien with the Outstanding Parity Bonds on all of the avails or proceeds of the Tax or other funds specially applicable to the payment of the Outstanding Parity Bonds, including funds established by the General Bond Ordinance.

SECTION 7. Redemption. The Bonds shall not be callable prior to their stated dates of maturity.

SECTION 8. Application of Proceeds of Series 2005 Bonds. (a) There shall be deposited irrevocably in trust with the Escrow Agent under the terms and conditions of the Escrow Agreement, as hereinafter provided, an amount of the proceeds derived from the issuance and sale of the Series 2005 Bonds (exclusive of accrued interest), together with additional moneys of the Issuer, as will enable the Escrow Agent to pay the interest through the respective redemption dates and to redeem all of the Refunded Bonds as provided in the Escrow Agreement. The remaining proceeds of the issue shall be retained by the Issuer and for

paying the costs of issuance.

(b) There shall also be deposited or retained in the ST-1996 Sales Tax Bond Sinking Fund and exclusive of the amount equal to the Debt Service Reserve Fund Requirement which shall be deposited in the Reserve Fund as provided by Section 5.03 of the General Bond Ordinance and Section 19 hereof, shall be deposited by the Issuer in a special fund to be used solely for the purpose for which the Series 2005 Bonds are issued and for the payment of the costs of issuance.

SECTION 9. Execution and Form of Bonds. The Bonds and the endorsements to appear on all such Bonds issuable hereunder shall be, respectively, substantially in the form set forth in Exhibit C hereto, with such necessary or appropriate variations, omissions and insertions as are required or permitted by law or by the General Bond Ordinance, as amended and supplemented by this Supplemental Ordinance and as may be amended and supplemented by any ordinance. The Series 2005 Bonds shall be lettered "R" and shall be numbered separately from 1 upward. If the purchaser of the Bonds have obtained insurance on all maturities of the Bonds, an endorsement satisfactory to bond counsel may be printed on any or all the Bonds.

SECTION 10. Paying Agent; Appointment and Acceptance of Duties. The initial Paying Agent for the Bonds shall be J.P. Morgan Trust Company, National Association. The Bonds shall be paid in the medium of payment as provided in Section 3.03 of the General Bond Ordinance.

SECTION 11. Escrow Agent; Appointment and Acceptance of Duties . The Escrow Agent is hereby appointed to serve as escrow agent for the Refunded Bonds. The Escrow Agent shall signify its acceptance of the duties and obligations imposed upon it by this Bond Ordinance by executing and delivering an Escrow Agreement. The Escrow Agent is authorized to file, on behalf of the Issuer, subscription forms for any Government Securities required by the Escrow Agreement. A successor to the Escrow Agent may be designated in the manner set forth in the Escrow Agreement.

SECTION 12. Sale of the Bonds. The Bonds are hereby awarded to and sold to the Purchaser at a price of \$(INSERT PRICE OF BONDS) [representing the par amount of the Bonds \$(INSERT PAR AMOUNT OF BONDS) minus original issue discount of \$(INSERT), minus Underwriters's Discount (INSERT UNDERWRITER'S DISCOUNT NOT EXCEEDING 4% OF PAR) of \$(INSERT) and minus the allowance for insurance premium of \$(INSERT INSURANCE PREMIUM), plus accrued interest, if any, and under the terms and conditions set forth in the Bond Purchase Agreement (hereinafter defined), and after their execution and authentication by the Paying Agent, the Bonds shall be delivered to the Purchaser or their agents or assigns, upon receipt by the Issuer of the agreed purchase price. The Bond Purchase Agreement dated August

1, 2005, in substantially the form attached hereto as Exhibit D is hereby approved and the Executive Officers of the Issuer are hereby authorized, empowered and directed to execute the Bond Purchase Agreement on behalf of the Issuer and deliver or cause to be executed and delivered all documents required to be executed on behalf of the Issuer or deemed by them necessary or advisable to implement the Bond Ordinance or to facilitate the sale of the Bonds.

SECTION 13. Supplemental Ordinance to Constitute Contract. In consideration of the purchase and the acceptance of the Bonds by those who shall be the registered owners of the same from time to time, the provisions of this Supplemental Ordinance shall be a part of the contract of the Issuer with the owners of the Bonds and shall be deemed to be and shall constitute a contract between the Issuer, the Paying Agent and the owners from time to time of the Bonds. The provisions, covenants and agreements herein set forth to be performed by and on behalf of the Issuer shall be for the benefit, protection and security of the owners of any and all of the Bonds.

SECTION 14. Arbitrage Covenants. (a) To the extent permitted by the laws of the State, the Issuer will comply with the requirements of the Code to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer shall not take any action or fail to take any action, nor shall it permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly to acquire any securities or obligations the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in the Code or would result in the inclusion of the interest on any Bond in "gross income" under the Code, including, without limitation, the failure to comply with the limitation on investment of the proceeds of the Bonds, (ii) the failure to pay any required rebate of arbitrage earnings of the United States of America, or (ii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds" under the Code.

(b) The Issuer shall not permit at any time or times any proceeds of the Bonds or any other funds of the Issuer to be used, directly or indirectly, in a manner which would result in the exclusion of the interest on any Bond from the treatment afforded by Section 103(a) of the Code, from time to time amended, or any successor provision thereto.

SECTION 15. Continuing Disclosure. Pursuant to 17 CFR 240.15c2-12 (the "SEC Continuing Disclosure Rules") the Issuer covenants and agrees for the benefit of the Owners of the Bonds to provide certain financial information and operating data relating to the Issuer (the "Annual Report"), and to provide notices of the occurrence of the events enumerated in Section (b)(5)(1)(C) of the SEC Continuing Disclosure Rules, if material. The Annual Report will be filed by the Issuer with each Nationally Recognized Municipal Securities Information Repository ("NRMSIR"), and with the Louisiana State Information

Depository ("Louisiana SID"), if any. Any notices of material events shall be filed with each NRMSIR or with the Municipal Securities Rulemaking Board ("MSRB"), and with the Louisiana SID, if any. The specific nature of the information to be contained in the Annual Report or the notice of material events shall be as more fully set forth in the Continuing Disclosure Certificate attached to the Official Statement, as the same may be amended from time to time in accordance with its terms. Failure to comply with the SEC Continuing Disclosure Rules shall not constitute an "event of default" under Section 10.01 of the General Bond Ordinance, however any of the Owners of the Bonds may take such action or exercise such remedies as may be provided by law to enforce the obligations of the Issuer under the Continuing Disclosure Certificate.

The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section, including, without limitation, the Continuing Disclosure Certificate in substantially the form attached to the Official Statement.

SECTION 16. Official Statement. On behalf of the Issuer, this Governing Authority does hereby approve the Official Statement prepared and distributed in connection with the sale of the Bonds and further declares that the information contained therein is true and correct to the best of its knowledge and belief; that due diligence has been exercised in the preparation of said Official Statement; that said Official Statement does not contain any untrue statement of a material fact or omit any statement of a material fact; that the information contained therein has been obtained from sources which are believed to be reliable and that this Governing Authority has no reason to believe that any material fact contained therein is untrue or any material fact has been omitted in effecting the purpose of the Official Statement to constitute a due diligence disclosure of all material information in connection with offering the Bonds for sale and reflecting the security for the payment thereof.

The Executive Officers be and the same are hereby authorized and directed to review the information contained in said Official Statement and certify, if true, on the date of delivery of the Bonds that no adverse happenings have occurred and that there have been no relevant or material changes in the information contained in said Official Statement since the date of the sale of the Bonds which affect the Bonds or the security for their payment.

SECTION 17. Call for Redemption . Subject only to the delivery of the Bonds, \$8,105,000 principal amount of the Issuer's Public Improvement Bonds, Series ST-1996 , consisting of all of said bonds due December 1, 2006 to December 1, 2010, inclusive, are hereby called for redemption on December 1, 2005 at the principal amount thereof, plus a premium equal to one percent (1%) of the principal amount of each such bond so redeemed, and accrued interest to the

date of redemption, in compliance with the Third Supplemental Ordinance authorizing their issuance.

SECTION 18. Notice of Redemption. (a) In accordance with the General Bond Ordinance, the Third Supplemental Ordinance authorizing the issuance of the Series 1996 Bonds, a notice of redemption in substantially the form attached hereto as Exhibit E, shall be given by the paying agent/registrar for the Refunded Bonds by mailing a copy of the redemption notice by first class mail (postage prepaid) not less than thirty (30) days prior to the date fixed for redemption to the registered owner of each Refunded Bond to be redeemed in whole or in part at the address shown on the registration books maintained by the paying agent/registrar for the Refunded Bonds.

SECTION 19. Publication of Ordinance. A copy of this Supplemental Ordinance shall be published immediately after its adoption in the official journal of the Issuer.

SECTION 20. Debt Service Reserve Fund Requirement. The General Bond Ordinance is hereby amended so the definition of Debt Service Reserve Fund Requirement hereafter will read as it appears in the Definitions set forth in Section 1 hereof. This Section 20 shall be effective upon payment of the December 1, 2005 maturity of the Outstanding Parity Bonds.

SECTION 21. Payment into Various Funds. (i) In addition to payments required with regard to the debt service on the Outstanding Parity Bonds, on the 20th day of each month, commencing September 1, 2005, there shall be paid from the Sales Tax Fund into the Sinking Fund, during the period September 1, 2005 through November 30, 2005, a sum equal to ½ of the interest falling due on December 1, 2005 and (ii) thereafter, a sum equal to one-sixth of the interest falling due on the Bonds on the next interest payment date and one-twelfth (1/12) of the principal falling due on the on the next principal payment date together with such additional proportionate sum as may be required to pay said principal and interest as the same becomes due and payable. The payments required herein shall be in addition to all payments required to be made by the Issuer pursuant to the General Bond Ordinance and the First, Second and Third Supplemental Ordinances.

Upon delivery of the Bonds, proceeds thereof shall be deposited into the Reserve Fund in an amount, which when added to funds presently therein, shall equal the Debt Service Reserve Fund Requirement.

SECTION 22. Filing of Ordinance. A certified copy of this Supplemental Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of St. Charles, Louisiana.

SECTION 23. Employment of Bond Counsel. It is recognized by this Governing Authority that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds and accordingly the employment of Foley & Judell, L.L.P., of New Orleans,

Louisiana, as special bond counsel to the Issuer to do and perform comprehensive legal and co-ordinate professional work with respect to the issuance and sale of the Bonds, is hereby ratified and confirmed. The fees to be paid said attorneys shall be in accordance with the Attorney General's Guidelines for Fees and Services of Bond Attorneys, which fee for special bond counsel shall not exceed the amount calculated in accordance with the Attorney General's Guidelines for Comprehensive Legal Services in the issuance of revenue bonds, plus actual out-of-pocket expenses incurred in connection with the issuance of the Bonds. The fees herein described shall be payable directly to special bond counsel by the Director of Finance of the Issuer from the funds derived from the sale of said Bonds. Bond Counsel shall also assist in the preparation of an Official Statement containing detailed and comprehensive financial and statistical data required with respect to the sale of the Bonds and the costs of the preparation, printing and distribution of such official statement shall be paid from the proceeds of the Bonds. Said Official Statement may be submitted to such nationally recognized bond rating service or services as may be recommended by bond counsel, together with a request that an appropriate rating be assigned. A certified copy of this Bond Ordinance shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated.

SECTION 24. Bond Insurance Language. (Insert Language required by Bond Insurance Company selected).

Sponsors:

Mr. Laque and Bond Counsel

Attachments: [bond form exh c FINAL Revised.doc](#)
[EXHIBIT A FINAL Revised.doc](#)
[Exhibit D \(BPA\) Revised.doc](#)
[Exhibit B FINAL \(Escrow Agreement\) Revised.doc](#)
[notice of def exh e FINAL Revised.doc](#)
[EXHIBIT A](#)
[Exhibit B \(Escrow Agreement\)](#)
[Exhibit D \(BPA\)](#)
[bond form exh c](#)
[notice of def exh e](#)
[2005-0201 Final Ord 05-8-1](#)

Legislative History

7/11/05	Parish President	Introduced
7/11/05	Parish Council	Publish/Scheduled for Public Hearing

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2005-0218](#) An ordinance to amend the St. Charles Parish Zoning Ordinance No. 81-10-6, to approve the change of zoning classification from OL to R-1A on approximately 55 acres, portions of the Haydel and Hymel Tracts in Section 6, Township 12 South - Range 20 East and Section 10, Township 13 South - Range 20 East, Hahnville, Louisiana, as requested by Mitchell Theriot / BV Gautreaux Family, LLC.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [BV Gautreaux Rec@Glance](#)
[BV Gautreaux 07.13.05 minutes](#)
[BV Gautreaux LUR](#)
[2005-0218 Final Ord 05-8-5](#)

Legislative History

5/25/05	Department of Planning & Zoning	Received/Assigned PH
7/13/05	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/13/05	Planning Commission	Recommended Approval to the Parish Council

[2005-0219](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from R-1AM to R-3 at Lots X & Y, W.J Tinney Estate, Section 119, T13S R19E, as requested by Dominic Brown.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [Dominic Brown Rec@Glance](#)

[Dominic Brown survey map](#)

[Dominic Brown LUR](#)

[Dominic Brown 07.13.05 minutes \(1\)](#)

[2005-0219 Final Ord 05-8-6](#)

Legislative History

5/16/05	Department of Planning & Zoning	Received/Assigned PH
7/13/05	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/13/05	Planning Commission	Recommended Approval to the Parish Council

[2005-0220](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Louise & Ward Aucoin - "Haulin' Tails Seafood" - a wholesale seafood operation at 102 Pine Street, Des Allemands, La.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [2005-0220 Final Ord 05-8-7](#)

Legislative History

5/16/05	Department of Planning & Zoning	Received/Assigned PH
7/13/05	Department of Planning & Zoning	No Recommendation to the Planning Commission <i>The Planning & Zoning Department does not make recommendations on home occupations</i>
7/13/05	Planning Commission	Recommended Approval to the Parish Council

[2005-0221](#) An ordinance to revoke and abandon the right-of-way for a certain portion of undeveloped Third Street currently known as Iris Street in St. Rose Subdivision, St. Rose, LA.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [Third St. Rec@Glance.doc](#)
[Third St. wegmann letter 08.12.05.pdf](#)
[Third St. wegmann objections.pdf](#)
[Third St. minutes.doc](#)
[Revocation](#)
[Revocation 3rd Street St. Rose LUR](#)
[revocation minutes \(4\)](#)
[Revocation Rec@Glance](#)

Legislative History

7/13/05	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/13/05	Planning Commission	Recommended Approval to the Parish Council

[2005-0223](#) An ordinance to modify the Travel regulations of the Parish and Council expense regulations, travel section to restrict the number of people attending conferences and seminars out of the Parish.

Sponsors: Mr. Ramchandran and Mr. Duhe

[2005-0224](#) An ordinance approving and authorizing the execution of Change Order No. One (1) - Final for Parish Project No. P000303A, Parish Wide Drainage Telemetry - Phase IIIA Willowdale Pump Station, to decrease the contract amount by \$4,078.00 and to increase the contract time by 77 calendar days.

Sponsors: Mr. Laque and Department of Public Works

Attachments: [2005-0224 Change Order-F](#)
[2005-0224 Final Ord 06-1-5 with Change Order](#)

[2005-0225](#) An ordinance approving and authorizing the execution of Change Order No. One (1) - Final for Parish Project No. P000303A, Parish Wide Drainage Telemetry - Phase IIIA Lakewood Pump Station/Diane Pump Station (Base Bid + Alt. No. 1), to decrease the contract amount by \$9,720.00 and to increase the contract time by 77 calendar days.

Sponsors: Mr. Laque and Department of Public Works

Attachments: [2005-0225 Change Order-F](#)
[2005-0225 Final Ord 06-1-6 with Change Order](#)

[2005-0226](#) An ordinance to approve and authorize the execution of a Wetlands Mitigation Agreement with Blind River Properties, Inc. for the Bayou Trepagnier Pump Station in the amount of \$6,000.00.

Sponsors: Mr. Laque and Department of Public Works

Attachments: [2005-0226 Agreement-F](#)
[2005-0226 Final Ord 05-8-8 with Agreement](#)

[2005-0227](#) An ordinance approving and authorizing the execution of an Act of Dedication for Hidden Oaks Subdivision, Phase 1, in Luling, St. Charles Parish, LA., as requested by JJJ Development Partners, LLC.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [ACT OF DEDICATION HIDDEN OAKS.doc](#)
[minutes](#)
[LUR Hidden Oaks](#)
[2005-0227 Act of Dedication-F](#)
[2005-0227 Final Ord 05-8-9 with Dedication](#)

Legislative History

12/7/04	Department of Planning & Zoning	Received/Assigned PH
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[2005-0228](#) An ordinance placing a Moratorium on the issuance of permits for off-premises and general advertising signs along the U. S. Highway 90 corridor from LA 52 (Paul Maillard Road) and LA 633 (Magnolia Ridge Road) in Boutte to the St. Charles Parish/Lafourche Parish line in Des Allemands.

Sponsors: Mr. Walls

Attachments: [2005-0228 Final Ord 05-8-10](#)

[2005-0230](#) An ordinance to amend the 2005 Consolidated Operating and Capital Budget to amend the Recreation Facilities Construction Fund to provide for the purchase of a concession stand for the IMTT park/ballfield in St. Rose.

Sponsors: Mr. Laque and Department of Finance

Attachments: [2005-0230 Final Ord 05-8-11 with Exhibit](#)

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

[2005-0200](#) An ordinance approving and authorizing the execution of Change Order No. One (1) - Final for Parish Project No. P000303A, Parish Wide Drainage Telemetry - Phase IIIA Kellogg Pump Station, to decrease the contract amount by \$2,095.00 and to increase the contract time by 49 calendar days.

Sponsors: Mr. Laque and Department of Public Works

Attachments: [2005-0200 Change Order-F](#)
[2005-0200 Final Ord 05-8-2 with Change Order](#)

Legislative History

7/11/05	Parish President	Introduced
7/11/05	Parish Council	Publish/Scheduled for Public Hearing

[2005-0202](#) An ordinance to approve Amendment No. 1 to the Joint Use Agreement with the Department of Transportation and Development for the West Bank Bicycle/Pedestrian Path Trailhead and the West Bank Bridge Park Expansion.

Sponsors: Mr. Laque and Chief Administrative Officer

Attachments: [2005-0202 Amendment-F](#)
[2005-0202 Final Ord 05-8-3 with Amendment](#)

Revised Version of Joint Use Agreement - Page 52

Legislative History

7/11/05	Parish President	Introduced
7/11/05	Parish Council	Publish/Scheduled for Public Hearing

[2005-0203](#) An ordinance approving and authorizing the execution of an Act of Dedication for Lakewood Estates, Phase 2 Subdivision, Luling, St. Charles Parish, LA.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [ACT OF ded Lakewood Phase II revised](#)
[2005-0203 Act of Dedication-F](#)
[2005-0203 Final Ord 05-8-4 with Dedication](#)

Revised Version of Act of Dedication - Page 66

Legislative History

7/11/05	Parish President	Introduced
7/11/05	Parish Council	Publish/Scheduled for Public Hearing

PERSONS TO ADDRESS THE COUNCIL

[2005-0207](#) Ms. Thelma C. Schexnayder: The 2005 Parish Budget

Attachments: [2005-0207 Petition](#)

[2005-0208](#) Ms. Carolyn K. Schexnaydre: Hawaii Trip - Tax Money Wasted

Attachments: [2005-0208 Petition](#)

[2005-0209](#) Ms. Gwen Dufrene: State of St. Charles Parish (State of the Union)

Attachments: [2005-0209 Petition](#)

[2005-0210](#) Ms. Mary Thomas: Drainage & Flooding on West Oakland Street in St. Rose

Attachments: [2005-0210 Petition](#)

[2005-0211](#) Mrs. Bobby Williams: Issues of Des Allemands Ball Park, Des Allemands, LA

Attachments: [2005-0211 Petition](#)

[2005-0212](#) Mrs. Verna Ann Young Major: Update of Issues of Des Allemands Ball Park

Attachments: [2005-0212 Petition](#)

[2005-0213](#) Reverend Robert Montgomery: Update of Issues of Des Allemands Ball Park

Attachments: [2005-0213 Petition](#)

[2005-0214](#) Ms. Sherna Nadine Montgomery: Update of Issues of Des Allemands Ball Park

Attachments: [2005-0214 Petition](#)

[2005-0215](#) Mr. August Paul, Jr.: Issues of Des Allemands Ball Park

Attachments: [2005-0215 Petition](#)

[2005-0216](#) Ms. Bridget Major: Proposed J. B. Green Ball Park Site

Attachments: [2005-0216 Petition](#)

[2005-0217](#) Ms. LaQueena Hunter: Issues of Des Allemands Ball Park

Attachments: [2005-0217 Petition](#)

RESOLUTIONS

[2005-0205](#) A resolution authorizing the issuance of a Special License to West St. John H.S. Band Booster Club to conduct a Super Bingo.

Sponsors: Mr. Marino

Attachments: [2005-0205 Final Reso 5281](#)

[2005-0206](#) A resolution to commit the required local matching funds for the FY 2005 Environmental Protection Agency Grant funding of Wastewater System Improvements administered by the South Central Planning and Development Commission.

Sponsors: Mr. Laque and Department of Wastewater

Attachments: [2005-0206 grant shares for communities South Central](#)
[2005-0206 Final Reso 5282](#)

APPOINTMENTS

[2005-0164](#) Appoint a member to the Citizens' Recycling Committee representing District II.

Council Chairman will accept nominations to the Citizens' Recycling Committee Representing District II due to the resignation of Mr. Rick Hagan.

Legislative History

6/7/04	Parish Council	Enacted Legislation
	<i>Approving Ordinance No. 04-6-7, creating a Citizens' Recycling Committee to address the recycling concerns in St. Charles Parish and advise the Council to improve participation.</i>	
8/16/04	Parish Council	Enacted Legislation
	<i>Approving Ordinance No. 04-8-13, amending Ordinance No. 04-6-7, creating a Citizens' Recycling Committee to address the recycling concerns in St. Charles Parish and advise the Council to improve participation, to amend Committee Membership.</i>	
6/6/05	Parish Council	Deferred 1
6/20/05	Parish Council	Deferred 1
7/11/05	Parish Council	Deferred 1

[2005-0199](#) A resolution appointing a member to the Zoning Board of Adjustment as the District III Representative.

Attachments: [2005-0199 Final Reso 5297](#)

Council Chairman will accept nominations from the District III Councilmember to fill the vacancy caused by the resignation of Mr. Ziggy Sobolewski. Unexpired term to begin immediately and expire December 7, 2008.

Legislative History

12/6/04	Parish Council	Enacted Legislation
	<i>Ziggy Sobolewski appointed to the Zoning Board of Adjustment on December 6, 2004, per Resolution No. 5240</i>	
	<i>Term: December 7, 2004 to December 7, 2008</i>	
7/11/05	Parish Council	Deferred 1

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

ADJOURNMENT

CITIZEN'S RECYCLING COMMITTEE: Tuesday, 8/2/05, 6:15 PM, Council Chambers

PLANNING & ZONING COMMISSION: Thursday, 8/4/05, 7PM, Council Chambers

911 COMMUNICATIONS DISTRICT: Monday, 8/8/05, 5PM, Council Chambers

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 8/10/05 7PM, Courthouse Annex

SUNSET DRAINAGE DISTRICT: Thursday, 8/11/05, 7PM, Council Chambers

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5125 to discuss the particular accommodations needed.