

Ord.

2011-0014

**INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII
LARRY COCHRAN, COUNCILMAN, DISTRICT V**

ORDINANCE NO. 11-1-6

An ordinance to approve and authorize the execution of an Agreement For Professional Services between St. Charles Parish and South Central Planning and Development Commission to develop a Reapportionment Plan based on the 2010 Census.

WHEREAS, Louisiana Revised Statute 33:1411 and the St. Charles Parish Home Rule Charter, Article III, Section 3, require that the Governing Authority review its apportionment plan after the release of each decennial census; and,

WHEREAS, the United States Census Bureau is scheduled to release the 2010 Census figures for St. Charles Parish in February of 2011; and,

WHEREAS, in order to ensure compliance with all applicable Parish, State and Federal laws it is the desire of the Parish Council to engage Professional assistance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Agreement for Professional Services between St. Charles Parish and South Central Planning and Development Commission is hereby approved.

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

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

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

And the ordinance was declared adopted this 24th day of January, 2011, to become effective five (5) days after publication in the Official Journal.

2010 Reapportionment Plan - South Central Planning

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: January 25, 2011
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: January 25, 2011
AT: 4:05 pm RECD BY: [Signature]

AGREEMENT FOR PROFESSIONAL SERVICES

BETWEEN

ST. CHARLES PARISH

AND

SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION

This agreement (AGREEMENT) made and entered into this 20th day of January, 2011

BY AND BETWEEN

- (1) ST. CHARLES PARISH, represented herein by its Parish President, Mr. V.J. St. Pierre, Jr., (hereinafter sometimes referred to as "PARISH"); and
- (2) SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION, represented by Kevin P. Belanger, Chief Executive Officer of South Central Planning and Development Commission (hereinafter sometimes referred to as "COMMISSION"),

For and in consideration of the agreements herein, the respective appearers having full authority of their respective entities to enter into this contract, do contract as follows:

WITNESSETH

WHEREAS, the PARISH desires to retain the COMMISSION for the purpose of completing the "2011 Voting Districts Reapportionment Plan" and obtaining pre-clearance of said plan from the U.S. Department of Justice as required under the Federal Voting Rights Act of 1965 for the Parish of ST. CHARLES, and;

WHEREAS, the PARISH, represented by Parish President, V.J. St. Pierre, Jr., is authorized to enter into an agreement with South Central Planning and Development Commission for professional services to the PARISH, and;

WHEREAS, COMMISSION, represented by Kevin P. Belanger, its Chief Executive Officer, as authorized by the Board of Commissioners for South Central Planning and Development Commission, is authorized to enter into contracts and agreements on behalf of South Central Planning and Development Commission;

NOW, THEREFORE, the PARISH and the COMMISSION for the consideration, and under the conditions set forth, do agree as follows:

I. SCOPE OF CONTRACT

This contract contains three (3) typewritten pages, signed by appearers and authenticated; "A Proposal to Perform Redistricting Services, 2011 Reapportionment Plan", as submitted by the COMMISSION, this contract may only be amended by written agreement of the parties specifically stating that such written agreement is intended to amend this contract. The written communications between the parties called for hereunder shall not constitute amendments to this contract.

II. SCOPE OF SERVICES

South Central Planning and Development Commission will perform the tasks, as specified in Exhibit A, in completing the "2011 Reapportionment Plan" and obtaining pre-clearance of said plan from the U.S. Department of Justice, as required under the Federal Voting Rights Act of 1965 on behalf of St. Charles Parish.

III. PARISH'S RESPONSIBILITIES

1. Authorize the COMMISSION to perform certain specific tasks, the scope of, the schedule for completion of and the fee for, being mutually agreed upon by the COMMISSION and the PARISH. The scope of these tasks will be based upon the type of work delineated in this agreement and the recommendations adopted by the PARISH. If the COMMISSION cannot perform according to the schedule, through no fault of his own, he shall apply to the PARISH for an extension of time to perform. Such request shall not be unreasonably denied.
2. Furnish to COMMISSION all existing plans, reports and other available data as well as, if possible, obtain additional reports and data as required which are pertinent to the completion of the services to be provided under the terms of this contract that COMMISSION may not already have.
3. Arrange reasonable access to Public Property as required.
4. PARISH shall elect in writing to either be billed monthly or bi-monthly.

IV. COMPENSATION

COMMISSION shall be compensated on Lump Sum fee not to exceed Thirty Thousand Dollars and Zero Cents (\$ 30,000.00). COMMISSION may invoice the PARISH on a monthly basis, if there is enough activity for that month. COMMISSION shall invoice the PARISH on work completion as detailed by tasks in the Scope of Services. Invoices shall be payable to the COMMISSION within thirty (30) days of receipt.

V. ASSIGNABILITY

The COMMISSION shall not assign any interest in this contract and shall not transfer any interest in the same without prior written consent of the PARISH.

VI. DURATION OF AGREEMENT

A. This Agreement shall continue in full force and effect for a period of twelve (12) months from the date hereof (the contract period).

IN WITNESS WHEREOF, the parties hereto have affixed their legal hand in multiple counterparts on this 28th day of January, 2011.

WITNESSES:

Barbara Jacob Tucker

Valerie Berthelot

E. Bussey
Charline Wallis

PARISH:

ST. CHARLES PARISH

BY: W. St. Pierre

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

COMMISSION:

SOUTH CENTRAL PLANNING AND
DEVELOPMENT COMMISSION
HOUMA, LOUISIANA

BY: Kevin P. Belanger

Kevin P. Belanger
Chief Executive Officer