



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

Monday, November 16, 2009

3:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present: 9 - Carolyn K. Schexnaydre, Terry Authement, Billy Raymond, Sr., Shelley Tastet, Wendy Benedetto, Paul J. Hogan, Lawrence 'Larry' Cochran, Marcus M. Lambert, Dennis Nuss

Also Present: Parish President V.J. St. Pierre, Jr., 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

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, and seconded to approve the Minutes from the Regular Meeting of October 19, 2009. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 **2009-0438** (11/16/2009, Lambert)

Proclamation: "Norco Christmas Parade Day"

Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2009-0436 (11/16/2009, St. Pierre)

St. Charles 2030 Comprehensive Land Use Plan Steering Committee: Draft Vision Statement

Reported

2009-0437 (11/16/2009, St. Pierre)

Parish President Remarks/Report

Not Reported

2

2009-0439 (11/16/2009, St. Pierre, Department of Planning & Zoning)

A resolution endorsing the St. Charles Parish 2030 Comprehensive Plan Vision Statement.

A motion was made by Councilmember Tastet, and seconded to deviate from the regular order of the Agenda to take up File No. 2009-0439. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

Reported:

P & Z Department Recommended: Approval

VOTE ON THE PROPOSED RESOLUTION

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

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

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

2009-0453 (12/7/2009, St. Pierre, Bond Counsel)

A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding \$6,500,000 of Public Improvement Sales Tax Bonds, Series 2010, of the Parish of St. Charles, State of Louisiana; and providing for other matters in connection therewith.

A motion was made by Councilmember Cochran, and seconded to deviate from the regular order of the Agenda to take up File No. 2009-0453; no public comment. The motion failed by the following vote:

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

The previous motion failed because it requires a unanimous vote.

Motion Failed

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

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN AUTHEMENT 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, DECEMBER 7, 2009, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2009-0449 (11/16/2009, St. Pierre, Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance to change the zoning classification from M-1 to R-1A on Lot 4A located on the north side of LA 635 and a 1.19 acre remainder of Lots 127 & 129 of Coteau de France or Ranson Subdivision located on the west side of LA 631 near the intersection with LA 635, as requested by Sara Sims.

Publish/Scheduled PH

2009-0450 (11/16/2009, St. Pierre, Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, to the change of zoning classification from C-3 to MS at Lot SCH-1, Ashton Plantation as requested by St. Charles Hospital Continuum of Care Corporation.

Publish/Scheduled PH

2009-0451 (11/16/2009, St. Pierre, Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance to change the zoning classification from C-3 to M-1 on a piece of ground approximately two acres in Tract 7 of the C.L. Bougere Estate line in Montz, as requested by Montz Travel Center, LLC.

Publish/Scheduled PH

2009-0452 (11/16/2009, St. Pierre, Department of Public Works)

An ordinance to approve and authorize the execution of an Engineering Services Contract with Urban Systems Associates, Inc. for the design of Parish Project No. P091101, 2009 DOTD Safe Routes to School Program.

Publish/Scheduled PH

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

3

2009-0433 (11/2/2009, St. Pierre, Grants Office)

An ordinance to approve and authorize the execution of an Amendment to the Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for the rescission of a funding balance for the East Bank Waterworks Ground Storage Tanks, Planning and Construction, FP&C Project No. 50-J45-05B-01.

Reported:

Grants Office Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

7 **2009-0434** (11/2/2009, St. Pierre, Department of Planning & Zoning)

An ordinance to revoke and abandon the right-of-way for that undeveloped portion of 7th Street between Oak Street and St. Rose Avenue in St. Rose.

Reported:

P & Z Department Recommended: Approval

Planning Commission Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

2009-0392 (10/5/2009, St. Pierre, Department of Legal Services)

An ordinance to authorize the Parish President to purchase at a price not to exceed the highest appraised value of \$1,771.00 or expropriate a 10' portion of ground over the rear of Lot 11 Block E, Magnolia Ridge Park Subdivision from Deborah Ory wife of/and Troy L. Major to be used in connection with Acorn Street and Sharon Street Sewer Improvements Project No. S050203.

File No. 2009-0392 postponed indefinitely per Parish Council Rule 8. #8.

Ordinances/Resolutions Which Have Been Tabled [Shall only appear on two (2) subsequent regular meeting Agendas]

Postponed Indefinitely (Council Rule 8)

RESOLUTIONS

9 **2009-0440** (11/16/2009, Hogan)

A resolution requesting that the St. Charles Parish Council conduct a comprehensive investigation to learn how the new East Regional Library project increased from a 26,000 square foot project to a 39,655 square foot project at a cost of over \$3,000,000 to the taxpayers since there are no public records indicating how the increase came into being.

Reported:

Councilman Hogan Recommended: Approval

Proposed resolution failed for lack of a majority by the following vote

Votes: Yea: 2 - Schexnaydre, Hogan
Nay: 7 - Authement, Raymond, Tastet, Benedetto, Cochran, Lambert, Nuss

- 10 **2009-0441** (11/16/2009, St. Pierre, Grants Office)
 A resolution adopting the St. Charles Parish Hurricanes Gustav/Ike Recovery Proposal and authorizing the Parish President to submit the Proposal to the Louisiana Recovery Authority for final approval and authorization to proceed in the implementation of the St. Charles Parish Hurricanes Gustav/Ike Disaster Recovery Program.
Amendment: to accept the revised version of the Proposal
A motion was made by Councilmember Hogan, and seconded that this matter be Amended. The motion carried by the following vote:
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
 Nay: 0
Reported:
Grants Office Recommended: Approval

VOTE ON THE PROPOSED RESOLUTION AS AMENDED
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
 Nay: 0
- 11 **2009-0442** (11/16/2009, St. Pierre, Grants Office)
 A resolution to approve and authorize the execution of a Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for funding of the construction of the Emergency Operations Center, FP&C Project No. 50-J45-09-01.
Reported:
Grants Office Recommended: Approval
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
 Nay: 0
- 22 **2009-0443** (11/16/2009, Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss)
 A resolution authorizing the issuance of a Special License to Luling-Boutte Lions Club to conduct a Super Bingo.
Reported:
Councilwoman Schexnaydre Recommended: Approval
Councilman Authement Recommended: Approval
Councilman Raymond Recommended: Approval
Councilman Tastet Recommended: Approval
Councilwoman Benedetto Recommended: Approval
Councilman Hogan Recommended: Approval
Councilman Cochran Recommended: Approval
Councilman Lambert Recommended: Approval
Councilman Nuss Recommended: Approval
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
 Nay: 0

23

2009-0454 (11/16/2009, St. Pierre, Department of Planning & Zoning, Coastal Zone Management Section)

A resolution supporting LaBranche East Marsh Creation Project, PPL-19, located in St. Charles Parish, that has been nominated for funding under Coastal Wetland Planning, Protection and Restoration Act (CWPPRA).

A motion was made by Councilmember Tastet, and seconded to deviate from the regular Agenda to take up File No. 2009-0454; no public comment. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

Reported:

P & Z Department Recommended: Approval

C Z M Section Recommended: Approval

VOTE ON THE PROPOSED RESOLUTION

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

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

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

APPOINTMENTS

2009-0415 (10/19/2009)

A resolution appointing a member to the Zoning Board of Adjustment as the District II Representative.

Deferred

2009-0416 (10/19/2009)

A resolution appointing a member to the Zoning Board of Adjustment as the District IV Representative.

Deferred

2009-0417 (10/19/2009)

A resolution appointing a member to the Zoning Board of Adjustment as the District V Representative.

Nominee:

Councilman Cochran nominated Mr. Ricardo Smith

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: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

2009-0418 (10/19/2009)

A resolution appointing a member to the Zoning Board of Adjustment as the District VI Representative.

Nominee:

Councilman Lambert nominated Mr. Joshua Johnson

Nomination(s) Accepted

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

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

2009-0444 (11/16/2009)

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

Vacancy Announced

2009-0445 (11/16/2009)

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

Vacancy Announced

2009-0446 (11/16/2009)

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

Vacancy Announced

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2009-0435 (11/16/2009)

Review 2010 Parish Council Meeting Schedule [Adopt December 7, 2009]

Review

2009-0447 (11/16/2009)

Accept Nominations - Presiding Officer for 2010; Chairman, St. Charles Parish Council

Nominee:

Councilwoman Benedetto nominated Councilman Raymond

Nomination(s) Accepted

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

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

2009-0448 (11/16/2009)

Accept Nominations - Presiding Officer for 2010; Vice-Chairman, St. Charles Parish Council

Nominee:

Councilman Lambert nominated Councilman Cochran

Nomination(s) Accepted

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

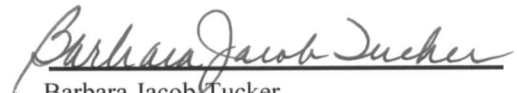
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

ADJOURNMENT

A motion was made by Councilmember Lambert, and seconded to adjourn the meeting at approximately 4:47 p.m. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.



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

PROCLAMATION

WHEREAS, *the Community of Norco is rich in history and tradition; and,*
WHEREAS, *it was once an annual holiday event for the Norco Christmas Parade to roll through the streets of Norco; and,*
WHEREAS, *the Norco Civic Association revived the tradition which had been dormant for nearly two decades; and,*
WHEREAS, *on Sunday, December 6, 2009, at 2:00 p.m., the Norco Civic Association will parade with this year's theme being "Christmas on the River"; and,*
WHEREAS, *this parade is designed to usher in the beginning of the Christmas season and further the sense of community in Norco; and,*
WHEREAS, *residents of the entire Parish are invited to come to Norco and join in the festivities; and,*
WHEREAS, *this event is organized by the Norco Christmas Parade Committee of the Norco Civic Association who have volunteered their time to make this event possible; and,*
WHEREAS, *the residents 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 SUNDAY, DECEMBER 6, 2009, AS

"NORCO CHRISTMAS PARADE 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 THE NORCO CIVIC ASSOCIATION, THE NORCO CHRISTMAS PARADE COMMITTEE, AND ALL THOSE WHO ARE MAKING THIS COMMUNITY BUILDING EVENT POSSIBLE.

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
s/LARRY COCHRAN
LARRY COCHRAN
COUNCILMAN, DISTRICT V
s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI
s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

2009-0439

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

RESOLUTION NO. 5692

A resolution endorsing the St. Charles Parish 2030
Comprehensive Plan Vision Statement.

WHEREAS, The Comprehensive Land Use Plan, St. Charles 2030: Bridge to the Future,
was initiated in May 2009; and,

WHEREAS, A Steering Committee comprised of parish residents and stakeholders was
formed to lead the planning process; and,

WHEREAS, The initial step in the planning process was to seek broad public input on the
long term vision for St. Charles Parish; and,

WHEREAS, Public input was sought through 10 public forums, meetings with students, and
through on-line participation yielding responses from roughly 534 individuals;
and,

WHEREAS, All of the public input was considered in drafting the vision statement; and,

WHEREAS, The Vision Statement represents the Parish's shared destination: the future
that we, as a community, aspire to reach through the implementation of goals,
strategies and actions to be framed in the Comprehensive Plan; and,

WHEREAS, At their October 20, 2009 meeting, the Steering Committee approved the
St. Charles 2030 Vision Statement.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF
THE ST. CHARLES PARISH COUNCIL, do hereby endorse the St. Charles 2030: Bridge to
the Future Vision Statement as follows:

In 2030, St. Charles Parish is a vibrant, friendly community, proud of its heritage
and surrounded by unspoiled nature. We are a community that has taken
advantage of its strategic location, and wisely managed growth and change to
achieve:

- A strong, diversified economy that offers ample, challenging job opportunities for all, allowing the Parish to retain its talented youth;
- A "small-town" way of life, but enriched with a full array of educational, cultural and recreational opportunities;
- A sound infrastructure system that offers reliable protection from natural disaster, provides for optimum mobility in a variety of modes of travel, and supports sound growth;
- A balanced development pattern that offers a range of housing choices in livable neighborhoods, and commercial and civic activities and services that are needed by our resident population;
- A character of development that reflects the value we place on our scenic natural beauty and our culture, heritage and community identity; and
- A community of educated, engaged and caring citizens with diverse backgrounds, but sharing a common identity and commitment to serve.

This Vision of St. Charles Parish in the year 2030 is built around five major themes:

- Building on a Solid Foundation: Basic Infrastructure and Safety
- Economic Strengthening and Diversification
- Framework for Sustainable Growth
- Full Array of Public Services and Facilities
- Enhancing Community Character, Shared Identity and Connectedness

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

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

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: November 17, 2009
 APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: November 17, 2009
 AT: 2:15pm RECD BY: BGT/v6

2009-0433

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

ORDINANCE NO. 09-11-7

An ordinance to approve and authorize the execution of an Amendment to the Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for the rescission of a funding balance for the East Bank Waterworks Ground Storage Tanks, Planning and Construction, FP&C Project No. 50-J45-05B-01.

WHEREAS, Ordinance 06-1-1 approved and authorized the execution of a Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for funding of the East Bank Waterworks Ground Storage Tanks, Planning and Construction, FP&C Project No. 50-J45-05B-01, in the amount of \$3,580,000.00; and,

WHEREAS, a funding balance of \$540,000.00 remained upon the completion of said project; and,

WHEREAS, the State Bond Commission approved the rescission of the Priority 1 Line of Credit in the amount of \$540,000.00 at its meeting on September 17, 2009; and,

WHEREAS, the State has prepared an Amendment to the Cooperative Endeavor Agreement to reflect said rescission and it is the desire of the Parish Council to approve said Amendment.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Amendment to the Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for the East Bank Waterworks Ground Storage Tanks, Planning and Construction, FP&C Project No. 50-J45-05B-01 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Amendment and to act on behalf of St. Charles Parish in all matters pertaining to this project.

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

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

And the ordinance was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: November 17, 2009
APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: November 17, 2009
AT: 2:15 pm RECD BY: [Signature]

2nd Amended Cooperative Endeavor Agreement
St. Charles Parish:
East Bank Ground Storage Tanks, Planning and Construction
(St. Charles)
FP&C Project #50-J45-05B-01

AMENDMENT OF AGREEMENT

The parties agree that any amendment hereto shall be in writing.

All of the terms, conditions and provisions of the prior Agreement(s), except as modified herein, shall remain the same and continue to be in full force and effect.

THUS DONE AND SIGNED, this _____ day of _____, 2009,
at _____, Louisiana.

WITNESSES:

STATE OF LOUISIANA

By: _____
JOHN L. DAVIS, DIRECTOR
FACILITY PLANNING & CONTROL
DIVISION OF ADMINISTRATION

THUS DONE AND SIGNED, this 17th day of November, 2009,
at Hahnville, Louisiana.

WITNESSES:

ST. CHARLES PARISH

Chelvie Berthelot
Sandra D. Miguez
By: V.J. St. Pierre, Jr.
~~ALBERT D. LAQUE, PRESIDENT-~~
V.J. St. Pierre, Jr., President

EXHIBIT A

**2ND AMENDED COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
ST. CHARLES PARISH
East Bank Ground Storage Tanks, Planning and Construction
(St. Charles)
FP&C No. 50-J45-05B-01**

COSTS AND FUNDS THIS AGREEMENT (\$):

<u>COST CATEGORIES</u>	<u>CAPITAL OUTLAY CASH</u>	<u>NON-CASH LINE OF CREDIT</u>	<u>OTHER</u>	<u>TOTAL</u>
REAL ESTATE				\$ -
PLANNING				\$ -
CONSTRUCTION	\$3,027,192			\$ 3,027,192
MISC	\$2,808			\$ 2,808
EQUIPMENT				\$ -
ESCROW				\$ -
FP&C ADMIN	\$10,000			\$ 10,000
TOTAL COSTS	\$3,040,000	\$ -	\$ -	\$ 3,040,000

Federal Tax Identification for Entity: 72-6001208

Notes:

1. Planning costs shall not exceed 10% of Construction costs. Miscellaneous costs shall not exceed 5% of Construction costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.
3. \$540,000 CLOC was rescinded at the State Bond Commission meeting dated September 17, 2009.

EXHIBIT B

2nd AMENDED COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
ST. CHARLES PARISH
East Bank Ground Storage Tanks, Planning and Construction
(St. Charles)
FP&C No. 50-J45-05B-01

State of Louisiana-ISIS Financial System-State Funding Summary

ACT #	YEAR	DESCRIPTION	STATE CASH	STATE NON-CASH LINE OF CREDIT	TOTAL STATE FUNDING
20	2009	G O Bonds LOC	3,040,000		\$ 3,040,000
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
TOTAL			\$ 3,040,000	\$ -	\$ 3,040,000

2009-0434

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

ORDINANCE NO. 09-11-8

An ordinance to revoke and abandon the right-of-way for that undeveloped portion of 7th Street between Oak Street and St. Rose Avenue in St. Rose.

WHEREAS, certain property was laid out for use as 7th Street between Oak Street and St. Rose Avenue in the Plat entitled "St. Rose Subdivision" by Frank T. Payne dated April 15, 1921; and,

WHEREAS, the property is not presently developed as a street and has no public use and/or benefit; and,

WHEREAS, the St. Charles Parish Council desires to revoke said property pursuant to Chapter 2 Sec. 2-4 of the St. Charles Parish Code of Ordinances.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Revocation of property laid out for use as 7th Street between Oak Street and St. Rose Avenue in St. Rose on the Plat entitled "St. Rose Subdivision" by Frank T. Payne dated April 15, 1921, is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Act of Revocation 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, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: November 17, 2009

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: November 17, 2009

AT: 2:15pm RECD BY: BGT/vb

**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 _____ day of the month of _____, in the year of Our Lord, two thousand nine (2009).

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 St. Charles Parish, herein duly authorized by the provisions of the Ordinance No. 09-11-8 passed at a meeting of the St. Charles Parish Council held on November 16, 2009.

Pursuant to the above recited ordinance, St. Charles Parish, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the dedication of that undeveloped portion of 7th Street measuring forty-five feet in width and extending from St. Rose Avenue (La 626) westward to Oak Street in Section 39, Township 13 South – Range 9 East, St. Rose, St. Charles Parish, Louisiana, as indicated on the dedication survey by Frank T. Payne dated April 15, 1921 and more fully shown on the survey by Stephen P. Flynn, PLS, dated December 3, 2008 and revised April 30, 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 _____, 2009 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:

Valerie Berthelet
Sandra J. Miguez

ST. CHARLES PARISH

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

Leon C. Vial, III
#13061
NOTARY PUBLIC

2009-0440

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

A resolution requesting that the St. Charles Parish Council conduct a comprehensive investigation to learn how the new East Regional Library project increased from a 26,000 square foot project to a 39,655 square foot project at a cost of over \$3,000,000 to the taxpayers since there are no public records indicating how the increase came into being.

WHEREAS, the new East Regional Library project increased from a 26,000 square foot project to a 39,655 square foot project by the time the project went out for bid; and,

WHEREAS, the size increase resulted in a cost increase of over \$3,000,000 to the tax payers of the Parish; and,

WHEREAS, the St. Charles Parish Library Board of Control has the ultimate authority for keeping a true and accurate account of all proceedings of the meetings and the records of the Board; and,

WHEREAS, there is no apparent documentation in the Public Record explaining and/or documenting the increase; and,

WHEREAS, the size of the project contained in the construction documents that was sent out for bid was approximately 6,000 square feet larger than the size contained in the Final Schematic Design approved by the St. Charles Parish Library Board of Control which set the final size of the building; and,

WHEREAS, the St. Charles Parish Council and the tax payers of the Parish are concerned with waste and abuse regarding the spending of their tax dollars; and,

WHEREAS, the St. Charles Parish Library Board of Control was created by the Governing Authority of St. Charles Parish; and,

WHEREAS, the St. Charles Parish Council is the current Governing Authority; and,

WHEREAS, the St. Charles Parish Library Board of Control is accountable to the Governing Authority since the Board was created by and its members were appointed by the Governing Authority; and,

WHEREAS, the St. Charles Parish Council has concerns with the project increasing from 26,000 square feet to 39,655 square feet with there being no evidence in the Public Record showing that the St. Charles Parish Library Board of Control authorized the increase; and,

WHEREAS, the St. Charles Parish Council has concerns with a project being sent to it for approval which was significantly larger in size than the size project authorized by the St. Charles Parish Library Board of Control; and,

WHEREAS, the St. Charles Parish Home Rule Charter, Article III, Section A. 7. C. iv. provides for the St. Charles Parish Council to conduct investigations; and,

WHEREAS, the St. Charles Parish Council as Governing Authority has the duty and obligation to conduct an investigation with regards to the increase on behalf of the citizens of St. Charles Parish.

NOW THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request that the St. Charles Parish Council conduct a comprehensive investigation to learn how the new East Regional Library project increased from a 26,000 square foot project to a 39,655 square foot project at a cost of over \$3,000,000 to the taxpayers since there are no public records indicating how the increase came into being.

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

YEAS: SCHEXNAYDRE, HOGAN

NAYS: AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, LAMBERT, NUSS

ABSENT: NONE

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY ON NOVEMBER 16, 2009.

Failed Library-Resolution calling for investigation.doc

2009-0441

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

RESOLUTION NO. 5693

A resolution adopting the St. Charles Parish Hurricanes Gustav/Ike Recovery Proposal and authorizing the Parish President to submit the Proposal to the Louisiana Recovery Authority for final approval and authorization to proceed in the implementation of the St. Charles Parish Hurricanes Gustav/Ike Disaster Recovery Program.

WHEREAS, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. Law 110-329), enacted on September 30, 2008, appropriated \$6.1 billion through the Community Development Block Grant (CDBG) Program for "necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by hurricanes, floods, and other natural disasters occurring during 2008 for which the President declared a major disaster...;" and,

WHEREAS, of the total monies awarded to the State of Louisiana, St. Charles Parish has been allocated a total of \$4,809,266.00 in Hurricanes Gustav/Ike CDBG-Disaster Recovery funding; and,

WHEREAS, utilization of the funding requires the St. Charles Parish Government to adopt a "Recovery Proposal" that has been developed in collaboration with the citizenry of the Parish and details the project(s) needed to assist the Parish in recovering from the devastating effects of the storms of 2008; and,

WHEREAS, after public hearings conducted on September 10, 2009, and on November 12, 2009, along with numerous meetings with Parish agencies which function to provide public services to persons of low/moderate income, the Parish developed its "St. Charles Parish Hurricanes Gustav/Ike Disaster Recovery Proposal" for formal submission to the Louisiana Recovery Authority.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby officially adopt the "St. Charles Parish Hurricanes Gustav/Ike Disaster Recovery Proposal," attached hereto as Exhibit A, and that the Parish President, Mr. V. J. St. Pierre, Jr., is hereby authorized to submit the "Proposal" to the Louisiana Recovery Authority for final approval and authorization to begin the implementation of the St. Charles Parish Hurricanes Gustav/Ike Disaster Recovery Program.

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

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

And the resolution was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: November 17, 2009
APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: November 17, 2009
AT: 2:15 pm. RECD BY: BGT '06

2009-0442

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

RESOLUTION NO. 5694

A resolution to approve and authorize the execution of a Cooperative Endeavor Agreement between the State of Louisiana and St. Charles Parish for funding of the construction of the Emergency Operations Center, FP&C Project No. 50-J45-09-01.

WHEREAS, St. Charles Parish submitted a Capital Outlay Request for funding of the construction of the Emergency Operations Center; and,

WHEREAS, Act No. 20 of the 2009 Regular Session of the Louisiana Legislature included funding for said project in the amount of \$945,600.00; and,

WHEREAS, the State has prepared a Cooperative Endeavor Agreement to provide funding for 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 Parish President to execute said Cooperative Endeavor Agreement and to act on behalf of St. Charles Parish in any and all matters pertaining to this project, including certifying requests for State disbursements.

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

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

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: November 17, 2009
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: November 17, 2009
AT: 2:15 pm. RECD BY: BGTvb



**COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
ST. CHARLES PARISH COUNCIL
St. Charles Emergency Operations Center (St. Charles)
FP&C Project No. 50-J45-09-01**

In accordance with Article VII, Section 14 of the 1974 Constitution of the State of Louisiana (Constitution), the **STATE OF LOUISIANA** (State), herein represented by **JOHN L. DAVIS, DIRECTOR, OFFICE OF FACILITY PLANNING AND CONTROL (FP&C) OF THE DIVISION OF ADMINISTRATION (DOA)**, and the **ST. CHARLES PARISH COUNCIL** (Entity), a political subdivision of the State, herein represented by **V. J. ST. PIERRE, JR., PARISH PRESIDENT** do hereby enter into a Cooperative Endeavor Agreement (Agreement) to serve the public for the purposes hereinafter declared.

ARTICLE I

1.1 WHEREAS, the Capital Outlay Act (Act), adopted in accordance with Article VII, Section 6 of the Constitution, is the comprehensive capital outlay budget required by said Article VII, Section 6, and contains an appropriation for the Entity for the Project Number and Project Description (Project) as set forth in **Exhibits A and B**, attached hereto and made a part hereof; and

1.2 WHEREAS, the Omnibus Bond Act of the Louisiana Legislature (OBA), adopted in accordance with Article VII, Section 6 of the Louisiana Constitution of 1974, provides for the issuance by the State Bond Commission of State General Obligation Bonds for certain of the projects contained in the Act, including the Project, which bonds are to be secured by a pledge of the full faith and credit of the State, as well as by monies dedicated to and paid into the Security and Redemption Fund as provided in Article VII, Section 9 of the Constitution, which authorization includes the issuance, **if applicable**, of State General Obligation Bonds for the Project (Project Bonds) as set forth in **Exhibit B**, attached hereto and made a part hereof; and

1.3 WHEREAS, if applicable, the Entity has supplied the State with evidence of the availability and commitment of Local, Federal or Non-State Matching Funds for the Project, as set forth in **Exhibit A**; and

1.4 WHEREAS, the State appropriated State General Fund (Direct) or other sources of cash for the Project or the Bond Commission did grant a cash line of credit and/or a non-cash line of credit for the Project in the amount(s) as stated in **Exhibit B**; and

1.5 WHEREAS, the Act provides that all of the funds appropriated, in the absence of express language to the contrary, shall be considered as having been appropriated directly to

FP&C and shall be administered by FP&C under Cooperative Endeavor Agreements;

IT IS HEREBY AGREED by the State and the Entity that:

ARTICLE II
PURPOSE

2.1 The purpose of this Agreement is to set forth the terms of administering the Project by FP&C. FP&C will administer this Project in accordance with the Non-State Entity Capital Outlay Administrative Guidelines, July 1999 ed., which is hereby made a part of this Agreement.

ARTICLE III
SCOPE

3.1 As provided in the Act, the State funds for this Project are limited to capital improvements for the Project, in the Parish, and in the amounts set forth in **Exhibits A and B**.

3.2 If the Entity enters into a contract prior to receipt of funding and prior to execution of a Cooperative Endeavor Agreement, then payments under such contracts are prohibited from capital outlay appropriations and are the sole responsibility of the Entity.

3.3 The Entity hereby acknowledges and confirms that this Project constitutes a **Public Purpose** and will fulfill a public need within the parish in which the Project is to be located, all in accordance with Article VII, Section 14 of the Constitution.

3.4 Allowable costs shall not include the operating expenses of the Entity. In no case shall the total of any of the allowable costs exceed the corresponding amount shown in **Exhibit A**.

ARTICLE IV
USE OF FUNDS

4.1 The Entity hereby acknowledges and agrees that the funds provided by the State to the Entity shall be used solely for the purposes authorized and permitted in the Act and in accordance with all provisions of law affecting the Project, as well as the constitutional and statutory restrictions on the use of State funds for public purposes. The Entity acknowledges that any funds not used in accordance with the terms of this Agreement and state law will be reimbursed to the State.

4.2 The Entity shall not execute any contracts or agreements that would expend or commit State funds in excess of the amount for which lines of credit were granted pursuant to the Act. The Entity shall be solely responsible for any amount that exceeds the amount appropriated by the State.

4.3 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity shall not take any action which would have the effect of impairing the tax exempt status of the Project Bonds. The Entity agrees that the proceeds will not be used directly or indirectly in any trade or business carried on by any person other than a governmental unit. The Entity further agrees that the proceeds will not be used directly or indirectly to provide a facility used by any person other than the Entity pursuant to a management contract, requirements contract or other arrangement granting, directly or indirectly, an interest in such facility to a person other than the Entity, unless the State receives an opinion from a nationally recognized bond counsel that such contract will not adversely affect the tax-exempt status of the Project Bonds.

4.4 The Entity shall make no changes in its local laws or charter which would allow use of the Project for any purpose other than a public purpose.

ARTICLE V **ADMINISTRATIVE COSTS**

5.1 Notwithstanding any provision of this contract to the contrary, FP&C may use up to six percent of each State fund line item contained herein for costs associated with administering the Project, all in accordance with the provisions of the Act.

ARTICLE VI **PUBLIC BID LAWS**

6.1 The Entity will solicit bids for the services, labor and materials needed to construct said Project in accordance with the public bid laws of the State, including, but not limited to R.S. 38:2211, *et seq.*, applicable to political subdivisions of the State. The Entity will also keep a procurement file relative to the necessary acquisition of services, labor and materials needed to complete said Project which will be subject to review by the State at any time.

ARTICLE VII **COORDINATION**

7.1 It is the responsibility of the Entity to administer the Project according to all applicable laws, rules and regulations and to ensure that the work is the best obtainable within established trade practice. The submittal of documentation to FP&C as required by this Agreement shall be for the purpose of verifying that the funds are spent in accordance with this Agreement and the applicable legislation, providing evidence of the progress of the Project and verifying that such

documentation is being produced. FP&C will not provide extensive document review for the Project or take the responsibility for determining whether or not this documentation is complete and accurate.

7.2 The participation by FP&C in the Project shall in no way be construed to make FP&C a party to any contract between the Entity and its contractors.

ARTICLE VIII CHANGE ORDERS

8.1 A change order for the Project shall be subject to the approval of FP&C. However, as per R.S. 39:126, a change order in excess of *One Hundred Thousand Dollars (\$100,000)*, increase or decrease, shall also require the approval of the Joint Legislative Committee on the Budget and the Commissioner of Administration or his designee. Any change order in excess of fifty thousand dollars but less than one hundred thousand dollars shall be submitted to the Joint Legislative Committee on the Budget for review but shall not require committee approval.

ARTICLE IX HOLD HARMLESS AND INDEMNITY

9.1 The Entity agrees and obligates itself, its successors and assigns to defend, indemnify and save harmless and provide a defense for the State, its officials, officers and employees against any and all claims, demands, suits, actions (*ex contractu, ex delictu*, quasi-contractual, statutory or otherwise), judgments of sums of money, attorneys fees and court costs to any party or third person including, but not limited to amounts for loss of life or injury or damage to persons, property or damages to contractors, subcontractors, suppliers, laborers or other agents or contractors of the Entity or any of the above, growing out of, resulting from or by reason of any violation of the requirements of the Act and OBA or any other State law, or any negligent act or omission, operation or work of the Entity, its employees, servants, contractors or any person engaged upon or in connection with the engineering services, construction and construction engineering required or performed by the Entity hereunder including, but not limited to any omissions, defects or deficiencies in the plans, specifications or estimates, or by virtue of any extra work, delays, disruptions, inefficiencies or nonpayment of any engineering, construction or construction engineering cost incurred, or any other claim of whatever kind or nature arising from, out of or in any way connected with the Project, to the extent permitted by law.

9.2 Nothing herein is intended, nor shall be deemed to create a third party beneficiary to or for any obligation by FP&C herein or to authorize any third person to have any action against FP&C arising out of this Agreement.

ARTICLE X
DISBURSEMENT OF FUNDS

10.1 After execution of this Agreement in accordance with the terms hereof and the Act, the State, through FP&C, shall provide the Entity, identified under the Federal Tax Identification Number as set forth on **Exhibit A**, with funds on an *as-needed* basis as approved by FP&C, but not to exceed the total Capital Outlay Cash, less Escrow and FP&C Administration fee, as set forth in **Exhibit A**. **The Entity shall not be entitled to reimbursement of any expenditures made prior to the issuance of a cash line of credit or receipt of cash funding.**

10.2 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity agrees to use its best efforts to expend all of the funds subject to this Agreement within two (2) years from the date of the issuance of the Bonds. FP&C agrees that it will notify the Entity of the date the Bonds are issued within one (1) month from the issuance thereof. The Entity understands and agrees that if the funds subject to this Agreement are not totally expended within two (2) years from the issuance of the Bonds, FP&C can close the Project and recommend that the Legislature reallocate any unexpended proceeds to other projects.

10.3 The Entity recognizes and agrees that the receipt of the State monies is contingent upon the receipt, pledge and expenditure of Local/Federal Matching Funds by the Entity in the amount stated in **Exhibit A**. The Entity acknowledges and agrees that the requisite amount of matching funds has been received, pledged, and/or expended on the Project.

10.4 In the event funds subject to this Agreement represent a non-cash line of credit as set forth in **Exhibit A**, the Entity understands that the funds so designated represent a non-cash line of credit and that no monies can be withdrawn from the Treasury for the non-cash line of credit unless and until the Bond Commission has either issued bonds or a cash line of credit therefor, and the Agreement is amended to provide for the disbursement thereof.

ARTICLE XI
OWNERSHIP OF PROPERTY

11.1 The Entity hereby covenants that it owns, will acquire title to, or obtain servitudes for the property upon which the Project is to be located and that it shall not, while any of the Project Bonds remain outstanding, or during the term of this Agreement, transfer, convey, sell, mortgage, assign or otherwise alienate its ownership or servitude rights in the land or real property and appurtenances which constitute the Project. Projects to be located by permits on existing property of the State or a political subdivision of the State are exempt from these ownership requirements.

ARTICLE XII
INSURANCE

12.1 If State funds for this project are used in whole or in part towards construction of fixed insurable improvements, then upon completion of construction, the Entity shall, for the term of this agreement, maintain or cause to be maintained property insurance issued by a company or companies admitted to do business in the State of Louisiana, in an amount equal to 100% of the replacement cost of such improvements.

12.2 If the property is located in a Special Flood Hazard Area, flood insurance equal to 100% of the value of the building or up to a minimum of \$500,000 as allowed by National Flood Insurance Program (NFIP) shall be obtained on this property. This includes properties shown on a Flood Insurance Rate Map (FIRM) issued by FEMA as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, ZM, or E.

ARTICLE XIII
PLEDGE OF LEASE REVENUES

13.1 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity hereby covenants and agrees that it shall not, while any portion of the Project Bonds issued by the State to fund the Project remain outstanding, enter into any agreement or otherwise covenant to directly pledge to the State any lease revenues from any lessee, its successors or assigns, for the payment of principal, interest or other requirements with respect to the Project Bonds, nor shall the Entity deposit any such lease revenues into the Bond Security and Redemption Fund of the State.

ARTICLE XIV
TERM

14.1 The provisions of this Agreement shall be effective from the date of execution hereof and shall be binding upon all parties and shall remain in effect until FP&C determines that the project(s) for which funds are appropriated is completed or for as long as any Bonds issued for the Project, or any refunding bonds therefore, remain outstanding.

ARTICLE XV
TERMINATION

15.1 FP&C may terminate this Agreement for cause based upon the failure of Entity to totally spend all funds subject to this agreement within two years from the execution of this agreement or, if applicable, within two years from the issuance of any bonds or for any act by the Entity that

the State determines to be illegal.

15.2 FP&C may terminate this Agreement at any time without penalty by giving thirty (30) days written notice to the Entity of such termination. Entity shall be entitled to payment for deliverables in progress to the extent work has been approved by FP&C and subject to the availability of funds.

ARTICLE XVI
AVAILABILITY OF FUNDS

16.1 The availability of funds set forth in the attached Exhibit A are subject to and contingent upon appropriation of funds by the legislature and, if applicable, issuance of a line of credit by the State Bond Commission.

ARTICLE XVII
ASSIGNMENT

17.1 Entity shall not assign any interest in this contract and shall not transfer any interest in same (whether by assignment or novation), without prior written consent of the FP&C.

ARTICLE XVIII
AUDIT

18.1 As provided in the Act, the Entity agrees to comply with the provisions of R.S. 24:513. The Act provides that no funds shall be released or provided to the Entity if, when and for as long as the Entity fails or refuses to comply with R.S. 24:513.

18.2 The Entity shall maintain appropriate financial records, and the State reserves the right to audit these records or require the Entity to provide an audit at any time.

ARTICLE XIX
REQUIRED MATCH

19.1 Pursuant to LA R.S. 39:112(E)(2), Entity agrees to provide a match of not less than twenty-five (25) percent of the total requested amount of funding except as provided in LA R.S. 39:112(E)(2)(a) or (b).

ARTICLE XX
AMENDMENT OF AGREEMENT

20.1 Any alteration, variation, modification, or waiver of provisions of this Agreement shall be valid only when they have been reduced to writing, duly signed. No amendment shall be valid until it has been executed by all parties.

THUS DONE AND SIGNED, this _____ day of _____, 2009,
at _____, Louisiana.

WITNESSES:

STATE OF LOUISIANA

By:

JOHN L. DAVIS, DIRECTOR
FACILITY PLANNING & CONTROL
DIVISION OF ADMINISTRATION

THUS DONE AND SIGNED, this 17th day of November, 2009,
at Hahnville, Louisiana.

WITNESSES:

ST. CHARLES PARISH COUNCIL

By:

Valerie Berthelet
Sandra M. Miguez

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

EXHIBIT A

**COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
ST. CHARLES PARISH COUNCIL**

St. Charles Emergency Operations Center (St. Charles)
FP&C Project No. 50-J45-09-01

COSTS AND FUNDS THIS AGREEMENT (\$):

<u>COST CATEGORIES</u>	<u>CAPITAL OUTLAY CASH</u>	<u>NON-CASH LINE OF CREDIT</u>	<u>OTHER ³</u>	<u>TOTAL</u>
REAL ESTATE				\$ -
PLANNING				\$ -
CONSTRUCTION	\$ 935,600		\$ 315,200	\$ 1,250,800
MISC				\$ -
EQUIPMENT				\$ -
ESCROW				\$ -
FP&C ADMIN	\$ 10,000			\$ 10,000
TOTAL COSTS	\$ 945,600	\$ -	\$ 315,200	\$ 1,260,800

Federal Tax Identification No. for Entity: 72-6001208

1. Planning Costs shall not exceed 10% of Construction Costs. Miscellaneous Costs shall not exceed 5% of Construction Costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.
3. Total in "Other" column equals required match per Article XIX.

EXHIBIT B

**COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
ST. CHARLES PARISH COUNCIL
St. Charles Emergency Operations Center (St. Charles)
FP&C Project No. 50-J45-09-01**

State of Louisiana-ISIS Financial System-State Funding Summary

ACT #	YEAR	DESCRIPTION	STATE CASH	STATE NON-CASH LINE OF CREDIT	TOTAL STATE FUNDING
20	2009	G.O. Bonds LOC	540,000		\$ 540,000
20	2009	General Fund (Direct)	405,600		\$ 405,600
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
TOTAL			\$ 945,600	\$ -	\$ 945,600

2009-0443

INTRODUCED BY: ST. CHARLES PARISH COUNCIL

RESOLUTION NO. 5695

A resolution authorizing the issuance of a Special License to Luling-Boutte Lions Club to conduct a Super Bingo.

WHEREAS, Parishes of the State of Louisiana are authorized to issue special licenses for super bingos pursuant to the authority granted by L.R.S. 4861.7; and,

WHEREAS, Section II.D. of Ordinance No. 89-4-2 provides that the Parish Council may issue by resolution special licenses for the conduct of bingo sessions at which the total amount of prizes to be awarded shall not exceed twenty-five thousand dollars (\$25,000.00) in cash or other thing(s) of value.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby authorize the issuance of a Special License to Luling-Boutte Lions Club to conduct a Super Bingo on Friday, December 4, 2009, with the total amount of prizes to be awarded not exceeding Fifteen Thousand dollars (\$15,000.00).

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

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

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 16th day of November, 2009, to become effective five (5) days after publication in the Official Journal.

SuperBingo.Luling-BoutteLions 12-2009.doc

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: November 17, 2009
APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: November 17, 2009
AT: 2:15 pm. RECD BY: BGT/vb

2009-0454

INTRODUCED BY: VJ St. Pierre
(DEPT. OF PLANNING & ZONING/CZM)

RESOLUTION NO. 5696

A resolution supporting LaBranche East Marsh Creation Project, PPL-19, located in St. Charles Parish, that has been nominated for funding under Coastal Wetland Planning, Protection and Restoration Act (CWPPRA).

WHEREAS, the St. Charles Parish Council would like too support the efforts of the CWPPRA Task force and its decision making process; and,

WHEREAS, LaBranche East Marsh Creation Project, PPL-19, located in St. Charles Parish, that has been nominated for funding under Coastal Wetland Planning, Protection and Restoration Act; and,

WHEREAS, LaBranche East Marsh Creation Project, PPL-19 is important to the continued restoration of the LaBranche Wetlands in St. Charles Parish.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby support the LaBranche East Marsh Creation Project, PPL-19, and that a copy of this resolution be forwarded to the CWPPRA Task Force.

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

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

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this: 16 day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: November 17, 2009
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: November 17, 2009
AT: 2:15 p.m. RECD BY: BGT/vb