

**PROCEEDINGS**  
**OF THE**  
**TERREBONNE PARISH COUNCIL**  
**IN REGULAR SESSION**

**MARCH 13, 2013**

The Chairwoman, Ms. B. Amedée, called the meeting to order at 6:05 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, offered by Councilman D. Guidry, Councilwoman A. Williams led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy. A quorum was declared present.

The Council Chairwoman acknowledged former Councilman Kevin Voisin, former Council Clerk Paul Labat, former Waterworks Board Member Warb Pledger and Nicholls State University nursing students who were in the audience for tonight's proceedings.

Mr. J. Navy moved, seconded by Ms. C. Duplantis, "THAT, the Council approve the minutes of the Regular Council Session held on 02/06/13".

The Chairwoman called for a vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. J. Navy moved, seconded by Mr. D. Babin, "THAT, the Council approve the minutes of the Special Council Session held on 02/09/13".

The Chairwoman called for a vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. R. Hornsby moved, seconded by Mr. J. Navy, "THAT, the Council approve the minutes of the Special Council Session held on 02/25/13".

The Chairwoman called for a vote on the motion offered by Mr. R. Hornsby.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. D. Guidry moved, seconded by Mr. R. Hornsby, "THAT, the Council approve the Parish Bill Lists dated 03/04/13 and 03/11/13".

The Chairwoman called for a vote on the motion offered by Mr. D. Guidry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

ABSTAINING: B. Amedée.

The Chairwoman declared the motion adopted.

Councilman D. Babin read aloud a memorial tribute in honor of the late Mr. Michael Voisin, community activist and seafood industry leader and asked everyone in attendance to stand for a moment of silence to honor a true and proven leader.

OFFERED BY: Mr. D. Babin.

SECONDED: Unanimously.

RESOLUTION NO. 13-107

WHEREAS, it is a rare occurrence when a person works tirelessly, and without the expectation of notoriety or gratitude, to improve the lives of those around him, and

WHEREAS, Michael Voisin was one such person, having served on a multitude of boards, committees and commissions, at the local, state and federal levels, that strive to make Houma-Terrebonne a great place in which to live, work and raise children, and

WHEREAS, like his late father, former Terrebonne Parish Police Juror Ernest Voisin, and his son, former Terrebonne Parish Councilman Kevin Voisin, Michael Voisin gave of his personal time, knowledge and unending energy to assist at any time he was called upon to do so in order to promote Terrebonne Parish and the State of Louisiana, particularly for the seafood industry, and

WHEREAS, Almighty God has chosen to summon Michael Voisin from this earth, leaving a large, loving family, his many friends, all those who knew him, and an entire community of grateful citizens to mourn his death, but also to celebrate his accomplished life.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that all in attendance stand for a moment of silence in reverent memory of Mr. Michael Voisin and that this memorial tribute be entered into the annals of Terrebonne Parish so that all may know that the passing of the Lord's gentle servant has been duly noted.

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of March, 2013.

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Mrs. Sarah Voisin, wife of the late Michael Voisin, thanked the Council and the Administration for this honor and encouraged everyone who is a member of a board and/or committee to serve with all your heart as did her late husband.

Former Councilman Kevin Voisin thanked the Council and the Administration for honoring his late father.

Parish President Michel Claudet along with the Council Members expressed their sympathy to the family for the loss of their loved one and thanked the Voisin family for allowing Mr. Michael Voisin to serve the Parish of Terrebonne in so many different capacities.

Mr. D. Babin moved, seconded by Mr. P. Lambert, "THAT, the Council deviate from the agenda and address Agenda Item 5A-4 (Terrebonne Economic Development Authority (TEDA): Consider the ratification of the Parish President's appointment of Mr. Kevin Voisin to replace the late Mr. Michael Voisin.)"

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Parish President Michel Claudet asked that the matter of Agenda Item 5A-4 (Terrebonne Economic Development Authority (TEDA): Consider the ratification of the Parish President's appointment of Mr. Kevin Voisin to replace the late Mr. Michael Voisin) be deferred until an Ethics Opinion can be obtained clarifying the length of time allotted for a former elected official to serve on a board after his term has expired.

Ms. A. Williams moved, seconded by Mr. R. Hornsby, "THAT, the Council defer the matter Agenda Item 5A-4 (Terrebonne Economic Development Authority (TEDA): Consider the ratification of the Parish President's appointment of Mr. Kevin Voisin to replace the late Mr. Michael Voisin.) until an Ethics Opinion can be rendered clarifying term expirations."

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. G. Hood, Sr., "THAT, the Council continue with the regular order of business."

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Councilman P. Lambert read aloud a commendation honoring former Montegut Fire Chief Spencer Rhodes for 44 years of service.

OFFERED BY: Mr. D. Guidry.  
SECONDED BY: Mr. D. Babin.

RESOLUTION NO. 13-108

WHEREAS, during the year 1968, while still in school, Mr. Spencer Rhodes became a volunteer fireman following the loss of his brother's home to a fire, and

WHEREAS, he began working for the Little Caillou Volunteer Fire Department in 1973, subsequently became Captain and was appointed as an Instructor for both LCVFD and MVFD, and

WHEREAS, during the ensuing years, while engaged in other areas of employment, Mr. Rhodes remained as an active volunteer firefighter for Montegut as well as for Little Caillou, where he served as 2<sup>nd</sup> and 1<sup>st</sup> Assistant Chief, and

WHEREAS, in 1988, Mr. Rhodes became Part-time Chief of the Montegut Volunteer Fire Department, and become an employee of the Department as Fire Chief in 1996, and

WHEREAS, during his tenure as a volunteer firefighter and head of the Montegut Volunteer Fire Department, Chief Rhodes also regularly assisted in the efforts of the Bourg Fire Department, and

WHEREAS, Chief Rhodes has recently decided to pursue other interests, although he will remain a volunteer fireman.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Chief Spencer Rhodes is hereby commended for his forty-four years of service to the Montegut, Bourg and Little Caillou communities, and is extended a heartfelt expression of gratitude for a job well done.

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of March, 2013.

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Councilman Lambert explained that Chief Rhodes could not be in attendance tonight because of his work schedule but expressed his gratitude for receiving such a prestigious award.

Councilwoman C. Duplantis read aloud a proclamation declaring March 2013 as "American Red Cross Month" in Terrebonne Parish and presented the award to Ms. Pauline Dillie, a local member of the American Red Cross.

Parish President M. Claudet presented the certificate proclaiming March 2013 as "American Red Cross Month" in Terrebonne Parish to Ms. Pauline Dillie with the American Red Cross.

Ms. Pauline Dillie thanked the Council and the Administration for this proclamation and for their continued support throughout the years.

President Claudet announced that Ms. Dillie won the AARP award for her volunteer work with the American Red Cross.

Councilwoman A. Williams read aloud a commendation congratulating the Prince Hall Masonic Family Blaine C. Clay Lodge #14, F & A.M. for celebrating their 130<sup>th</sup> Year Anniversary in February.

OFFERED BY: Ms. A. Williams.

SECONDED: Unanimously.

RESOLUTION NO. 13-109

WHEREAS, the brotherhood of the Blaine C. Clay Lodge has for 130 years exhibited deep and abiding love in the history of free masonry, and

WHEREAS, God fearing men of good character and the highest regard for family life comprises the membership of the fraternal order, and

WHEREAS, the rich legacy of brotherhood continued its manifest with the establishment of the King Solomon Lodge #14 established by Worshipful Master J. H. Brunch, Grand Lecturer, Past Master R. H. Taylor, Henry Ricks, W. J. Delaey, I. Lawson, J. Thomas, Brother Anderson and Brother Franklin under the leadership of Worshipful Master Jordan Stewart, R. Coleman, A. J. Ford, W. S. Harrison, and C. B. Mason, and

WHEREAS, the insight and recommendation of Brother F. R. Wright, B. H. Lewis, T. H. Gage, and Oscar Crozier, the Eureka Grand Lodge of Louisiana was petitioned to admit into the fraternity of brotherhood the Blaine C. Clay Lodge on June 22, 1883, and

WHEREAS, this fraternal order of brotherhood embodies a beacon of hope, love, and charity that shines beyond its years of perseverance as free masons charged with the duty to serve and honor God, family, and community, and

WHEREAS, the Terrebonne Parish Council hereby acknowledges the rich history of the Blaine C. Clay Lodge #14, F. & A.M. (Prince Hall Affiliation) for its outstanding membership, both past and present.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the entire Terrebonne Parish Consolidated Government, that the PRINCE HALL MASONIC FAMILY BLAINE C. CLAY LODGE #14, F. & A. M. be hereby congratulated for having celebrated their 130<sup>th</sup> Year Anniversary on Saturday, February 23, 2013 and that the membership of this fine organization be recognized for their long history of service to this community.

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of March, 2013.

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Mason Member Randolph LeBlanc thanked the Council and the Administration for this commendation and also thanked the citizens of Terrebonne Parish for 130 Years of support.

Councilman J. Navy and Councilwoman A. Williams thanked the members of the Blaine C. Clay Lodge for their years of service and encouraged them to continue doing good work in Terrebonne Parish.

President M. Claudet thanked the mason members for the leadership roles that they have displayed and portrayed throughout Terrebonne Parish and encouraged them to continue on building up the young generation.

OFFERED BY: Mr. R. Hornsby.  
SECONDED BY: Mr. D. Babin.

RESOLUTION NO. 13-110

A Resolution authorizing the Parish President, in partnership with Terrebonne Parish Recreation District 2-3, to apply for a Land and Water Conservation Fund project for the purpose of acquiring land and/or developing outdoor recreational facilities associated with the proposed Terrebonne Parish Community Park (aka Field of Dreams).

WHEREAS, the Terrebonne Parish Consolidated Government (TPCG) by virtue of a Cooperative Endeavor Agreement with Terrebonne Parish Recreation District 2-3 (District) is interested in acquiring and/or developing outdoor recreational facilities on the following described project for the enjoyment of the citizenry of said Terrebonne Parish and the State of Louisiana; and

WHEREAS, the project titled Terrebonne Parish Community Park (aka Field of Dreams) is a proposed 140 acre master planned park with recreational amenities including, but not limited to, softball and baseball complexes, soccer complex, tennis facility, splash park, playgrounds, gymnasium, great lawn, dog park, skate park, ponds, jogging and bicycle trails, sand beach and sand volleyball courts, and associated signage, concessions, restrooms, parking and maintenance facilities; and

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council, State of Louisiana, that said Terrebonne Parish Consolidated Government in partnership with Terrebonne Parish Recreation District 2-3 recognizes that in the event a grant is awarded from the Land and Water Conservation Fund project TPCG/District agree to obligate the funds or services stipulated below to satisfactorily complete the project as follows:

1. Total Estimated Cost: \$500,000.00
2. Total Estimated Federal: \$250,000.00
3. Total Estimated Sponsor's: \$250,000.00
4. Sponsor's Cost Breakdown (Total Same as Item 3): \$250,000.00 (cash);

AND, BE IT FURTHER RESOLVED that the Terrebonne Parish Consolidated Government in partnership with Terrebonne Parish Recreation District 2-3 is hereby authorized and directed to make application to the Louisiana Office of State Parks, Division of Outdoor Recreation, to seek federal financial assistance on the project for them, and be further authorized to take the necessary action to complete such project and sign such documents as are required.

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of March, 2013.

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OFFERED BY: Mr. D. Babin.  
SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 13-111

WHEREAS, on March 6, 2013, bids were received by the Terrebonne Parish Consolidated Government for Project #12-ELGEN-63 Cooling Tower Improvements for the Utilities Department, and

WHEREAS, after careful review by Tom Bourg, Utilities Director it has been determined that Cooling Tower Depot, Inc. submitted the lowest responsive bid in the amount of \$215,220.00, and

WHEREAS, the Department of Finance has verified that funds are budgeted and available for said service, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid of Cooling Tower Depot, Inc. is the lowest responsive bid for Project #12-ELGEN-63 Cooling Tower Improvements for the Utilities Department, as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration be approved and the bid for the aforementioned improvements be awarded to Cooling Tower Depot, Inc.

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of March, 2013.

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Ms. A. Williams moved, seconded by Ms. C. Duplantis, "THAT, it now being 6:38 p.m., the Council open public hearings."

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance to revoke and abandon a portion of the easement and servitude on Voisin Street.

There were no comments from the public on the proposed ordinance.

Mr. D. Babin moved, seconded by Mr. J. Navy, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.  
UPON ROLL CALL THERE WAS RECORDED:  
YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.  
NAYS: None.  
ABSENT: None.  
The Chairwoman declared the motion adopted.

OFFERED BY: Mr. G. Hood, Sr.  
SECONDED BY: Mr. J. Navy.

ORDINANCE NO. 8265

AN ORDINANCE TO REVOKE AND ABANDON, IN ACCORDANCE WITH LOUISIANA REVISED STATUTE 48:701, THE EASEMENT AND SERVITUDE FOR A ROAD WITH RESPECT TO THAT PORTION OF VOISIN STREET, IN SECTION 105, TOWNSHIP 17 SOUTH-RANGE 17 EAST, HOUMA LOUISIANA

#### SECTION I

NOW, THEREFORE BE IT ORDAINED that the Terrebonne Parish Council in regular session convened, acting pursuant to the authority vested in it by the Constitution and laws of the State of Louisiana, and pursuant to the Home Rule Charter for a Consolidated Government, has determined that the servitude of public passage and existing roadway are no longer needed for public purposes and does hereby solely revoke , the easement and servitude for a road with respect to that portion of Voisin Street, in Section 105, Township 17 South-Range 17 East, Houma Louisiana, as more fully delineated on Attachment "A".

#### SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance hereby being declared to be severable.

#### SECTION III

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:  
YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.  
NAYS: None.  
ABSTAINING: None.  
NOT VOTING: None.  
ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of March, 2013.

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The Chairwoman recognized the public for comments on the following:

- B. A proposed ordinance to authorize the installation of a "No Parking" zone in front of 105 Westwood Drive in Village East Subdivision.



There were no comments from the public on the proposed ordinance.

Mr. D. Babin moved, seconded by Mr. J. Navy, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. R. Hornsby.

SECONDED BY: Mr. J. Navy.

ORDINANCE NO. 8266

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18. MOTOR VEHICLES AND TRAFFIC, ARTICLE V. STOPPING, STANDING AND PARKING, DIVISION 2. PARISH, SECTION 18-223. NO PARKING ZONES, TO ESTABLISH A "NO PARKING ZONE" IN FRONT OF 105 WESTWOOD DRIVE, AND TO AUTHORIZE THE INSTALLATION OF SAID SIGNS; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

#### SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the Parish Code of Terrebonne Parish, Chapter 18, Article V, Division 2, Section 18-223 to create a "NO PARKING" zone in front of 105 Westwood Drive, as follows:

CHAPTER 18. Motor Vehicles and Traffic

ARTICLE V. Stopping, Standing and Parking

DIVISION 2. Parish

SECTION 18-223. "No Parking Zones"

That section of roadway in front of 105 Westwood Drive shall be declared as a "No Parking" zone, and appropriate "No Parking" signs shall be erected and maintained along said roadway. Any vehicle traveling in the vicinity of 105 Westwood Drive shall adhere to the provisions of this ordinance.

#### SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections or other portions of this ordinance shall remain in full force and effect, the provisions of this section hereby being declared to be severable.

#### SECTION III

Any ordinance or part thereof in conflict herewith is hereby repealed.

SECTION IV

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13 (b) of the Home Rule Charter for Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of March, 2013.

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The Chairwoman recognized the public for comments on the following:

- C. A proposed ordinance to correct the Parish Code relative to the acceptance of roads for Public maintenance.

There were no comments from the public on the proposed ordinance.

Ms. A. Williams moved, seconded by Mr. D. Babin, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. G. Hood, Sr.

ORDINANCE NO. 8267

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 22, ROADS, BRIDGES AND WATERWAYS; ARTICLE I, GENERAL; SECTION 22-5, TO CORRECT THE REFERENCE TO OTHER CODE SECTIONS.

WHEREAS, Sec. 1-06 of the Home Rule Charter for the Parish of Terrebonne provides that parish government shall have the right, power and authority to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the parish, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of parish affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to the parish; and

WHEREAS, the Terrebonne Parish Code contains section 22-5 “Acceptance of roads for parish maintenance,” and

WHEREAS, section 22-5 references other sections of the Code which are incorrect; and

WHEREAS, the Terrebonne Parish Council desires to amend section 22-5 of the Parish Code to correct the references to other Code sections;

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Chapter 22, Article I, Section 22-5 of the Terrebonne Parish Code be amended to correct its references to other Code sections.

## SECTION I

THE CODE OF TERREBONNE PARISH, CHAPTER 22, ROADS, BRIDGES & WATERWAYS; ARTICLE I, GENERAL; SECTION 22-5 ACCEPTANCE OF ROADS FOR PARISH MAINTENANCE, IS HEREBY AMENDED AS FOLLOWS (INSERTIONS *ITALICIZED*, DELETIONS ~~STRUCKTHROUGH~~):

### CHAPTER 22. ROADS, BRIDGES & WATERWAYS

#### ARTICLE I. GENERAL

#### SECTION 22-5. ACCEPTANCE OF ROADS FOR PARISH MAINTENANCE

Sec. 22-5. Acceptance of roads for parish maintenance.

a. The council shall not accept a road for maintenance unless it complies with:

- (1) The provisions of section *24.7.1 of Appendix A* ~~24-8(e)~~; and
- (2) If such road is located in any area where commercial establishments or light industry will be located, or is located, the provisions of section *24.7.2 of Appendix A* ~~24-10~~; or
- (3) If such road is located in any industrial area (subdivision), the provisions of section *24.7.3 of Appendix A* ~~24-11~~; or
- (4) If such road is located in a mobile home park or subdivision, the provisions of section *24.7.4 of Appendix A* ~~24-12~~.

b. All public streets and all dedicated infrastructure shall be warranted by the developer/subdivider to be free of construction/structural defects and to be completed in accordance with the plans and specifications of the project. Said warranty shall remain in place for a minimum period of three hundred sixty five days (365) from acceptance of the improvements by ordinance of the Terrebonne Parish Council. The warranty shall be in writing and shall include the following violations: defective materials, defective workmanship and failure of the applicant to comply with all state and local laws. The warranty insures the serviceability and structural integrity of the street and dedicated infrastructure.

c. Should TPCG fail to inspect the street and all dedicated infrastructure prior to the anniversary date and notify the responsible party of any alleged defects thereafter, the warranty shall be considered to have been satisfactorily completed. If placed on notice by TPCG pursuant to this part, the parish engineering department will re-inspect for warranty release only after receiving certification from the developer’s engineer that the work has been accomplished. The defects not cured to the satisfaction of TPCG within fifty days of notification will be turned over the Terrebonne Parish Consolidated Government legal department for resolution.

## SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III

Any ordinance or part thereof in conflict herewith is hereby repealed.

SECTION IV

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of March, 2013.

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The Chairwoman recognized the public for comments on the following:

D. A proposed ordinance to amend the 2013 Budget for the following items:

- Parish Prisoners Fund – Jail Windows, \$192,000.00
- Parish Prisoners Fund – Jail Walk-in Cooler, \$74,818.00
- Downtown Development Corporation - \$229,027.00

There were no comments from the public on the proposed ordinance.

Mr. J. Navy moved, seconded by Mr. D. Babin, “THAT, the Council close the aforementioned public hearing.”

The Chairwoman called for a vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. D. Babin.

SECONDED BY: Mr. J. Navy.

ORDINANCE NO. 8268

AN ORDINANCE TO AMEND THE 2013 ADOPTED OPERATING BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE FOLLOWING ITEMS:

- I. Parish Prisoners Fund – Jail Windows, \$192,000
- II. Parish Prisoners Fund – Jail Walk-in Cooler, \$74,818
- III. Downtown Development Corporation, \$229,027

## SECTION I

WHEREAS, the windows at the Adult Jail are in need of replacement due to leakage which can cause slip/fall accidents, mold, and decay, and

WHEREAS, the project is estimated to be \$192,000 which would replace twenty-four windows which will be funded through the Parish Prisoners Fund.

BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2013 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the replacement of windows at the Adult Jail. (Attachment A)

## SECTION II

WHEREAS, the Walk-In Cooler and Freezer need to be replaced at the Adult Jail Complex due to flooding from Hurricane Ike, and

WHEREAS, this item was placed on FEMA's PW Number 1281 with the estimated cost of \$74,818, and

WHEREAS, the Federal Share amount is 90% or \$67,336, and

WHEREAS, the Parish's share is 10% or \$7,482 which is funded through the Parish Prisoners Fund.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2013 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the Walk-In Cooler/Freezer. (Attachment B)

## SECTION III

WHEREAS, the Downtown Development Board has received State Revenue Sharing from Hotel/Motel Tax in the amount of \$225,000, in 2013 and

WHEREAS, \$16,168 of the Hotel/Motel Tax has been allocated by the Downtown Development Board for operations of the Folklife Cultural Museum, and

WHEREAS, the Downtown Development Board is developing a marketing plan using brochures, billboards, and other media to market Houma's Historic District attractions in the amount of \$50,000, and

WHEREAS, DDC Folklife Cultural Museum and DDC Parks and Bricks Budgets of \$1,158 and \$2,869, respectively, were not used in 2012, therefore, will be used for various items as needed, and

WHEREAS, the Downtown Development Board wants to set aside \$100,000 for major acquisitions and repairs, and

WHEREAS, the Downtown Development Board wants to help maintain the existing buildings, parks, and the Court Square in the Historic District for the amount of \$58,872.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government that the 2013 Adopted Budget of the Terrebonne Parish Consolidated Government be amended so as to adjust various Downtown Development Corporation Accounts. (Attachment C)

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of March, 2013.

\* \* \* \* \*

<b><u>ATTACHMENT A - Parish Prisoners Fund - Jail Windows</u></b>			
	<b>2013</b>		
	<b>Adopted</b>	<b>Change</b>	<b>Amended</b>
Building Improvements	15,000	192,000	207,000
Fund Balance (Decrease)	N/A	(192,000)	N/A
<b><u>ATTACHMENT B - Parish Prisoners Fund - Jail Walk-In Cooler/Freezer</u></b>			
	<b>2013</b>		
	<b>Adopted</b>	<b>Change</b>	<b>Amended</b>
Jail Walkin Coolers - Ike	-	74,818	74,818
Building Equipment Repairs	43,000	(7,482)	35,518
FEMA Walkin Coolers Ike 1281	-	(67,336)	(67,336)
<b><u>ATTACHMENT C - Downtown Development Corporation</u></b>			
	<b>2013</b>		
	<b>Adopted</b>	<b>Change</b>	<b>Amended</b>
Downtown Development	-	126,241	126,241
Folklife Cultural Museum	-	67,286	67,286
Downtown Bulb Out Project	-	35,500	35,500
State Hotel-Motel Tax Revenue (2013)	-	(225,000)	(225,000)
DDC Folklife Cultural Musuem	1,158	(1,158)	-
DDC Parks and Bricks	2,869	(2,869)	-

The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance approving a Cooperative Endeavor Agreement with Mr. Bennie LeBoeuf for the lease of HMGP property located at 109 Cypress Grove Street.

There were no comments from the public on the proposed ordinance.

Mr. D. Babin moved, seconded by Mr. P. Lambert, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.  
SECONDED BY: Mr. D. Guidry.

ORDINANCE NO. 8269

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT FOR LEASE OF PARISH PROPERTY BETWEEN TPCG AND BENNIE LEBOEUF

WHEREAS, the Terrebonne Parish Consolidated Government (“TPCG”) received a ten million dollar grant from the FEMA Hazard Mitigation Grant Program in January of 2003; and

WHEREAS, TPCG is in the process of the “buy-back” portion of the program and has purchased several different properties in Terrebonne Parish; and

WHEREAS, FEMA imposes stringent deed restrictions consistent with their “open space” philosophy on the property obtained by TPCG through the grant monies; and

WHEREAS, TPCG requires assistance in the healthy and sanitary maintenance of these properties and to assure that the use of the property remains consistent with FEMA requirements; and

WHEREAS, Bennie LeBoeuf desires to lease the property located at 109 Cypress Grove Street subject to maintenance requirements and FEMA restrictions; and

WHEREAS, TPCG and Bennie LeBoeuf believe that entering into this Cooperative Endeavor Lease Agreement will serve a public purpose and have a public benefit commensurate with the cost;

NOW, THEREFORE BE IT ORDAINED, that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to negotiate and to execute a Cooperative Endeavor Lease Agreement with Bennie LeBoeuf containing substantially the same terms as those set out in the aforementioned agreement.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of March, 2013.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- F. A proposed ordinance to provide for the issuance of \$11,275,000.00 of Public Improvement Bonds, Series ST-2013, and providing for others matters relative thereto.

Ms. Stephanie Ferry, an underwriter with Raymond James and Associates, presented the Council with a brief handout detailing the sale of the Public Improvement Bonds explaining that the interest rate received on these bonds were comparative to the rate that the State of Louisiana received as well (3.19%).

Mr. Jerry Osborne, Bond Counsel with Foley and Judell, also gave a brief overview of the sale of these Public Improvement Bonds explaining that the bonds faired "very well" in the market and that this was an unusual and unique opportunity for Terrebonne Parish. He informed the Council and the Administration that the bond issue delivery date is April 23 at 10:00 a.m.

Parish President M. Claudet thanked Ms. Ferry and Mr. Osborne for a job well done and explained that as a result of these bond proceeds the parish will be able to complete the Westside Boulevard Extension Project, which is crucial to the infrastructure of Terrebonne Parish.

Ms. A. Williams moved, seconded by Mr. J. Navy, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The following ordinance, having been introduced at a duly convened meeting on February 27, 2013, notice of its introduction having been published on March 1, 2013, and a public hearing having been held on March 13, 2013, was offered for final adoption by Mr. Russell Hornsby and seconded by Mr. Daniel J. Babin:

ORDINANCE NO. 8270

An ordinance providing for the issuance of Eleven Million Two Hundred Seventy-Five Thousand Dollars (\$11,275,000) of Public Improvement Bonds, Series ST-2013, of the Parish of Terrebonne, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal on such bonds; authorizing an agreement with the Paying Agent; providing for the employment of special bond counsel; and providing for other matters in connection therewith.

WHEREAS, the Parish of Terrebonne, State of Louisiana (the "Issuer"), is now levying and collecting a parishwide one percent (1%) sales and use tax by virtue of a resolution adopted by the Police Jury of the Parish of Terrebonne, State of Louisiana, on October 14, 1964, as amended, under the authority of Act No. 500 of the Regular Session of the Legislature of Louisiana for the year 1964, and a special election held in the Issuer on September 15, 1964, at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:



## PROPOSITION

Shall the Parish of Terrebonne, State of Louisiana, under the provisions of Act No. 500 of the Regular Session of the Legislature of Louisiana for the year 1964, and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect a tax of one per cent (1%) upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and upon the sale of services, as presently defined in R.S. 47:301 to 47:317, inclusive, with the avails or proceeds of said tax (after paying reasonable and necessary costs and expenses of collecting and administering the tax) being allocated and distributed monthly in equal amounts between the Mayor and Board of Aldermen of the City of Houma, Louisiana, and the Parish School Board of the Parish of Terrebonne, Louisiana, until each has received Five Hundred Thousand Dollars (\$500,000.00) in each calendar year, after which all of the remaining avails or proceeds of such tax for the calendar year shall be allocated and paid to the Police Jury of the Parish of Terrebonne, Louisiana, until Five Hundred Thousand Dollars (\$500,000.00) has been paid to the Parish during the same calendar year, and after this first One Million Five Hundred Thousand Dollars (\$1,500,000.00) of net avails or proceeds of said tax have been so paid during any calendar year, any remaining avails or proceeds of said tax shall be distributed equally between said Mayor and Board of Aldermen, said Parish School Board and said Police Jury; said avails or proceeds of the tax to be subject to funding into negotiable bonds in the manner provided in said Act No. 500 of 1964 and to be dedicated and used by the various political subdivisions for the following purposes:

1. The avails or proceeds of said tax received by the City of Houma, through its governing authority, shall be used for the purpose of constructing, acquiring, extending and/or improving waterworks (including raw water supply, treatment and distribution), drainage, sewerage, streets (including surfacing, repair and street lighting), sidewalks, bridges, public parks (including parkways beautification), recreational facilities, police stations and jail, fire stations and equipment, maintenance shops and warehouse and other public buildings, as well as purchasing equipment necessary for the operation of the various municipal departments, title to which shall be in the public;
2. The avails or proceeds of the tax received by the Terrebonne Parish School Board shall be used solely for the purpose of acquiring lands for building sites and playgrounds, purchasing, erecting and improving school buildings and related school facilities and acquiring the necessary equipment and furnishings therefor, title to which shall be in the public, and/or for the purpose of maintaining such school buildings, equipment, furnishings and related school facilities;
3. The avails or proceeds of the tax received by the Parish of Terrebonne, through its governing authority, shall be used for any lawful corporate purpose for which its governing authority may appropriate parish revenues and such avails or proceeds may be deposited in the general fund of the Parish?

WHEREAS, the Issuer has levied and provided for the collection of a parishwide one-fourth of one percent (1/4%) sales and use tax by virtue of a resolution adopted by the Police Jury of the Parish of Terrebonne, State of Louisiana, on February 25, 1981, under the authority of Article 6, Section 29 of the Louisiana Constitution of 1974 and other constitutional and statutory authority supplemental thereto, and a special election held in the Issuer on October 27, 1979, at which the following proposition was approved by a majority of the qualified electors voting in said election, viz:

PROPOSITION NO. 1

"Shall the Parish of Terrebonne, State of Louisiana, under the provisions of Article 6, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect a tax of one-fourth of one percent (1/4%) upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in said Parish, as presently defined in R.S. 47:301 through 47:317, with the avails or proceeds of said tax (after paying the reasonable and necessary costs of administering and collecting said tax) being dedicated and expended for the purpose of constructing, acquiring, extending and/or improving (a) hospital facilities for Terrebonne General Hospital, (b) sewers, sewerage disposal works and related facilities for pollution control and abatement, (c) a multi-purpose Civic and Community Center and related facilities, and (d) any other public works or capital improvements for said Parish or any portion thereof, including any necessary sites, equipment or furnishings therefor, and for the purpose of paying any bonds or debt obligations of said Parish issued for such purposes; and further shall the avails or proceeds of said tax and the avails or proceeds of the Police Jury's portion of the one percent (1%) parishwide sales and use tax now being levied and collected under the authority of Act 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 (such avails or proceeds of both taxes being hereinafter referred to as "tax proceeds") be subject to funding into negotiable bonds of said Parish to mature over a period of twenty (20) years from date thereof, to bear interest at a rate or rates not exceeding eight per centum (8%) per annum and to be issued in such principal amounts as may be required for the above stated purposes and payment of the costs of issuance of such bonds and providing a reserve for the payment thereof; provided, however:

- (1) That priority shall be given to the issuance and sale of \$20,000,000 of said bonds for the Terrebonne General Hospital purpose as set forth in item (a) above, \$13,500,000 of said bonds for the sewer purpose as set forth in item (b) above and \$6,000,000 of said bonds for the Civic and Community Center purpose as set forth in item (c) above (such amounts to include issuance expenses and funding of bond reserves) and no other bonds payable from the tax proceeds shall be issued and sold unless the Police Jury finds and determines that sufficient debt capacity remains for the issuance and sale of any unissued portion of said priority bonds;
- (2) That the one-fourth of one percent (1/4%) sales and use tax hereby authorized shall not be collected by said Police Jury until the Police Jury's authority to levy and collect the existing one-fourth of one percent (1/4%) hospital sales and use tax (voted May 25, 1976) has terminated as a result of the payment, or defeasance and provisions for payment in the manner set out in R.S. 39:1442, of all outstanding Public Hospital Bonds, Series 1977 and 1978, dated March 1, 1977 and March 1, 1978, by the formal call of such outstanding bonds for redemption on the earliest possible call date and the irrevocable deposit in trust of a sufficient amount of funds then on deposit in the Sales Tax Hospital Fund, Public Hospital Bonds Sinking Fund, Public Hospital Bonds Reserve Fund and Public Hospital Bonds, Series 1977 and 1978, Hospital Construction Trust Funds established by

resolutions adopted by said Police Jury on January 26, 1977, March 2, 1977 and March 8, 1978;

- (3) That the balance on deposit in the various funds named in item (2) above after providing for payment or defeasance of the outstanding Public Hospital Bonds, Series 1977 and 1978 as provided in item (2) above shall be dedicated for the purpose of constructing, acquiring and improving hospital facilities for Terrebonne General Hospital, including any necessary buildings, equipment, furnishings and sites therefor?"

WHEREAS, at a special election held in the Issuer on January 16, 1982, the majority of the qualified electors voting in said election approved the issuance of sales tax bonds authorized at said special election of October 27, 1979, at a rate or rates not exceeding twelve per centum (12%) per annum; and

WHEREAS, effective January 1, 1984, this governing authority succeeded the Terrebonne Parish Police Jury as the governing authority of the Issuer; and

WHEREAS, in accordance with the provisions of said resolution of October 14, 1964, a portion of the net avails or proceeds of the aforesaid 1% tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the aforesaid 1% tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, in accordance with the provisions of said resolution of February 25, 1981, the net avails or proceeds of the aforesaid 1/4% tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the aforesaid 1/4% tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, this governing authority desires to issue bonds payable from a pledge and dedication of the Issuer's portion (approximately 1/3) of the avails or proceeds of the special one percent (1%) sales and use tax now being levied and collected and the avails or proceeds of the special one-fourth of one percent (1/4%) sales and use tax now being levied and collected, all in accordance with Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 and Article VI, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority, for the purpose of constructing, acquiring, extending and/or improving public works or capital improvements for the Issuer, or any portion thereof, including any necessary sites, equipment or furnishings therefor, title to which shall be in the public; and

WHEREAS, the average annual revenues derived by the Issuer from its portion of the aforesaid 1% tax (1/3) for the last two (2) completed fiscal years (ending December 31) are as follows:

Fiscal Year 2011	\$7,475,112
Fiscal Year 2012	\$7,961,829
AVERAGE	\$7,718,470

WHEREAS, the average annual revenues derived by the Issuer from its portion of the aforesaid 1/4% tax allocated for capital improvements for the last two (2) completed fiscal years (ending December 31) are as follows:

Fiscal Year 2011	\$5,606,334
Fiscal Year 2012	\$5,971,371
AVERAGE	\$5,788,852

WHEREAS, other than the Bonds herein authorized, the Issuer has outstanding no bonds or other obligations of any kind or nature payable from or enjoying a lien on the portion of the aforesaid taxes herein pledged, EXCEPT:

Public Improvement Refunding Bonds, Series ST-2003, maturing March 1, 2014;  
and

Public Improvement Bonds, Series ST-2005, maturing March 1, 2014 to March 1, 2025, inclusive; and

Public Improvement Bonds, Series ST-2008, maturing March 1, 2014 to March 1, 2028, inclusive; and

Public Improvement Refunding Bonds, Series ST-2009, maturing March 1, 2014 to March 1, 2020, inclusive; and

Public Improvement Bonds, Series ST-2011, maturing March 1, 2014 to March 1, 2026, inclusive (collectively, the "Outstanding Parity Bonds");

WHEREAS, under the terms and conditions of the ordinances adopted by the governing authority of the Issuer authorizing the issuance of the Outstanding Parity Bonds (the "Parity Bond Ordinances"), the Issuer has authority to issue additional bonds on a complete parity with said Outstanding Parity Bonds under the terms and conditions provided therein; and

WHEREAS, the Issuer has determined that all the terms and conditions specified in the Parity Bond Ordinances have been or will be complied with prior to the delivery of the Bonds, and it is the express desire and intention of the Issuer that the Bonds (hereinafter defined) be issued on a complete parity with the Outstanding Parity Bonds; and

WHEREAS, the maturities on the hereinafter described Bonds have been arranged so that the total amount of principal and interest falling due in any year on the Bonds and the Outstanding Parity Bonds will never exceed 75% of the Issuer's portion of the proceeds of the aforesaid 1% tax and the aforesaid 1/4% tax estimated to be received by the Issuer in the calendar year (2013) in which the Bonds are to be issued (which amount is hereby estimated to be at least \$13,933,200, and will provide a coverage of at least 2.9 times the highest annual debt service on the Outstanding Parity Bonds and the Bonds being issued in any future calendar year); and

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana, acting as the governing authority of the Issuer, that:

SECTION 1) Definitions. As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

"**Act**" means Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

"**Additional Parity Bonds**" means any issue of additional *pari passu* bonds hereafter issued by the Issuer pursuant to Section 15 and payable from Revenues of the Taxes on a parity with the Bonds.

"**Agreement**" means the agreement to be entered into between the Issuer and the Paying Agent pursuant to this Bond Ordinance.

"**Bond**" or "**Bonds**" collectively means the Public Improvement Bonds, Series ST-2013 of the Issuer issued by this Bond Ordinance in the total aggregate principal amount of Eleven Million Two Hundred Seventy-Five Thousand Dollars (\$11,275,000), and any bonds of said issue, whether initially delivered or issued in exchange for, upon transfer of, or *in lieu* of any previously issued.

**"Bond Ordinance"** means this ordinance authorizing the issuance of the Bonds.

**"Bond Purchase Agreement"** means the agreement to be executed by the Executive Officers in substantially the form attached hereto as Exhibit A.

**"Bond Register"** means the registration books of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

**"Bond Year"** means the one year period ending on March 1 of each year, the principal payment dates for the Bonds.

**"Business Day"** means a day of the year on which banks located in the cities in which the principal corporate trust offices of the Paying Agent are located are not required or authorized to remain closed and on which the New York Stock Exchange is not closed.

**"Capital Improvement Sales Tax"** means the one-fourth of one percent (1/4%) sales and use tax authorized under the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974 and other constitutional and statutory authority, and in compliance with a special election held in the Parish of Terrebonne on October 27, 1979, said tax having been levied and provisions made for its collection by a resolution adopted by the governing authority of the Issuer on February 25, 1981.

**"Code"** means the Internal Revenue Code of 1986, as amended.

**"Executive Officers"** means collectively the Parish President and the Clerk to the Terrebonne Parish Council.

**"Fiscal Year"** means the twelve-month accounting period commencing on the first day of January or any other twelve-month accounting period determined by the Governing Authority as the fiscal year of the Issuer.

**"Governing Authority"** means the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana.

**"Government Securities"** means direct 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.

**"Interest Payment Date"** means March 1 and September 1 of each year, commencing September 1, 2013.

**"Issuer"** means the Parish of Terrebonne, State of Louisiana.

**"Outstanding"** when used with respect to Bonds means, as of the date of determination, all Bonds theretofore issued and delivered under this Bond Ordinance, except:

- a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;
- b) Bonds for whose payment or redemption sufficient funds have been theretofore deposited with the Paying Agent in trust for the Owners of such Bonds as provided in Section 20, provided that, if such Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for pursuant to this Bond Ordinance, to the satisfaction of the Paying Agent, or waived;
- c) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and
- d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Bond Ordinance.

**"Outstanding Parity Bonds"** means the Issuer's outstanding (i) Public Improvement Refunding Bonds, Series ST-2003, (ii) Public Improvement Bonds, Series ST-2005, (iii) Public Improvement Bonds, Series ST-2008; (iv) Public Improvement Refunding Bonds, Series ST-2009 and (v) Public Improvement Bonds, Series ST-2011, as described in the preamble of this Bond Ordinance.

**"Outstanding Parity Bond Ordinances"** means the ordinances adopted by this Governing Authority on June 25, 2003, August 10, 2005, September 17, 2008, as supplemented on October 8, 2008, August 12, 2009, and June 22, 2011, which authorize the issuance of the Outstanding Parity Bonds.

**"Owner"** or **"Owners"** when used with respect to any Bond means the Person in whose name such Bond is registered in the Bond Register.

**"Parish Sales Tax"** means the Issuer's allocation or portion [approximately one-third (1/3)] of the special parishwide one percent (1%) sales and use tax authorized under the provisions of Act No. 500 of the Regular Session of the Legislature for the State of Louisiana for the year 1964 and at a special election held in the Parish on September 15, 1964, and levied and collected pursuant to a resolution adopted by the Police Jury on October 14, 1964, as amended, said allocation or portion being more fully described in said Act No. 500 of 1964 and the foregoing proposition approved at the special election held on September 15, 1964.

**"Paying Agent"** means The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, until a successor Paying Agent shall have become such pursuant to the applicable provisions of this Bond Ordinance, and thereafter Paying Agent shall mean such successor Paying Agent.

**"Person"** means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

**"Purchaser"** means Raymond James & Associates, Inc., of New Orleans, Louisiana, the original purchaser of the Bonds.

**"Record Date"** for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such interest payment date, whether or not such day is a Business Day.

**"Reserve Fund Requirement"** means, as of any date of calculation, a sum equal to the highest combined principal and interest requirements for any succeeding Fiscal Year on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds. After the Series ST-2003 and Series ST-2005 have been discharged by payment or defeasance, the **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 Fiscal Year on the Bonds, the Outstanding Parity Bonds, and any issue of Additional Parity Bonds hereafter issued in the manner provided by this Bond Ordinance or (iii) 125% of the average aggregate amount of principal installments and interest becoming due in any Fiscal Year on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds.

**"Reserve Product"** shall mean a policy of bond insurance, a surety bond or a letter of credit or other credit facility used in lieu of a cash deposit in the Reserve Fund meeting the terms and conditions of Section 10 hereof.

**"Reserve Product Provider"** shall mean a bond insurance provider or a bank or other financial institution providing a Reserve Product, whose bond insurance policies insuring, or whose letters of credit, surety bonds or other credit facilities securing, the payment, when due, of the principal of, premium, if any, and interest on bond issues by public entities, at the time such Reserve Product is obtained, result in such issues being rated in one of the two highest full rating

categories by each of the Rating Agencies; provided, however, that nothing therein shall require the Issuer to obtain a rating on any Bonds issued under this Bond Ordinance.

**"Revenues of the Taxes" or "Taxes"** means collectively the Parish Sales Tax and the Capital Improvement Sales Tax.

**"Sales Tax Resolutions"** means the resolutions adopted by the Terrebonne Parish Police Jury on (i) October 14, 1964, as amended by resolution adopted on May 12, 1965 and (ii) February 25, 1981.

**State** means the State of Louisiana.

SECTION 2) (a) Authorization of Bonds. In compliance with and under the authority of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and having been authorized at elections held within the corporate boundaries of the Issuer on September 15, 1964, October 27, 1979 and January 16, 1982, there is hereby authorized the incurring of an indebtedness of Eleven Million Two Hundred Seventy-Five Thousand Dollars (\$11,275,000) for, on behalf of and in the name of the Issuer, for the purpose of constructing, acquiring, extending and/or improving roads and bridges, drainage, recreation and/or government building capital improvement projects for the Issuer, or any portion thereof, including any necessary sites, equipment or furnishings therefor, title to which shall be in the public, providing for a reserve and paying the costs of issuance of the Bonds, and to represent the said indebtedness, this Governing Authority does hereby authorize the issuance of Eleven Million Two Hundred Seventy-Five Thousand Dollars (\$11,275,000) of Public Improvement Bonds, Series ST-2013, of the Issuer.

(b) The Bonds shall be in fully registered form, shall be dated the date of delivery, shall be in the denomination of Five Thousand Dollars (\$5,000) each or any integral multiple thereof within a single maturity, shall be numbered consecutively from R-1 upward, shall bear interest from the date thereof or the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on September 1, 2013, and semi-annually thereafter on March 1 and September 1 of each year, at the rates per annum, and shall become due and payable and mature serially on March 1 of each year as follows:

<u>DATE</u> <u>(MARCH 1)</u>	<u>PRINCIPAL</u> <u>PAYMENT</u>	<u>INTEREST</u> <u>RATE</u>
2015	\$100,000	2.000%
2016	100,000	2.000%
2017	100,000	2.000%
2018	100,000	2.000%
2019	545,000	3.000%
2020	565,000	3.000%

2021	590,000	3.000%
2022	610,000	3.000%
2023	635,000	3.000%
2024	660,000	3.000%
2025	690,000	3.000%
2026	715,000	3.000%
2027	740,000	3.125%
2028	770,000	3.125%
2029	805,000	3.250%
2030	835,000	3.250%
2031	870,000	3.250%
2032	905,000	3.375%
2033	940,000	3.500%

The principal of the Bonds, upon maturity or redemption, shall be payable at the principal corporate trust office of the Paying Agent, upon presentation and surrender thereof, and interest on the Bonds will be payable by check mailed by the Paying Agent to the Owner (determined as of the close of business on the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer or in exchange for or *in lieu* of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so that neither gain nor loss in interest shall result from such transfer, exchange or substitution. No Bond shall be entitled to any right or benefit under this Bond Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Bond Ordinance, executed by the Paying Agent by manual signature.

SECTION 3) Redemption of Bonds. Those Bonds maturing March 1, 2024, and thereafter, will be callable for redemption by the Issuer in full or in part at any time on or after March 1, 2023, at the principal amount thereof and accrued interest to the date fixed for redemption. In the event a Bond is of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any multiple thereof) may be redeemed. The Bonds are not required to be redeemed in inverse order of maturity.

Official notice of such call of any of the Bonds for redemption will be given by first class mail, postage prepaid, by notice deposited in the United States mails not less than thirty (30) days prior to the redemption date addressed to the registered owner of each Bond to be redeemed at his address as shown on the registration books of the Paying Agent.

SECTION 4) Book Entry Registration of Bonds. The Bonds shall be initially issued in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), as registered owner of the Bonds, and held in the custody of DTC. The Secretary of the Issuer or any other



officer of the Issuer is authorized to execute and deliver a Letter of Representation to DTC on behalf of the Issuer with respect to the issuance of the Bonds in "book-entry only" format. The Paying Agent is hereby directed to execute said Letter of Representation. The terms and provisions of said Letter of Representation shall govern in the event of any inconsistency between the provisions of this Bond Ordinance and said Letter of Representation. Initially, a single certificate will be issued and delivered to DTC for each maturity of the Bonds. The Beneficial Owners will not receive physical delivery of Bond certificates except as provided herein. The Beneficial Owners are expected to receive a written confirmation of their purchase providing details of each Bond acquired. For so long as DTC shall continue to serve as securities depository for the Bonds as provided herein, all transfers of beneficial ownership interest will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds is to receive, hold or deliver any Bond certificate.

Notwithstanding anything to the contrary herein, while the Bonds are issued in book-entry-only form, the payment of principal of, premium, if any, and interest on the Bonds may be payable by the Paying Agent by wire transfer to DTC in accordance with the Letter of Representation.

For every transfer and exchange of the Bonds, the Beneficial Owner may be charged a sum sufficient to cover such Beneficial Owner's allocable share of any tax, fee or other governmental charge that may be imposed in relation thereto.

Bond certificates are required to be delivered to and registered in the name of the Beneficial Owner under the following circumstances:

- (a) DTC determines to discontinue providing its service with respect to the Bonds. Such a determination may be made at any time by giving 30 days' notice to the Issuer and the Paying Agent and discharging its responsibilities with respect thereto under applicable law; or
- b) The Issuer determines that continuation of the system of book-entry transfer through DTC (or a successor securities depository) is not in the best interests of the Issuer and/or the Beneficial Owners.

The Issuer and the Paying Agent will recognize DTC or its nominee as the Bondholder for all purposes, including notices and voting.

Neither the Issuer or the Paying Agent are responsible for the performance by DTC of any of its obligations, including, without limitation, the payment of moneys received by DTC, the forwarding of notices received by DTC or the giving of any consent or proxy *in lieu* of consent.

Whenever during the term of the Bonds the beneficial ownership thereof is determined by a book entry at DTC, the requirements of this Bond Resolution of holding, delivering or transferring the Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

If at any time DTC ceases to hold the Bonds, all references herein to DTC shall be of no further force or effect.

SECTION 5) Form of Bonds. The Bonds and the endorsements to appear thereon shall be in substantially the following forms, respectively, to-wit:

No. R-\_\_\_\_\_ Principal Amount: \$ \_\_\_\_\_

Unless this Bond is presented by an authorized representative of the Depository Trust Company, a New York corporation ("DTC"), to the Issuer or their agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of CEDE & CO. or in such other name as is requested by an authorized representative of DTC (and any payment is made to CEDE & CO. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, CEDE & CO., has an interest herein.

As provided in the Bond Ordinance referred to herein, until the termination of the system of book-entry-only transfers through DTC and notwithstanding any other provision of the Bond Ordinance to the contrary, this Bond may be transferred, in whole but not in part, only to a nominee of DTC, or by a nominee of DTC to DTC or a nominee of DTC, or by DTC or a nominee of DTC to any successor securities depository or any nominee thereof.

(FORM OF FACE OF BOND)

**UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF TERREBONNE**

**PUBLIC IMPROVEMENT BOND, SERIES ST-2013  
OF THE  
PARISH OF TERREBONNE, STATE OF LOUISIANA**

<u>Bond</u> <u>Date</u>	<u>Maturity</u> <u>Date</u>	<u>Interest</u> <u>Rate</u>	<u>CUSIP</u> <u>Number</u>
_____, 2013	_____	_____%	_____

The PARISH OF TERREBONNE, STATE OF LOUISIANA (the "Issuer"), promises to pay to

REGISTERED OWNER: CEDE & CO. (Tax Identification #13-2555119)

**PRINCIPAL AMOUNT:**

or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, together with interest thereon from the Bond Date set forth above or the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on September 1, 2013, and semi-annually thereafter on March 1 and September 1 of each year (each an "Interest Payment Date"), at the Interest Rate per annum set forth above until said Principal Amount is paid, unless this Bond shall have been previously called for redemption and payment shall have been made or duly provided for. The principal of this Bond, upon maturity or redemption, is payable in lawful money of the United States of America at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, or successor thereto (the "Paying Agent"), upon presentation and surrender hereof. Interest on this Bond is payable by check mailed by the Paying Agent to the registered owner (determined as of the 15th calendar day of the month next preceding each Interest Payment Date) at the address as shown on the registration books of the Paying Agent.

During any period after the initial delivery of the Bonds in book-entry-only form when the Bonds are delivered in multiple certificates form, upon request of a registered owner of at least \$1,000,000 in principal amount of Bonds outstanding, all payments of principal, premium, if any, and interest on the Bonds will be paid by wire transfer in immediately available funds to an account designated by such registered owner; CUSIP number identification with appropriate dollar amounts for each CUSIP number must accompany all payments of principal, premium, and interest, whether by check or by wire transfer.

**FOR SO LONG AS THIS BOND IS HELD IN BOOK-ENTRY FORM REGISTERED IN THE NAME OF CEDE & CO. ON THE REGISTRATION BOOKS OF THE ISSUER KEPT BY THE PAYING AGENT, AS BOND REGISTRAR, THIS BOND, IF CALLED FOR PARTIAL REDEMPTION IN ACCORDANCE WITH THE BOND ORDINANCE, SHALL BECOME DUE AND PAYABLE ON THE REDEMPTION DATE DESIGNATED IN THE NOTICE OF REDEMPTION GIVEN IN ACCORDANCE WITH THE BOND ORDINANCE AT, AND ONLY TO THE EXTENT OF, THE REDEMPTION PRICE, PLUS ACCRUED INTEREST TO THE SPECIFIED REDEMPTION DATE; AND THIS BOND SHALL BE PAID, TO THE EXTENT SO REDEEMED, (i) UPON PRESENTATION AND SURRENDER THEREOF AT THE OFFICE SPECIFIED IN SUCH NOTICE OR (ii) AT THE WRITTEN REQUEST OF CEDE & CO., BY CHECK MAILED TO CEDE & CO. BY THE PAYING AGENT OR BY WIRE TRANSFER TO CEDE & CO. BY THE PAYING AGENT IF CEDE & CO. AS BONDOWNER SO ELECTS. IF, ON THE REDEMPTION DATE, MONEYS FOR THE REDEMPTION OF BONDS OF SUCH MATURITY TO BE REDEEMED, TOGETHER WITH INTEREST TO THE REDEMPTION DATE, SHALL BE HELD BY THE PAYING AGENT SO AS TO BE AVAILABLE THEREFOR ON SUCH DATE, AND AFTER NOTICE OF REDEMPTION SHALL HAVE BEEN GIVEN IN ACCORDANCE WITH THE BOND ORDINANCE, THEN, FROM AND AFTER THE REDEMPTION DATE, THE AGGREGATE PRINCIPAL AMOUNT OF THIS BOND SHALL BE IMMEDIATELY REDUCED BY AN AMOUNT EQUAL TO THE AGGREGATE PRINCIPAL AMOUNT THEREOF SO REDEEMED, NOTWITHSTANDING WHETHER THIS BOND HAS BEEN SURRENDERED TO THE PAYING AGENT FOR CANCELLATION.**

This Bond is one of an authorized issue aggregating in principal the sum of Eleven Million Two Hundred Seventy-Five Thousand Dollars (\$11,275,000) (the "Bonds"), all of like tenor and effect except as to number, denomination, interest rate and maturity, said Bonds having been issued by the Issuer pursuant to an ordinance adopted by its governing authority on March 13, 2013 (the "Bond Ordinance"), for the purpose of constructing, acquiring, extending and/or improving roads and bridges, drainage, recreation and/or government building capital improvement projects for the Issuer, or any portion thereof, including any necessary sites, equipment or furnishings therefor, title to which shall be in the public, providing for a reserve and paying the costs of issuance of the Bonds, under the authority conferred by Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, pursuant to all requirements therein specified, including the authorization of a majority of the qualified electors voting at elections held on September 15, 1964, October 27,

1979 and January 16, 1982, the results of which elections have been duly promulgated in accordance with law.

Subject to the limitations and requirements provided in the Bond Ordinance, the transfer of this Bond shall be registered on the registration books of the Paying Agent upon surrender of this Bond at the principal corporate trust office of the Paying Agent as Bond Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form and a guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new Bond or Bonds of the same maturity and of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee. Prior to due presentment for transfer of this Bond, the Issuer and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest hereon and for all other purposes, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

Those Bonds maturing March 1, 2024, and thereafter, will be callable for redemption by the Issuer in full or in part at any time on or after March 1, 2023, at the principal amount thereof and accrued interest to the date fixed for redemption. In the event a Bond is of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any multiple thereof) may be redeemed. The Bonds are not required to be redeemed in inverse order of maturity.

Official notice of such call of any of the Bonds for redemption will be given by first class mail, postage prepaid by notice deposited in the United States mail not less than thirty (30) days prior to the redemption date addressed to the registered owner of each Bond to be redeemed at his address as shown on the registration books of the Paying Agent.

This Bond and the issue of which it forms a part are issued on a complete parity with the Issuer's (i) Public Improvement Refunding Bonds, Series ST-2003, (ii) Public Improvement Bonds, Series ST-2005, (iii) Public Improvement Bonds, Series ST-2008, (iv) Public Improvement Refunding Bonds, Series ST-2009, and (v) Public Improvement Bonds, Series ST-2011 (collectively, the "Outstanding Parity Bonds"). It is certified that the Issuer, in issuing this Bond and the issue of which it forms a part, has complied with all the terms and conditions set forth in the ordinances authorizing the issuance of the Outstanding Parity Bonds.

This Bond and the issue of which it forms a part, equally with the Outstanding Parity Bonds, are payable as to both principal and interest solely from and secured by an irrevocable pledge and dedication of the avails or proceeds of (i) the Issuer's portion (approximately one-third) of the special parishwide one percent (1%) sales and use tax authorized at an election held in the Issuer on September 15, 1964, said tax now being levied and collected by the Issuer pursuant to the provisions of Act No. 500 of the Regular Session of the Legislature of Louisiana for the year 1964, and (ii) the special parishwide one-fourth of one percent (1/4%) sales and use tax authorized at an election held in the Issuer on October 27, 1979, said tax now being levied and collected by the Issuer pursuant to the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974 (collectively, the "Taxes"), subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Taxes, all as provided in the Bond Ordinance, and this Bond does not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory limitation of indebtedness. The governing authority of the Issuer has covenanted and agreed and does hereby covenant and agree not to discontinue or decrease or permit to be discontinued or decreased the Taxes in anticipation of the collection of which this Bond and the issue of which it forms a part have been issued, nor in any way make any change which would diminish the amount of the revenues of the Taxes to be received by the Issuer until all of such Bonds shall have been paid in principal and interest. For a complete statement of the revenues from which and conditions under which this Bond is issued, and provisions permitting the issuance of pari passu additional bonds under certain conditions, reference is hereby made to the Bond Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Registration hereon shall have been signed by the Paying Agent.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond and the issue of which it forms a part necessary to constitute the same legal, binding and valid obligations of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Issuer, including this Bond and the issue of which it forms a part, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that said Bonds shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof and shall be incontestable in the hands of bona fide purchasers or owners for value thereof.

IN WITNESS WHEREOF, the Parish of Terrebonne, State of Louisiana, has caused this Bond to be executed in its name by the facsimile signatures of the Parish President and the Clerk of the Terrebonne Parish Council and a facsimile of the Issuer's corporate seal to be imprinted hereon.

PARISH OF TERREBONNE,  
STATE OF LOUISIANA

\_\_\_\_\_  
Clerk,  
Terrebonne Parish Council

\_\_\_\_\_  
Parish President,  
Parish of Terrebonne

(SEAL)

\* \* \* \* \*

This Bond and the issue of which it forms a part have been duly registered with the Secretary of State of Louisiana as provided by law.

\* \* \* \* \*

(FORM OF SECRETARY OF STATE ENDORSEMENT -  
TO BE PRINTED ON ALL BONDS)

OFFICE OF SECRETARY OF STATE  
STATE OF LOUISIANA  
BATON ROUGE

Incontestable. Secured by a pledge and dedication of sales and use taxes in the Parish of Terrebonne, State of Louisiana. Registered this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Secretary of State

\* \* \* \* \*

(FORM OF PAYING AGENT'S CERTIFICATE OF REGISTRATION -  
TO BE PRINTED ON ALL BONDS)

This Bond is one of the Bonds referred to in the within-mentioned Bond Ordinance.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A.,  
as Paying Agent

Date of  
Registration: \_\_\_\_\_

By:

Authorized Officer

\* \* \* \* \*

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers  
unto

\_\_\_\_\_

Please Insert Social Security  
or other Identifying Number of Assignee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_

\_\_\_\_\_ attorney or agent to transfer the within  
Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(FORM OF LEGAL OPINION CERTIFICATE -  
TO BE PRINTED ON ALL BONDS)

I, the undersigned Clerk to the Terrebonne Parish Council do hereby certify that the following is a true copy of the complete legal opinion of Foley & Judell, L.L.P., the original of which was manually executed, dated and issued as of the date of payment for and delivery of the original bonds of the issue described therein and was delivered to a representative of the original purchasers thereof:

(Bond Printer Shall Insert Legal Opinion)

I further certify that an executed copy of the above legal opinion is on file in my office, and that an executed copy thereof has been furnished to the Paying Agent for this Bond.

(facsimile)

---

Clerk,  
Terrebonne Parish Council

\* \* \* \* \*

(FORM OF INSURANCE LEGEND OF BOND INSURER, IF ANY)

\* \* \* \*

SECTION 6) Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of the Issuer and under the corporate seal of the Issuer, and the Legal Opinion Certificate shall be signed by the Clerk to the Governing Authority, which signatures may be either manual or facsimile.

SECTION 7) Registration of Bonds by Secretary of State. The Bonds shall be registered with the Secretary of State of Louisiana as provided by law and shall bear the endorsement of the Secretary of State of Louisiana in substantially the form set forth herein, provided such endorsement shall be manually signed only on the Bonds initially delivered to the Purchaser; any Bonds subsequently exchanged therefor as permitted in this Bond Ordinance may bear the facsimile signature of said Secretary of State.

SECTION 8) Recital of Regularity. This Governing Authority, having investigated the regularity of the proceedings had in connection with this issue of Bonds, and having determined the same to be regular, the Bonds shall contain the following recital, to-wit:

"It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State."

SECTION 9) Pledge of Tax Revenues. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the avails or proceeds of (i) the Issuer's portion (approximately 1/3) of the one

percent (1%) sales and use tax now being levied and collected under the authority of Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 pursuant to an election held on September 15, 1964, and (ii) the one fourth of one percent (1/4%) sales and use tax of the Issuer now being levied and collected under the authority of Article VI, Section 29 of the Louisiana Constitution of 1974, pursuant to an election held on October 27, 1979, after there have first been paid from the gross avails or proceeds of the Taxes the reasonable and necessary costs and expenses of collecting and administering the Taxes, all as more fully provided in the Ordinance providing for the levy and collection of the Taxes. Said net avails or proceeds be and they are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. All of the avails or proceeds of the Taxes shall be set aside in a separate fund, as provided herein and in the Outstanding Parity Bond Ordinance, and shall be and remain pledged for the security and payment of the Bonds in principal and interest and for all other payments provided for in this Bond Ordinance until the Bonds shall have been fully paid and discharged.

SECTION 10) Flow of Funds. The Issuer by proper resolutions and/or ordinances, hereby obligates itself to continue to levy and collect the Taxes and not to discontinue or decrease or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, nor in any way make any change which would diminish the amount of the Revenues of the Taxes to be received by the Issuer until all of the Bonds and the Outstanding Parity Bonds have been paid as to both principal and interest. In order that the principal of and the interest on the Bonds and the Outstanding Parity Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer further covenants as follows:

All avails or proceeds derived from the levy and collection of the Taxes shall be deposited daily as the same may be collected in separate and special bank accounts maintained with the regularly designated fiscal agent of the Issuer and designated as the "Sales Tax Capital Improvement Fund" (hereinafter called the "Sales Tax Fund").

Out of the funds on deposit in the Sales Tax Fund, the Issuer shall first pay all reasonable and necessary costs and expenses of collection and administration of the Taxes. After payment of such expenses, the remaining balance of the proceeds of the Taxes shall be used in the following order of priority and for the following express purposes:



- a) The maintenance of the "Capital Improvement Bond Sinking Fund" (hereinafter called the "Sinking Fund"), sufficient in amount to pay promptly and fully the principal of and interest on the Bonds, the Outstanding Parity Bonds, and any Additional Parity Bonds, in the manner provided by this Bond Ordinance, as they severally become due and payable, by transferring from the Sales Tax Fund to the regularly designated fiscal agent of the Issuer, on or before the 20th day of each month of each year in addition to the amount required by the Parity Bond Ordinances a fractional amount of the principal of the Bonds falling due on the next principal payment date, whether by maturity or mandatory call, and a fractional amount of the interest falling due on the next Interest Payment Date, such fractions being equal to the number 1 divided by the number of months preceding such interest payment date or principal payment date, as the case may be, since the last interest or principal payment date, as the case may be, so that by making equal monthly payments the Issuer will always provide the necessary sums required to be on hand on each interest and principal payment date, together with such additional proportionate sum as may be required so that sufficient moneys will be available in the Sinking Fund to pay said principal and interest as the same respectively become due. Said fiscal agent of the Issuer shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least five (5) days in advance of the date on which payment of principal or interest falls due, funds fully sufficient to pay promptly the principal and interest so falling due on each such date.
- b) The maintenance of the Capital Improvement Bond Reserve Fund (hereinafter called the "Reserve Fund"), with the regularly designated fiscal agent of the Issuer. The money in the Reserve Fund is to be retained solely for the purpose of paying the principal of and the interest on the Bonds payable from the aforesaid Sinking Fund as to which there would otherwise be default (except for certain earnings which may be owed to the United States pursuant to Section 148(f) of the Code). Upon delivery of the Bonds, there shall be deposited in the Reserve Fund an amount of proceeds of the Bonds sufficient to cause the balance in the Reserve Fund to be equal to the Reserve Fund Requirement. In the event that Additional Parity Bonds are issued hereafter in the manner provided by this Bond Ordinance, there shall be deposited into the Reserve Fund, from the proceeds of such Additional Parity Bonds and/or from the proceeds of the Taxes or from any other source provided by the Issuer, such additional amounts (as may be designated in the ordinance authorizing the issuance of such Additional Parity Bonds) as will increase the total amount on deposit in the Reserve Fund within a period not exceeding five (5) years to a sum equal to the Reserve Fund Requirement.

If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on Bonds as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received by the Sales Tax Fund, not hereinabove required to pay the expenses of collecting and administering the Taxes or to pay current principal and interest requirements, it being the intention hereof that there shall as nearly as possible be at all times in the Reserve Fund the amount hereinabove specified.

After the Series ST-2003 and Series ST-2005 have been discharged by payment or defeasance, the Reserve Fund Requirement, in whole or in part, may be funded with cash or investment obligations, or one or more Reserve Products, or a combination thereof. Any such Reserve Product must provide for payment on any interest or principal payment date (provided adequate notice is given) on which a deficiency exists (or is

expected to exist) in amounts held hereunder for payment of the principal of or interest on the Bonds due on such date which cannot be cured by amounts in any account held pursuant to this Bond Ordinance and available for such purpose, and shall name the Paying Agent as the beneficiary thereof. The Reserve Product must be rated in the highest rating category by each Rating Agency. If a disbursement is made from a Reserve Product as provided above, the Issuer shall be obligated to reinstate the maximum limits of such Reserve Product on or before the close of the month following such disbursement from the first Revenues available pursuant to this Section or to replace such Reserve Product by depositing into the Reserve Fund pursuant to such sections, the maximum amount originally available under such Reserve Product, plus amounts necessary to reimburse the Reserve Product Provider for previous disbursements under such Reserve Product, or a combination thereof. For purposes of this Section, amounts necessary to satisfy such reimbursement obligations of the Issuer to the Reserve Product Provider shall be deemed to be required deposits to the Reserve Fund, and shall be applied to satisfy the obligations to the Reserve Product Provider.

If the Reserve Fund Requirement is funded in whole or in part with cash or Investment Obligations and no event of default shall have occurred and be continuing hereunder, the Issuer may at any time in its discretion, substitute a Reserve Product meeting the requirements of this Bond Ordinance for the cash and investment obligations in the Reserve Fund and the Issuer may then withdraw such cash and investment obligations from the Reserve Fund expend such replaced funds and obligations for the purposes the Bonds were issued and, in the event the Bonds were issued for more than one purpose for the purposes and in the same proportion as the purposes for which the Bonds were issued so long as (i) the same does not adversely affect any rating by a Rating Agency then in effect with respect to the Bonds, and (ii) the Issuer obtains in opinion of Bond Counsel to the effect that such actions will not, in and of themselves, adversely affect the exclusion from gross income of interest on the Bonds (if not taxable obligations) for federal income tax purposes.

All moneys remaining in the Sales Tax Fund on the 20th day of each month in excess of all reasonable and necessary expenses of collection and administration of the Taxes and after making the required payments into the Sinking Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made, shall be considered as surplus. Such surplus may be used by the Issuer for any of the purposes for which the imposition of the Taxes is authorized or for the purpose of retiring Bonds in advance of their maturities, either by purchase of Bonds then outstanding at prices not greater than the redemption prices of said Bonds or by retiring such Bonds at the prices and in the manner hereinabove set forth in this Bond Ordinance.

All or any part of the moneys in the Reserve Fund shall, at the written request of the Issuer, be invested in direct obligations of the United States of America, maturing in five (5) years or less. The income on such funds shall be added to the Sales Tax Fund, provided that if the amount in the Reserve Fund at any time is less than the Reserve Fund Requirement, then any income derived from such investments in the Reserve Fund shall be retained in the Reserve Fund. Such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the respective funds are herein created.

The Sales Tax Funds, the Sinking Fund, and the Reserve Fund provided for in this section shall all be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Owners of Bonds issued pursuant to this Bond Ordinance are hereby granted a lien on all such funds until applied in the manner provided herein. The moneys in such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds in the manner required by the laws of the State. To diversify the deposit of the moneys to be held by the fiscal agent bank, it is herewith determined to provide for such uninvested moneys in the funds herein

established to be held in part by other banks now or hereafter located in the Issuer in the manner designated from time to time by resolutions duly adopted by this Governing Authority. Such other bank or banks shall hold such moneys subject to the instructions of the fiscal agent bank as is required hereunder for their transfer, transmittal or expenditure. All of the provisions of this Bond Ordinance with respect to the manner in which moneys in the fiscal agent bank are to be held and are to be secured shall be applicable to moneys held by all banks.

In computing the amount in any fund provided for in this section, investments shall be valued at the lower of the cost or the market price, exclusive of accrued interest. Any deficiencies in the amount on deposit in any fund or account resulting from a decline in market value shall be restored no later than the succeeding valuation date. With respect to all funds and accounts (except the Reserve Fund), valuation shall occur annually. The Reserve Fund shall be valued semi-annually, except in the event of a withdrawal from the Reserve Fund, whereupon it shall be valued immediately after such withdrawal.

SECTION 11) Issuer Obligated to Continue to Collect Taxes. The Issuer does hereby obligate itself and is bound under the terms and provisions of law to levy, impose, enforce and collect the Taxes and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Taxes, until all of the Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary this Bond Ordinance or any subsequent resolution or ordinance providing with respect to the Taxes, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Revenues of the Taxes. The Sales Tax Resolutions imposing the Taxes and pursuant to which the Taxes are being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Taxes and to apply the revenues therefrom in accordance with the provisions of this Bond Ordinance, shall be irrevocable until the Bonds have been paid in full as to both principal and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Issuer may discontinue or decrease the Taxes or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, or in any way make any change which would diminish the amount of the Revenues of the Taxes pledged to the payment of the Bonds and received by the Issuer, until all of such Bonds shall have been retired as to both principal and interest.

The Owners of any of the Bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, enforce and compel performance of all duties required to be

performed as a result of issuing the Bonds and may similarly enforce the provisions of any resolution or ordinance imposing the Taxes and the Bond Ordinance and proceedings authorizing the issuance of the Bonds.

SECTION 12) Covenants of the Issuer. In providing for the issuance of the Bonds, the Issuer does hereby covenant that it has a legal right to levy and collect the Taxes, to issue the Bonds and to pledge the Revenues of the Taxes as herein provided, and that the Bonds will have a lien and privilege on the Revenues of the Taxes subject only to the prior payment of the reasonable and necessary expenses of collecting and administering the Taxes.

SECTION 13) Bond Ordinance a Contract. The provisions of this Bond Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any Owner of any of the Bonds may either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by the Governing Authority as a result of issuing the Bonds, and may similarly enforce the provisions of the Sales Tax Resolutions imposing the Taxes and this Bond Ordinance.

SECTION 14) Records and Accounts Relating to Taxes. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the revenues of the Taxes, including specifically but without limitation, all reasonable and necessary costs and expenses of collection.

Not later than three (3) months after the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by the Legislative Auditor of the State of Louisiana (or his successor) or by a recognized independent firm of certified public accountants showing an accounting of the receipts and disbursements made for the account of the Sales Tax Fund. Such audit shall be available for inspection upon request by the Owners of any of the Bonds. The Issuer further agrees that the Paying Agent and the Owners of any of the Bonds shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Taxes.

SECTION 15) Issuance of Refunding and Additional Parity Bonds. The Bonds shall enjoy complete parity of lien on the Revenues of the Taxes despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Revenues of the Taxes having priority over or parity with the Bonds, except that bonds may hereafter be issued on a parity with the Bonds under the following conditions:

a) The Bonds or any part thereof, including interest thereon, may be refunded with the consent of the Owners thereof (except that as to Bonds which are then subject to redemption and have been properly called for redemption, such consent shall not be necessary) and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues may have been enjoyed by the Bonds refunded, provided, however, that if only a portion of the Bonds outstanding is so refunded and the refunding bonds require total principal and interest payments during any Bond Year in excess of the principal and interest which would have been required in such Bond Year to pay the Bonds refunded thereby, then such Bonds may not be refunded without consent of the Owners of the unrefunded portion of the Bonds issued hereunder.

b) Additional Parity Bonds, including any other *pari passu* additional bonds as may at any later date be authorized at an election held by the Issuer or otherwise, may also be issued, and such Additional Parity Bonds shall be on a parity with the Bonds herein authorized if all of the following conditions are met:

i) The net Revenues of the Taxes for the calendar year immediately preceding the issuance of the Additional Parity Bonds must have been not less than two (2) times the highest combined principal and interest requirements for any succeeding calendar year period on all Bonds then outstanding, including any Additional Parity Bonds theretofore issued and then outstanding, and any other Bonds or other obligations whatsoever then outstanding which are payable from the Taxes (but not including Bonds which have been refunded or provision otherwise made for their full payment and redemption) and the Additional Parity Bonds so proposed to be issued;

ii) The payments to be made into the various funds provided for in Section 10 hereof must be current;

iii) The existence of the facts required by paragraphs (i) and (ii) above must be determined and certified to by the chief finance officer of the Issuer on the basis of the public audits, books, records and/or accounts relating to the Parish Sales Tax and the Capital Improvement Sales Tax, and for this purpose a system of cash receipts rather than accrued accounting shall be used; and

iv) The Additional Parity Bonds must be payable as to principal on March 1st of each year in which principal falls due, beginning not later than three (3) years from the date of issuance of said Additional Parity Bonds and payable as to interest on March 1st and September 1st of each year.

SECTION 16) Fidelity Bonds for Officers and Employees. So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Taxes, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity

bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 17) Amendments to Bond Ordinance. No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of the Bonds or the redemption provisions thereof, or a reduction in the rate of interest thereon, or the promise of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the Revenues of the Taxes, or reduce the percentage of owners required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of the Bonds.

SECTION 18) Mutilated, Destroyed, Lost or Stolen Bonds. If a) any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss, or theft of any Bond, and b) there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and upon its request the Paying Agent shall register and deliver, in exchange for or *in lieu* of any such mutilated, destroyed, lost, or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost, or stolen Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section *in lieu* of any mutilated, destroyed, lost, or stolen Bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost, or stolen Bond shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Bond Ordinance equally and ratably with all other Outstanding Bonds.

The procedures set forth in the Agreement authorized in this Bond Ordinance shall also be available with respect to mutilated, destroyed, lost or stolen Bonds. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 19) Discharge of Bond Ordinance. If the Issuer shall pay or cause to be paid, or there shall be paid to the Owners, the principal (and redemption price) of and interest on the Bonds, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Taxes or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners of Bonds shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Bond Ordinance to the Issuer.

SECTION 20) Defeasance. Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 21) Successor Paying Agent; Paying Agent Agreement. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of The Bank of New York Mellon Trust Company, in the City of Baton Rouge, Louisiana, as the initial Paying Agent is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by a) filing with the Person then performing such function a certified copy of a resolution or ordinance giving notice of the termination of the Agreement and appointing a successor and b) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. The Executive Officers are hereby authorized and directed to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 22) Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal (and redemption price) of and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 23) Notices to Owners. Wherever this Bond Ordinance provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, by first-class mail, postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Bond Ordinance provides for notice in



any manner, such notice may be waived in writing by the Owner entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24) Cancellation of Bonds. All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly cancelled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already cancelled, shall be promptly cancelled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent. All cancelled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 25) Preparation of Bonds; Deposit of Bond Proceeds. The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Bond Ordinance, to cause the necessary Bonds to be printed or lithographed, to issue, execute, seal and deliver the Bonds, to effect the delivery of the Bonds in accordance with the sale thereof, to collect the purchase price therefor, and to deposit the funds derived from the sale of the Bonds as follows:

1. Accrued interest shall be deposited in the Sinking Fund.
2. An appropriate deposit shall be made into the Reserve Fund in accordance with the provisions of Section 10 hereof.
3. The remaining Bond proceeds shall be deposited in a special fund and used solely for the purpose the Bonds were issued

SECTION 26) Arbitrage. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or 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 in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would

result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, a) the failure to comply with the limitation on investment of Bond proceeds or b) the failure to pay any required rebate of arbitrage earnings to the United States of America or c) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds". 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.

SECTION 27) Publication; Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer. For a period of thirty (30) days from the date of such publication, any person in interest shall have the right to contest the legality of this Bond Ordinance and of the Bonds to be issued pursuant hereto and the provisions hereof securing the Bonds. After the expiration of said thirty (30) days, no one shall have any cause of right of action to contest the legality, formality or regularity of this Bond Ordinance or bond authorization, for any cause whatsoever. If the question of the validity of this Bond Ordinance or bond authorization is not raised within the thirty days, the authority to issue the Bonds and the regularity thereof, including all things pertaining to the election at which the Bonds were authorized, shall be conclusively presumed, and no court may inquire into such matters.

SECTION 28) Recordation. A certified copy of this Bond Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of Terrebonne, State of Louisiana.

SECTION 29) Sale of Bonds. The Bonds are hereby awarded to and sold to the Purchaser at a price of \$11,250,688.25 [representing the par amount of the Bonds (\$11,275,000), plus premium of \$54,613.25 minus Underwriters' Discount (.7%) of \$78,925.00), and under the terms and conditions set forth in the Bond Purchase Agreement, and after their execution, registration by the Secretary of State 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 March 13, 2013, in substantially the form attached hereto as Exhibit A is hereby approved and the Executive Officers 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 Ordinance or to facilitate the sale of the Bonds.

SECTION 30) Official Statement. The Issuer hereby approves the form and content of the Preliminary Official Statement dated March 5, 2013, pertaining to the Bonds, as submitted to the Issuer, and hereby ratifies its prior use in connection with the sale of the Bonds. The Issuer further approves the form and content of the final Official Statement and hereby authorizes and directs the execution by the Parish President, Council Chairman and Clerk of the Council and delivery of such final Official Statement to the Purchaser for use in connection with the public offering of the Bonds.

SECTION 31) Section Headings. The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 32) Severability. In case any one or more of the provisions of this Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Ordinance or of the Bonds, and this Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Bond Ordinance which validates or makes legal any provision of this Bond Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 33) Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of said bonds shall be fixed at a

sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue bonds and based on the amount of said bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. That pursuant to instructions from the Chief Financial Officer, Bond Counsel shall cause to be prepared an Official Statement with respect to the sale of the Bonds and the costs of the preparation and printing of said official statement shall be paid from the proceeds of the issue for which it has been prepared. Said Official Statement may be submitted to one or more of the nationally recognized bond rating service or services, together with a request that an appropriate rating be assigned. Payment for all ratings shall be made by the Chief Financial Officer upon presentation of appropriate statements from the particular rating service furnishing the ratings. A certified copy of this resolution 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 34) Continuing Disclosure Certificate. The Executive Officers are hereby empowered and directed to execute an appropriate Continuing Disclosure Certificate (substantially in the form set forth in the official statement issued in connection with the sale and issuance of the Bonds) pursuant to S.E.C. Rule 15c2-12(b)(5).

SECTION 35. Effective Date. Upon approval by the Parish President, this Ordinance shall be published in full in one (1) issue of the official journal of the Governing Authority within fifteen (15) days after final adoption, and shall be in full force and effect upon publication thereof.

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

YEAS: Arlanda J. Williams, Greg Hood, Sr., Beryl Amedée, Christa Duplantis, Russell Hornsby, Daniel J. Babin, Dirk Guidry, Pete Lambert and John Navy.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

There being a favorable vote on the ordinance of a majority of the membership of the Governing Authority, the ordinance was declared adopted on this the 13<sup>th</sup> day of March, 2013

Ms. A. Williams moved, seconded by Ms. C. Duplantis, “THAT, the Council continue with the regular order of business.”

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Agenda Item 2A - Mr. Charles Cashio, Cocodrie resident, wishes to address the Council relative to “The City of Cocodrie” has been withdrawn from the agenda due to Mr. Cashio’s inability to be in attendance for tonight’s proceedings.

The Council Chairwoman recognized Mr. Charles Bass, a Levron Street resident, who addressed the Council relative to the matter of “Southdown Cemetery”. Mr. Bass inquired about who is in charge of the cemetery and who determines when and/or where a person is going to be buried. He explained that some of the headstones are placed on the wrong graves and that some of the burial sites have multiple graves on top of one another, with no knowledge of whether or not another grave existed there.

Mr. D. Babin moved, seconded by Mr. J. Navy, “THAT, the Council extend Mr. Charles Bass’ time and additional minute.”

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. Bass continued and inquired about the Cemetery Board; whether they were still in existence and when and where are the monthly meetings held. He requested the Council to enforce rules and regulate the burial policies as it relates to Southdown Cemetery.

Discussion ensued with several Council members expressing their concerns as it relates to this parish-owned cemetery such as what is the Cemetery Appeals Board status, are there active members, whether or not proper protocol is followed such as obtaining permits and proper paper work when burials occur, and whether or not the cemetery is being maintained in accordance with the state laws.

Upon questioning, Mr. Patrick Gordon, Planning and Zoning Director, explained that the Planning Department is in charge of maintaining the parish’s cemetery maps and that the Public Works Department is in charge of maintenance. According to Mr. Gordon, the Cemetery Board has not met in a while because they were having difficulty contacting the members and establishing a quorum to proceed with a meeting. He explained that his office is going to contact the members of the Cemetery Board, re-establish the board if necessary, and give a brief report of their findings at the next Policy, Procedure and Legal Committee meeting.

Ms. A. Williams moved, seconded by Mr. J. Navy, “THAT, the Council review the finding of the Planning and Zoning Department as it relates to the membership of the Cemetery Appeals Board at the next Policy, Procedure and Legal Committee meeting.”

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Council Chairwoman recognized Mr. John Pierce, a Houma Veteran, who addressed the Council relative to the matter of the Tri-Parish Veterans Shelter. Mr. Pierce explained that he represents the Disabled American Veterans and that there are a number of veterans in the area that are homeless and out of work. He explained that he and several members of this organization have rehabbed a home that will help veterans that need assistance. Mr. Pierce explained that certain criteria have to be met and that they are willing to do whatever they can to assist any veteran in need.

Mr. D. Guidry moved, seconded by Ms. C. Duplantis, "THAT, the Council extend Mr. John Pierce's time an additional minute".

The Chairwoman called for a vote on the motion offered by Mr. D. Guidry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. Pierce continued and explained that the grand opening for this home will be on April 12<sup>th</sup> and the Council is invited to attend. He requested the Council and Administration's support for this endeavor.

Several Council members thanked Mr. Pierce and his organization for all of the help that they render to the Veterans in Terrebonne Parish.

The Council Chairwoman recognized Ms. Lucretia McBride, a Houma resident, who addressed the Council relative to the matter of the Southdown Cemetery. Ms. McBride provided information about previously removed headstones that had been taken up to make room for additional burial sites. She explained that she has spoken to some of the families that have loved ones buried in Southdown Cemetery and some of them are unaware of the proper paper work and/or protocol used when burying someone in a parish owned cemetery.

Mr. D. Guidry moved, seconded by Ms. C. Duplantis, "THAT, the Council extend Ms. Lucretia McBride's time an additional minute".

The Chairwoman called for a vote on the motion offered by Mr. D. Guidry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. Lucretia McBride continued and explained several of the people using the public cemeteries do not know that it is owned and maintained by the parish and that there are policies that have to be followed. Ms. McBride stated, in her opinion, cemeteries have historical value and that when a commercial company comes in and violates any policies, that they should be

held to the maximum degree of the law possible. She requested the Council and Administration to enforce the current ordinances and hold these commercial companies accountable when violations occur.

Mr. D. Babin moved, seconded by Mr. J. Navy, "THAT, the Council place the matter relative to whether or not Terrebonne Parish Consolidated Government should continue to maintain the three public cemeteries in the proper committee for further study".

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Council Chairwoman recognized Ms. Virginia Martin, a Houma resident, who addressed the Council relative to the matter of zoning. She explained that they are having a zoning problem in her neighborhood because individuals are operating shops and other businesses without the proper permits and she believes this decreases their homes' property value. She continued and said that these individuals leave debris and other material lying around with no regards for others. She is asking the Council and the Administration for help in enforcing zoning ordinances and/or laws in her neighborhood.

Councilman J. Navy thanked Ms. Martin, Administration and the Planning and Zoning Department for all of their help in resolving Ms. Martin's zoning issues and expressed that there is still a lot to be done but the parish is moving forward in this area.

Mr. J. Navy moved, seconded by Mr. D. Babin, "THAT, the Council accept the minutes of the Terrebonne Parish Sales and Use Tax Advisory Board meeting dated 03/01/13 and ratify the following action taken at said meeting:

- 1) Recommendation to accept the Amended Joint Agreement for Collection of Sales and Use Taxes to include Terrebonne Parish Levee and Conservation District;
- 2) Recommendation to accept the board membership change to include a member selected by the Terrebonne Parish Levee and Conservation District;
- 3) Recommendation to accept the approved process for "start-up costs" associated with the implementation of the ½ % sales/use tax for the Terrebonne Levee and Conservation District."

The Chairwoman called for a vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman called for a report of the Budget and Finance Committee meeting held on 03/11/13 whereupon the Committee Chairman noting ratification of minutes calls public hearings on 03/27/13 rendered the following:

#### **BUDGET & FINANCE COMMITTEE**

**MARCH 11, 2013**

The Chairman, John Navy, called the Budget & Finance Committee meeting to order at 5:30 p.m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by A. Williams and the Pledge of Allegiance led by D. Babin. Upon roll call, Committee Members recorded as present were: B. Amedée, D. Babin, C. Duplantis, D. Guidry, Capt. Greg Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams. A quorum was declared present.

Ms. C. Duplantis moved, seconded by Mr. G. Hood, Sr., "THAT, the Budget & Finance Committee authorize the TPCG to co-sponsor The Courier presents the 5K Run for Excellence and Cajun Food Festival on Saturday, May 11, 2013 in Downtown Houma."

The Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. Guidry moved, seconded by Mr. D. Babin, "THAT, the Budget & Finance Committee authorize the TPCG to co-sponsor the Chauvin Trash Bash on Saturday, March 23, 2013."

The Chairman called for the vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. D. Guidry.

SECONDED BY: Mr. P. Lambert.

#### RESOLUTION NO. 13-112

WHEREAS, on February 20, 2013 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 12-REC-49 (2<sup>nd</sup> Re-Bid) Annual Purchase of Recreation T-Shirts and Caps (2013), and

WHEREAS, after careful review by the Purchasing Division and Sterling Washington, Recreation Director it has been determined that Staples Sporting Goods, Screen Printing & Trophies, LLC submitted the lowest responsive bid, and

WHEREAS, the Terrebonne Parish Consolidated Government, Recreation Department reserves the right to increase or decrease quantities at its sole discretion at the same unit prices, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid Staples Sporting Goods, Screen Printing & Trophies, LLC submitted the lowest qualified bid for Bid No. 12-REC-49 (2<sup>nd</sup> Re-Bid) Annual Purchase of Recreation T-Shirts and Caps as per the bid documents.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bid of Staples Sporting Goods, Screen Printing & Trophies, LLC be accepted as the lowest qualified bid as per the bid documents.



THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Mr. D. Babin.  
SECONDED BY: Mr. R. Hornsby.

RESOLUTION NO. 13-113

WHEREAS, on February 14, 2013, bids were received by the Terrebonne Parish Consolidated Government for Bid #13-TRNST-04 Purchase/Installation of Gantry Type Vehicle Wash System for the Public Works/Transit Division, and

WHEREAS, after careful review by Gregory Bush, Public Works Director and Wendell Voisin, Transit Administrator it has been determined that Cleaning System of LA, Inc., submitted the lowest responsive bid in the amount of \$128,213.00, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid of Cleaning System of LA, Inc., is the lowest responsive bid for Bid #13-TRNST-04 Purchase/Installation of Gantry Type Vehicle Wash System for the Public Works/Transit Division, as per bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration be approved and the bid of Cleaning System of LA, Inc., for the aforementioned in the amount of \$128,213.00 be approved as per bid forms.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Mr. D. Babin.  
SECONDED BY: Ms. C. Duplantis.

RESOLUTION NO. 13-114

WHEREAS, on February 8, 2013 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 12-WHSE-57 (Partial Re-Bid) Purchase New/Unused Electrical Inventory Products (12- Month Requirements Contract), and

WHEREAS, after careful review by the Purchasing Division, Mary Crochet, Warehouse Manager and Philip Liner, Electric Distribution Superintendent it has been determined that the lowest responsive bids are that of Bayou Black Electric LLC, for item numbers: 23, 25-27, 37-38, 41-56, 60-62, 64, 65, 84, 85, 102, 103, 105, 109-112, 133-137 & 139-140 and Gresco Utility Supply for item numbers: 1-17, 19-22, 24, 30-32, 67-72, 74, 75, 77, 79-82, 88, 90-101, 106, 107, 113, 120-122, 125-130, 141 & 142, and

WHEREAS, Terrebonne Parish Consolidated Government, Warehouse Division of the Finance Department reserves the right to increase or decrease quantities at its sole discretion within a twelve (12) month period at the same unit prices, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bids of Bayou Black Electric LLC and Gresco Utility Supply are the lowest responsive bids as per the bid documents, and

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bids for Electrical Inventory Products be accepted.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-115

WHEREAS, the State of Louisiana has executed a Memorandum of Understanding with British petroleum (BP), securing an additional \$30 million for tourism recovery efforts from the impact of the April 20, 2010 Deepwater Horizon explosion and subsequent oil spill, and

WHEREAS, the Parish of Terrebonne has been allocated \$ 2,166,000.00 to put toward endeavors to increase tourism in the Terrebonne Parish area, and

WHEREAS, Parish Administration has a pending budget adjustment with the State of Louisiana to add the South Louisiana Wetlands Discovery Center's Rougarou Festival, to be held October 26, 2013 as part of the scope of work with the State of Louisiana in the amount of \$50,000, and

WHEREAS, the funds will be used to increase visitors from across the country with musical artist(s) playing at the festival, marketing, insurance and food.

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, hereby authorizes Michel H. Claudet, Parish President to prepare and execute an agreement with the South Louisiana Wetlands Discovery Center, to assist with the Rougarou Festival in the amount of \$50,000 pending the approval of the State's Budget Adjustment.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

South Louisiana Wetlands Discovery Center Director Jonathan Foret explained what a “rougarou” is, noting that it is part of Cajun folklore, and stated that the mission of the Discovery Center is to preserve coastal wetlands. Mr. Foret noted the success of the prior year’s festival; then requested funding for the event due to the Discovery Center not being able to partner with the Houma Downtown Development Corporation and the Houma Regional Arts Program this year due to moving the event to Saturday.

Mr. D. Babin moved, seconded by Mr. D. Guidry, “THAT, the Budget & Finance Committee introduce an ordinance to authorize the Parish President to execute a Cooperative Endeavor Agreement for the lease of HMGP property located at 7027 Shrimpers Row between TPCG and Samantha Luke, and call a public hearing on said matter on Wednesday, March 27, 2013 at 6:30 p.m.”

The Chairman called for the vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. R. Hornsby, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2013 Adopted Operating Budget of the Terrebonne Parish Consolidated Government for the following items:

I. Communication Equipment – City Marshall - \$25,000.00

II. Westside Boulevard Phase II - \$500,000.00

III. BP – Promotional Grant - \$500,000.00

IV. Terrebonne Council on Aging - \$858,555.00

V. Downtown Marina - \$703.00

VI. Ashland Transfer Station - \$28,930.00

VII. Tree Board - \$15,000.00

and call a public hearing on said matter on March 27, 2013 at 6:30 p.m.” (\*\*MOTION ADOPTED AFTER DISCUSSION)

Parish President Michel Claudet stated that Westside Boulevard, Phase 2 entails widening the bridge at Cannata’s adjacent to the Bruce Clark Building, owned by Travis Gregoire; that the State will transfer the bridge to the Parish; and then thanked Committee Members C. Duplantis and G. Hood, Sr. for their approval of allocating funding from their districts to complete the project. President Claudet added that the Westside Boulevard Extension will cross Martin Luther King Boulevard and extend to Equity Bridge; that signalization will be placed on Martin Luther King Boulevard; that the expansion will be a four-lane corridor; and that commercial and retail space will be available along the corridor.

\*\*The Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. G. Hood, Sr., "THAT, there being no further business to come before the Budget & Finance Committee, the meeting be adjourned."

The Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 5:41 p.m.

John Navy, Chairman

Suzette Thomas, Minute Clerk

Mr. J. Navy moved, seconded by Mr. G. Hood, Sr., "THAT, the Council accept and ratify the minutes of the Budget and Finance Committee meeting held on 03/11/13."

The Chairwoman called for a vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman called for a report of the Policy, Procedure and Legal Committee meeting held on 03/11/13 whereupon the Committee Chairwoman noting ratification of minutes calls public hearings on 03/27/13 rendered the following:

### **POLICY, PROCEDURE, & LEGAL COMMITTEE**

#### **MARCH 11, 2013**

The Chairwoman, Christa M. Duplantis, RN, called the Policy, Procedure, & Legal Committee meeting to order at 5:42 p.m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by A. Williams and the Pledge of Allegiance led by R. Hornsby. Upon roll call, Committee Members recorded as present were: B. Amedée, D. Babin, C. Duplantis, D. Guidry, Capt. Greg Hood, Sr., HPD Ret., R. Hornsby, P. Lambert, J. Navy, and A. Williams. A quorum was declared present.

Mr. R. Hornsby moved, seconded by Mr. D. Babin, "THAT, the Policy, Procedure, & Legal Committee authorize the TPCG to co-sponsor the Annual Lady Bug Ball Event on Saturday, April 20, 2013 from 9:00 a. m. to 2:00 p.m. at the Southdown Plantation."

The Chairwoman called for the vote on the motion offered by Mr. R. Hornsby.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. A. Williams.  
SECONDED BY: Mr. R. Hornsby.

RESOLUTION NO. 13-116

WHEREAS, Terrebonne Parish Consolidated Government (TPCG) is authorized to provide Casualty Insurance Coverage through its Department of Risk Management; and

WHEREAS, Administration and the Risk Management Department reviewed and analyzed Casualty Insurance quotes and submits a recommendation for Casualty Insurance coverage; and

WHEREAS, it is the recommendation of Administration and the Risk Management Department that the schedule of Casualty Insurance premiums become accepted effective for April 1, 2013.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Policy, Procedure and Legal Committee) on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Administration and the Risk Management Department is to accept the schedule of Casualty Insurance premiums effective for April 1, 2013.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Ms. A. Williams.  
SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-117

WHEREAS, Terrebonne Parish Consolidated Government (TPCG) is authorized to provide Team Sports Insurance Coverage through its Department of Risk Management; and

WHEREAS, Administration and the Risk Management Department estimate the cost for Team Sports Insurance coverage for 2013 to be approximately \$80,000.00 to \$90,000.00 and submits a recommendation for Team Sports Insurance coverage; and

WHEREAS, it is the recommendation of Administration and the Risk Management Department that the Team Sports Insurance premiums become accepted effective for 2013.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Policy, Procedure and Legal Committee) on behalf of the Terrebonne Parish Consolidated Government that the recommendation of Administration and the Risk Management Department is to accept the estimated amount for Team Sports premiums effective for 2013.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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The Chairwoman recognized Mr. James C. Harris and Mr. Jackie Robinson who expressed their support of legislation which would enact a dress code in and around public facilities to eliminate the wearing of “sagging pants.”

Committee Member J. Navy noted that he has received several requests by various neighborhood watch groups to determine if some type of enforcement could be enacted to prohibit the wearing of “sagging pants”; added that he has spoken with Terrebonne Chapter NAACP President Jerome Boykin regarding the matter; and that he has been made aware of the difficulty of enforcing a “no sagging prohibition” if the enforcement is not addressed under “indecent exposure” provisions. Committee Member Navy then requested that the Legal Department investigate the feasibility of enacting a “no sagging pants prohibition in Terrebonne Parish”.

Parish Attorney Courtney Alcock stated that the Legal Department has reviewed the “no sagging pants” legislation adopted in Lafourche Parish, Shreveport, and Caddo Parish; and that Parish Attorneys in the aforementioned parishes and city have had some difficulty in enforcing said legislation, and that in most cases the enforcement occurs when a violator commits another offense and is apprehended. She continued that there have been no challenges to the aforementioned legislation and that there is some concern with regards to the vagueness of defining at what level of wearing pants is “too low”.

Several Committee Members expressed their support of enacting legislation to prohibit indecent exposure attributed to “sagging pants” in Terrebonne Parish.

Parish President Michel Claudet expressed comments regarding the implementation of “no sagging pants” prohibitions, noting that if challenged the law would probably be ruled unconstitutional in his opinion as a licensed attorney.

Mr. J. Navy moved, seconded by Mr. D. Babin, “THAT, the Policy, Procedure, & Legal Committee direct the Legal Department to draft legislation with regards to the enforcement of an appropriate dress code, especially in and around public facilities, for consideration at a later date.”

The Chairwoman called for the vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman relinquished the chair to the Vice Chairman.

The Chairwoman stated that she has received several requests from various neighborhood watch program groups to implement provisions to address illegal activity near Shady Oaks Park.

Council Clerk Charlette D. Poché explained the difference between enacting a “Drug Free Zone” near a public park (circumference of 1,000 ft.) and a full-time operational daycare facility (circumference of 2,000 ft.).

Ms. C. Duplantis moved, seconded by Mr. J. Navy, "THAT, the Policy, Procedure, & Legal Committee introduce an ordinance to declare the Merry Oaks Preschool as a Drug-Free Zone, require the publication of a map clearly identifying the boundaries of said zone, require that the map of said zone be made an official public document in the Clerk of Court's Office, provide for the installation of said signs, and provide for other matters relative thereto; and call a public hearing on said matter on Wednesday, March 27, 2013 at 6:30 p.m." (\*\*MOTION ADOPTED AFTER DISCUSSION)

Discussion ensued relative to making Terrebonne Parish in its entirety a "Drug Free Zone"; and making all Parish parks and recreational areas as "Drug Free Zones".

Planning & Zoning Director Patrick Gordon explained that there is a section in the Parish Code that identifies specific "Drug Free Zones" and lists the parks, schools, and churches currently designated; that State Statutes address the creation of "Drug Free Zones" for all schools and parks; that Administration could present at a later date provisions for creating "drug free zones" in Terrebonne Parish; and that the proposed provisions could reference State law with the listing of all parks, schools, and churches.

The Chairwoman requested that Administration review provisions for "Drug Free Zones" and report back to the committee.

Parish Attorney Courtney Alcock stated that "Drug Free Zones" provide for enhanced criminal penalties for violations in certain areas: school properties, school buses, playgrounds, recreational facilities, community centers, housing developments and daycare centers; that maps must define the specific parameters; and that the Legal Department will look at the parameters for Terrebonne Parish.

In response to questioning by Committee Member G. Hood, Sr. regarding the establishment of a "Drug Free Zone" for St. Matthews Episcopal School (SMES), Ms. Alcock stated that she believes the parameter is 1,000 ft. and 2,000 ft. for property used for daycare/school purposes.

Mrs. Poché interjected that the ordinance for SMES covers a portion of Shady Oaks Park, but not its entirety. She further explained that if a zone were created for Merry Oaks Preschool, the parameters of the zone would extend 2,000 ft., thereby encompassing the remaining portion of Shady Oaks Park. In response to questioning by Committee Member B. Amedée, she noted that the proposed ordinance would cover the parameter of Shady Oaks Park and consequently the installation of signs.

For clarity purposes, Ms. Alcock noted that there are daycares within Terrebonne Parish that do not have "drug free zone" designations. She continued that some local issues can be enforced more stringently than the State's, but that the Legal Department would have to investigate the matter further.

Parish Manager Al Levron interjected that although the Council has the obligation to create and publish maps for "Drug Free Zones", Administration is not obligated to provide and install signage of such at religious facilities, schools, etc. except for Parish-owned properties. He added that Administration would look at the legality of installing signage at other facilities.

Committee Member B. Amedée requested statistics regarding filed criminal charges for violations occurring near or on church property.

\*\*The Vice Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.



NAYS: None.

ABSENT: None.

The Vice Chairman declared the motion adopted.

The Chairwoman resumed the chair.

Ms. A. Williams moved, seconded by Mr. D. Guidry, "THAT, the Policy, Procedure, & Legal Committee, per the request of Parish President Michel Claudet, recess (6:16 p.m.) to address other committee meetings scheduled for this evening and reconvene after said meetings have concluded."

The Chairwoman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. G. Hood, Sr., "THAT, the Policy, Procedure, & Legal Committee reconvene (6:35 p.m.) into the regular order of business, as per the written agenda."

The Chairwoman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Parish Attorney Courtney Alcock requested that all Council Members, Parish President Michel Claudet, and Assistant Parish Attorney Dave Allen, and herself be invited into an Executive Session to discuss the lawsuit titled: 'State Farm Mutual Automobile Insurance Company as subrogee of Gerald Lyons and Ann Robertson versus No. 162,925 "C" Parish of Terrebonne Joseph Lodrigue and Terrebonne Parish Consolidated Government with Ann W. Robertson and Gerald Lyons versus No. 163,009 "E" Parish of Terrebonne Joseph Lodrigue, Terrebonne Parish Consolidated Government, et al'.

Mr. D. Guidry moved, seconded by Ms. B. Amedée, "THAT, the Policy, Procedure, & Legal Committee, pursuant to LA R.S. 42:16 and 17A. (2), convene into Executive Session at 6:37 p.m., to discuss the lawsuit titled:

'State Farm Mutual Automobile Insurance Company as subrogee of Gerald Lyons and Ann Robertson versus No. 162,925 "C" Parish of Terrebonne Joseph Lodrigue and Terrebonne Parish Consolidated Government with Ann W. Robertson and Gerald Lyons versus No. 163,009 "E" Parish of Terrebonne Joseph Lodrigue, Terrebonne Parish Consolidated Government, et al'."

The Chairwoman called for the vote on the motion offered by Mr. D. Guidry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, and P. Lambert.

NAYS: None.

ABSENT: J. Navy and A. Williams.

The Chairwoman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. D. Babin, “THAT, the Policy, Procedure, & Legal Committee reconvene into the regular order of business at 7:20 p.m., as per the written agenda.”

The Chairwoman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. R. Hornsby moved, seconded by Mr. D. Guidry, “THAT, the Policy, Procedure, & Legal Committee concur with the recommendation of the Legal Advisor regarding litigation titled:

‘State Farm Mutual Automobile Insurance Company as subrogee of Gerald Lyons and Ann Robertson versus No. 162,925 “C” Parish of Terrebonne Joseph Lodrigue and Terrebonne Parish Consolidated Government with Ann W. Robertson and Gerald Lyons versus No. 163,009 “E” Parish of Terrebonne Joseph Lodrigue, Terrebonne Parish Consolidated Government, et al’.”

The Chairwoman called for the vote on the motion offered by Mr. R. Hornsby.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. R. Hornsby, “THAT, there being no further business to come before the Policy, Procedure, & Legal Committee, the meeting be adjourned.”

The Chairwoman called for the vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted and the meeting was adjourned at 7:21 p.m.

Christa M. Duplantis, Chairwoman

Suzette Thomas, Minute Clerk

Ms. C. Duplantis moved, seconded by Mr. D. Guidry, “THAT, the Council accept and ratify the minutes of the Policy, Procedure and Legal Committee meeting held on 03/11/13.”

The Chairwoman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Public Services meeting held on 03/11/13 whereupon the Committee Chairman noting ratification of minutes calls public hearings on 03/27/13 and/or 04/24/13 rendered the following:

**PUBLIC SERVICES COMMITTEE**

**MARCH 11, 2013**

The Chairman, Daniel Babin, called the Public Services Committee meeting to order at 6:17 p.m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by A. Williams and the Pledge of Allegiance led by R. Hornsby. Upon roll call, Committee Members recorded as present were: B. Amedée, D. Babin, C. Duplantis, D. Guidry, Capt. Greg Hood, Sr., HPD Ret., R. Hornsby, P. Lambert, J. Navy, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. D. Guidry.  
SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 13-118

A resolution ratifying the appointment of the architectural firm of Houston Lirette Architects, to provide architectural services for the New Office of Emergency Preparedness (OEP) Building; and authorizing execution of an architectural agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to construct a new Office of Emergency Preparedness (OEP) Building, and

WHEREAS, Parish President Michel Claudet has recommended that the firm of Houston Lirette Architects be retained to provide the necessary professional services for this project, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby ratify the appointment of the architectural firm of Houston Lirette Architects, by Terrebonne Parish President Michel Claudet for professional architectural services for the New Office of Emergency Preparedness (OEP) Building; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an architectural agreement with the architectural firm Houston Lirette Architects by Terrebonne Parish President Michel Claudet, the New Office of Emergency Preparedness (OEP) Building.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Ms. A. Williams.  
SECONDED BY: Mr. D. Guidry.

RESOLUTION NO. 13-119

A resolution authorizing an agreement with Progressive Waste Solutions, Inc for solid waste collection services.

WHEREAS, SWDI, LLC currently provides solid waste collections services to Terrebonne Parish Consolidated Government (TPCG) under their agreement last amended January 22, 2010, and

WHEREAS, this agreement will expire on July 31, 2013, and

WHEREAS, Progressive Waste Solutions, Inc. has acquired SWDI, LLC and has offered a proposal to continue solid waste collection services through July 2016, and

WHEREAS, the TPCG Department of Utilities and parish administration recommend acceptance of this proposal.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that a contract agreement with Progressive Waste Solutions, Inc. for solid waste collection services in the period August 1, 2013 to July 31, 2016 be, and is hereby, authorized; and,

BE IT FURTHER RESOLVED, that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Ms. B. Amedée.  
SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-120

A Resolution authorizing the Parish President to submit an application for a Louisiana Department of Environmental Quality State Revolving Loan Program and to execute all documents relating thereto.

WHEREAS the Terrebonne Parish Consolidated Government would like to relocate the discharge point for the South Terrebonne Wastewater Treatment Plant from the Houma Navigation Canal to an adjacent wetland; and,

WHEREAS the project will benefit the wetland by introducing much needed nutrients and freshwater to a degrading ecosystem; and,

WHEREAS loans and/or grants for this project may be available through the State Revolving Fund loan program operated by the Louisiana Department of Environmental Quality:

WHEREAS the construction cost of the project is estimated to be \$2,000,000, which will be 100% forgiven through DEQ's Green Project Reserve Fund; and,

NOW, THEREFORE, BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that:

Section 1. The Parish President is hereby authorized to submit an application to the Department of Environmental Quality on behalf of the Terrebonne Parish Consolidated Government for the purpose of funding through the State Revolving Fund loan program; and,

Section 2. The Parish President is further authorized to furnish such additional information as may reasonably be requested in connection with the application; and,

Section 3. The Parish President is hereby designated as the Official Project Representative for the Terrebonne Parish Consolidated Government for any project that may result from the submission of the application.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Ms. B. Amedée.

RESOLUTION NO. 13-121

A resolution authorizing amendment of the contract with Phillips & Jordan, Inc. for Disaster Recovery Debris Management and Removal Services , to extend the term for one year.

WHEREAS, Phillips & Jordan, Inc. currently provides Debris Management and Removal Services to Terrebonne Parish Consolidated Government (TPCG) under a competitively secured contract dated May 22, 2012, and

WHEREAS, the term of this agreement expires May 21, 2013, and

WHEREAS, agreement provide for an optional term extensions of one year each up to a total of three years at the option of TPCG, and

WHEREAS, the Department of Utilities and the parish administration recommend a one year extension at the agreement terms.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the amendment of the Debris Management and Removal Services contract with Phillips & Jordan, Inc. extending the term for one year be, and is hereby, authorized.

BE IT FURTHER RESOLVED, that the Parish President and all other appropriate parties

be, and they are hereby, authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Ms. C. Duplantis.

RESOLUTION NO. 13-122

A resolution authorizing amendment of the contract with Thompson Consulting Services, LLC for Disaster Recovery Debris Monitoring and Management Services, to extend the term for one year.

WHEREAS, Thompson Consulting Services, LLC currently provides Disaster Recovery Monitoring and Management Services to Terrebonne Parish Consolidated Government under competitively secured contract dated May 10, 2012, and

WHEREAS, the term of this agreement expires May 9, 2013, and

WHEREAS, agreement provide for an optional term extensions of one year each up to a total of three years, and

WHEREAS, Thompson Consulting Services, LLC has offered to extend the current contracts for a one-year period under the current terms, and

WHEREAS, the Department of Utilities and the parish administration recommend acceptance of their proposal.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the amendment of the Disaster Recovery Debris Monitoring and Management Services contract with Thompson Consulting Services, LLC extending the term for one year be, and is hereby, authorized.

BE IT FURTHER RESOLVED, that the Parish President and all other appropriate parties be, and they are hereby, authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. R. Hornsby.  
SECONDED BY: Mr. D. Guidry.

RESOLUTION NO. 13-123

A resolution authorizing amendment of the disposal services contract with River Birch, Inc.

WHEREAS, the River Birch, Inc currently provides solid waste disposal services to Terrebonne Parish Consolidated Government under a contract dated August 1, 2004 as amended July 20, 2010, and

WHEREAS, the current contract term will end July 31, 2013, and

WHEREAS, River Birch, Inc has offered a proposal to continue said services through July 31, 2016, and

WHEREAS, the Department of Utilities and Parish Administration recommend acceptance of this proposal.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that the continuation of the contract for solid waste disposal services with River Birch, Inc through July 31, 2016, generally in accordance with the aforementioned proposal be, and is hereby, authorized; and,

BE IT FURTHER RESOLVED, that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry and P. Lambert.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. R. Hornsby.  
SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-124

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 10-SEW-66 Part 3, North WWTP Equipment Replacement, Terrebonne Parish, Louisiana.

WHEREAS, this change order is necessary to repair deteriorated concrete on channel walls at the headworks, and

WHEREAS, this change order is necessary in order to increase the contract price by \$47,781.00, and

WHEREAS, this change order is necessary in order to increase the contract time by sixty-one (61) days, and

WHEREAS, this change order is contingent upon approval from DEQ (Department of Environmental Quality), and

WHEREAS, this Change Order No. 1 has been recommended by the ENGINEER for this project, CDM Smith, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with Guy Hopkins Construction Co. Inc., to provide services for, Parish Project No. 10-SEW- 66 Part 3, North WWTP Equipment Replacement, which provides for an increase in the amount of Forty-Seven Thousand Seven Hundred Eighty-One Dollars and No Cents (\$47,781.00) to the original contract amount, contingent upon approval from DEQ (Department of Environmental Quality), and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, CDM Smith, Inc.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry and P. Lambert.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. D. Guidry.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 13-125

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No.10-SEW-62, Renovation of South Wastewater Treatment Plant Levees, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated September 5, 2012, with Sealevel Construction, Inc., for Parish Project No. 10-SEW-62, Renovation of South Wastewater Treatment Plant Levees Project, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary in order to increase the contract time by 52 days added due to adverse weather conditions and restricted access, and

WHEREAS, this change order is contingent upon approval from DEQ (Department of Environmental Quality), and

WHEREAS, this Change Order No. 1 has been recommended by the ENGINEER for this project, Duplantis Design Group, PC.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with Sealevel Construction, Inc., to perform construction services for Parish Project No. 10-SEW-62, Renovation of South Wastewater



Treatment Plant Levees Project, for a time increase in the amount of fifty-two (52) days to the original contract contingent upon approval from DEQ (Department of Environmental Quality), and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Duplantis Design Group, PC.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry and P. Lambert.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. R. Hornsby.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 13-126

A resolution providing approval of Change Order No. 4 to the construction contract with Volute, Inc. for the Ashland Solid Waste Pickup Facility Upgrade and Repair Project No. 10-LDF-76.

WHEREAS, by contract dated February 22, 2012, Terrebonne Parish Consolidated Government did award a contract to Volute, Inc. for Ashland Solid Waste Pickup Facility Upgrade and Repair Project No. 10-LDF-76, Terrebonne Parish, Louisiana, as will be seen by reference to said contract which is recorded under Entry No. 1392928 of the records of Terrebonne Parish, Louisiana, and

WHEREAS, the Project Engineer, Shaw Coastal, has recommended Change Order No. 4 for an increase in the contract amount of \$6,107.00.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that Change Order No. 4 to the construction contract with Volute, Inc. for the Ashland Solid Waste Pickup Facility Upgrade and Repair Project No. 10-LDF-76 be, and is hereby, approved; and,

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute Change Order No. 4, for an increase in the amount of \$6,107.00.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: B. Amedée.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Mr. J. Navy.  
SECONDED BY: Mr. D. Guidry.

RESOLUTION NO. 13-127

A Resolution providing for the acceptance of work performed by Phylway Construction, LLC, in accordance with the Certificate of Substantial Completion for Parish Project No. 09-SEW-25, Re-routing of the Village East Sewer Lift Station Force Main, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated October 4, 2012, with Phylway Construction, LLC, Recordation Number 1410231, Parish Project No. 09-SEW-25, Re-routing of the Village East Sewer Lift Station Force Main, Terrebonne Parish, Louisiana, and

WHEREAS, the work performed has been inspected by authorized representatives of Owner, Engineers and Contractor, and found to be substantially complete.

NOW THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed, effective as of the date of recording of this resolution, and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1410231 of the Records of Terrebonne Parish, Louisiana, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Engineer, Providence/GSE, GSE Associates, LLC, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be recorded in the office of the Clerk of Court of Terrebonne Parish to commence a 45-day clear lien period, and

BE IT FURTHER RESOLVED, that the Administration is authorized to make payment of retainage upon the presentation of a Clear Lien Certificate.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. D. Guidry.  
SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 13-128

A resolution providing for the acceptance of work performed by Sealevel Construction, Inc., in accordance with the Certificate of Substantial Completion for Parish Project No. 11-SEW-26, Redirect Sewer Force Main James Road to Patriot Point Sewer Lift Station, Terrebonne Parish Consolidated Government, Terrebonne Parish, Louisiana.

WHEREAS, by contract dated August 27, 2012, Terrebonne Parish Consolidated Government did award a contract to Sealevel Construction, Inc., for Parish Project No. 11-SEW-26, Redirect

Sewer Force Main James Road to Patriot Point Sewer Lift Station, Terrebonne Parish, Louisiana, as will be seen by reference to said contract which is recorded under Entry No. 1408066 of the Records of Terrebonne Parish, and

WHEREAS, the work performed under the contract has been inspected by authorized representatives of Owner, Engineers and Contractor.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the contract and specifications in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution, and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1408066 of the Records of Terrebonne Parish, Louisiana, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be recorded in the office of the Clerk of Court of Terrebonne Parish to commence a 45-day clear lien period, and

BE IT FURTHER RESOLVED that the Administration is authorized to make payment of retainage upon the presentation of a Clear Lien Certificate.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-129

A resolution giving notice of intention of the City of Houma, State of Louisiana (the "City"), to enter into a Power Sales Contract by and between the City and the Louisiana Energy and Power Authority relative to a source of electric energy and power for the City's electric system, ordering a public hearing in connection therewith, providing for the publication of such Power Sales Contract and notice of the public hearing as required by law and providing for other matters incidental or necessary relative to the foregoing.

WHEREAS, the City of Houma, State of Louisiana (the "City") owns and operates its own electric transmission and distribution system, and its governing authority has found and determined after lengthy studies that an additional source of electric energy and power is required for said system in order to serve the best interests of the City, its electric consumers and citizens; and

WHEREAS, a reliable and efficient source of electric power and energy would benefit the City and the electric customers of its utilities system; and

WHEREAS, Louisiana Energy and Power Authority ("LEPA") has determined that it will construct and acquire a new combined cycle gas turbine electric generating plant (the "Project") for the purpose of providing electric power and energy to those member cities of LEPA that participate in the financing of the Project; and

WHEREAS, recently available technology permits increased efficiency in the generation of electric power; and

WHEREAS, the present cost and anticipated future cost of natural gas will contribute to the economic operation of the Project; and

WHEREAS, this governing authority has determined that, upon completion of the Project, the City can obtain a desirable and advantageous power supply from LEPA under the terms of a Power Sales Contract, hereinafter described, and now desires to give notice of its intention to enter into such Power Sales Contract, and after holding a public hearing and taking such other actions as may be required by law, to authorize the execution and delivery of said Power Sales Contract as herein provided; and

WHEREAS, a continuation of the current interest rate environment will further contribute to the feasibility of the Project; and

WHEREAS, in order to facilitate the planning of the financing, acquisition and construction of the Project, it is necessary that the cities wishing to participate in the Project declare their intention to do so;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (the "Governing Authority"), acting as the governing authority of said City:

SECTION 1. That in compliance with and under the authority granted by Chapter 10-A of Title 33 of the Louisiana Revised Statutes of 1950 (the "Act"), this governing authority hereby gives notice of its intention to enter into a Power Sales Contract for and on behalf of said City with LEPA substantially in the form and content attached hereto as Exhibit A and made a part of this resolution.

SECTION 2. That the Parish President be and he is hereby authorized and directed to publish a notice of intention to enter into said Power Sales Contract once a week for four (4) consecutive weeks as required by law (with the first publication being at least thirty (30) days before the public meeting described below) in *The Courier*, Houma, Louisiana, the official journal of said City and a newspaper of general circulation published therein, said notice of intention to be substantially in the form attached hereto as Exhibit B.

SECTION 3. That this governing authority shall meet in open and public session at its regular meeting place, the Council Meeting Room, 2<sup>nd</sup> Floor, Government Tower, 8026 Main Street, Houma, Louisiana, on April 24, 2013, at six o'clock (6:00) p.m. to hold a public hearing relative to the proposed Power Sales Contract, to receive any petitions and to hear any objections to said Power Sales Contract, as provided for in said notice of intention. If at such hearing a petition duly signed by electors of said City in a number not less than five percent (5%) of the electors voting in the last special or general election shall be filed objecting to the proposed Power Sales Contract, then said Power Sales Contract shall not be executed or delivered by or on behalf of said City until approved by a majority vote of the qualified electors of said City who vote at a special election held for this purpose in the manner generally provided by Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950. In the event no such petition is filed at said public hearing, it is the intention of this governing authority to proceed on that date or at some future duly convened meeting to (i) formally approve and authorize the execution and delivery of the Power Sales Contract substantially in the form attached hereto as Exhibit A, (ii) determine the amount (not exceeding sixty-four (64) megawatts) of power and energy to be obtained pursuant to said Power Sales Contract and (iii) approve such other documents as may be appropriate to implement said Power Sales Contract, including by not limited to, the LEPA Power Project Revenue Bonds (LEPA Unit No. 1) Resolution.

SECTION 4. That this resolution, including the Exhibits attached hereto, having been reduced to writing and having been presented to this governing authority, shall be published as soon as possible one time in the aforementioned official journal of the City not less than thirty (30) days before the date of the public hearing herein ordered and provided for.

SECTION 5. That it is the intention of this resolution to comply with all of the procedural and legal requirements of the Act so as to authorize said Power Sales Contract as a valid and legally binding obligation of said City enforceable in accordance with its terms.

BE IT FURTHER RESOLVED, that after having considered public comment, the Terrebonne Parish Council may, at its discretion, take action on this matter.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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(In accordance with La. R.S. 44:31, the attachment to this ordinance is on file with the minutes of the Terrebonne Parish Council, 8026 Main Street, Government Tower, Suite 600, Houma, Louisiana, and is available for inspection during regular business hours, Monday through Friday. Additionally, the ordinance in its entirety is included within the minutes of this meeting which appears on the TPCG web page at [www.tpcg.org](http://www.tpcg.org) )

Ms. A. Williams moved, seconded by Mr. R. Hornsby, "THAT, there being no further business to come before the Public Services Committee, the meeting be adjourned."

The Chairman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:27 p.m.

Daniel Babin, Chairman

Suzette Thomas, Minute Clerk

Mr. D. Babin moved, seconded by Mr. D. Guidry, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 03/11/13."

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Community Development and Planning Committee meeting held on 03/11/13 whereupon the Committee Chairwoman noting ratification of minutes calls public hearings on 03/27/13 rendered the following:

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE**

**MARCH 11, 2013**

The Chairwoman, Arlanda J. Williams, called the Community Development & Planning Committee meeting to order at 6:30 p.m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by J. Navy and the Pledge of Allegiance led by R. Hornsby. Upon roll call, Committee Members recorded as present were: B. Amedée, D. Babin, C. Duplantis, D. Guidry, Capt. Greg Hood, Sr., HPD Ret., R. Hornsby, P. Lambert, J. Navy, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. R. Hornsby.

SECONDED BY: Mr. J. Navy.

RESOLUTION NO. 13-130

A Resolution of the Terrebonne Parish Consolidated Government authorizing the Terrebonne Parish Tree Board to execute a memorandum of understanding and subsequent grant application to the Keep America Beautiful organization to partially fund a vegetation enhancement project at the interchange of LA Hwy 311 and US Hwy 90.

WHEREAS, the Terrebonne Parish Tree Board is seeking funding from the Keep America Beautiful and United Parcel Service's Community Tree Planting Grant program to partially fund a vegetation enhancement project at the interchange of LA Hwy 311 and US Hwy 90; and

WHEREAS, the implementation of the proposed vegetation enhancement will benefit the Parish by providing an attractive landscape feature at one of the major entry corridors to the Parish; and

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby:

1. Permit the Terrebonne Parish Tree Board to execute a Memorandum of Understanding with the Keep America Beautiful Organization before the 5:00 p.m. March 11, 2013 deadline that the Board shall request a resolution from the Parish Council to authorize the Tree Board to apply for the Keep America Beautiful and United Parcel Service Community Tree Planting Grant; and
2. Appoint the Tree Board as agent of the Terrebonne Parish Consolidated Government to conduct all negotiations, execute and submit all documents, including, but not limited to application, letter of commitment agreement, amendments, payment requests and completion report, which may be necessary for the completion of the aforementioned project.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

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OFFERED BY: Ms. B. Amedée.  
SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-131

A Resolution of the Terrebonne Parish Consolidated Government authorizing the Terrebonne Parish Tree Board to apply for a \$10,000 Product Development Grant from the Houma Area Convention and Visitors Bureau Tourism Development Sponsorship Program for a portion of the funds required to implement a Terrebonne Parish Tree Board plant installation project at the interchange of LA Hwy 311 and US Hwy 90.

WHEREAS, the Terrebonne Parish Tree Board is seeking funding from the Houma Area Convention and Visitors Bureau Tourism Development Sponsorship Program for a portion of the funds required to implement a Terrebonne Parish Tree Board plant installation project at the interchange of LA Hwy 311 and US Hwy 90; and

WHEREAS, the implementation of the proposed vegetation enhancement will benefit the Parish by providing an attractive landscape feature at one of the major entry corridors to the Parish; and

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby:

1. Permit the Terrebonne Parish Tree Board to apply for the Houma Area Convention and Visitors Bureau Tourism Development Sponsorship Program Product Development grant before the 5:00pm March 20, 2013 deadline; and
2. Appoint the Tree Board as agent of the Terrebonne Parish Consolidated Government to conduct all negotiations, execute and submit all documents, including, but not limited to application, letter of commitment agreement, amendments, payment requests and completion report, which may be necessary for the completion of the aforementioned project.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. J. Navy.  
SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 13-132

A RESOLUTION OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION GRANT PROGRAM/HURRICANE GUSTAV, PROJECT NO 1786-109-0001 TO COMPLETE THE STRUCTURE ELEVATION OF 314 STOVALL STREET, HOUMA, LA 70364.

WHEREAS, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Hurricane Gustav Flood Hazard Mitigation Grant Program (HMGP), Project No. 1786-109-0001, can proceed with the mitigation of the following property:

Address: 314 Stovall Street  
Houma, LA 70364

Owned by: Ms. Ruby Hamilton;

WHEREAS, under the administrative guidance of Solutient, the required “elevation packet” has been prepared and executed for the property owner recommending elevation through the HMGP program.

NOW, THEREFORE, BE IT RESOLVED, by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Grant Program/Hurricane Gustav, Project No. 1786-109-0001 be hereby obligated to mitigate the property above.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

OFFERED BY: Mr. D. Guidry.

SECONDED BY: Mr. J. Navy.

RESOLUTION NO. 13-133

A RESOLUTION OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH SEVERE REPETITIVE LOSS PROGRAM, PROJECT NO. SRL-PJ-06-LA-2012-004, TO COMPLETE THE STRUCTURE ELEVATION OF 510 WOODSIDE, HOUMA, LA 70363.

WHEREAS, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Severe Repetitive Loss Program (SRL), Project No. SRL-PJ-06-LA-2012-004 can proceed with the mitigation of the following property:

Address: 510 Woodside  
Houma, LA 70363

Owned by: Larry and Tina Williams;

WHEREAS, under the administrative guidance of Solutient, the required “elevation packet” has been prepared and executed for the property owner recommending elevation through the SRL program.

NOW, THEREFORE, BE IT RESOLVED, by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that the necessary funding under the Terrebonne Parish Severe Repetitive Loss Program, Project No. SRL-PJ-06-LA-2012-004, be hereby obligated to mitigate the property above.



THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

Mr. J. Navy moved, seconded by Mr. D. Babin, "THAT, the Community Development & Planning Committee remove from the agenda, until such time as Administration is ready to present a report, the matter relative to how federally-funded projects are awarded in Terrebonne Parish."

The Chairwoman called for the vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. J. Navy moved, seconded by Mr. D. Babin, "THAT, the Community Development & Planning Committee request the Planning & Zoning Department and the Houma-Terrebonne Regional Planning Commission to develop a plan to extend current Zoning Regulations to the Village East area, and to report to the committee once the plan has been devised."

The Chairwoman called for the vote on the motion offered by Mr. J. Navy.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Committee Member R. Hornsby stated that he intends to offer a resolution to increase the speed limit along Valhi Boulevard from Equity Boulevard to Savanne Road from 35 mph to 45 mph instead of as stated in the agenda back-up 35 mph to 50 mph, due to the roadway not being designed for traffic flowing at 50 mph.

OFFERED BY: Mr. R. Hornsby.

SECONDED BY: Mr. G. Hood, Sr.

RESOLUTION NO. 13-134

A Resolution giving Notice of Intent to adopt an Ordinance to raise the speed limit from 35 mph to 45 mph for Valhi Boulevard from Equity Boulevard to Savanne Road.

WHEREAS, Valhi Boulevard was recently extended to Savanne Road and accepted in Terrebonne Parish, and

WHEREAS, the minimum speed limits were posted for residential minor streets, and

WHEREAS, the posted speed limit on both streets should be changed from 35 mph to 45 mph, and

NOW THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to raise the speed limit from 35 mph to 45 mph for Valhi Boulevard from Equity Boulevard to Savanne Road; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, March 27, 2013 at 6:30p.m.

THERE WAS RECORDED:

YEAS: J. Navy, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 11<sup>th</sup> day of March, 2013.

\* \* \* \* \*

Mr. R. Hornsby moved, seconded by Mr. D. Babin, “THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned.”

The Chairwoman called for the vote on the motion offered by Mr. R. Hornsby.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: B. Amedée, D. Babin, C. Duplantis, D. Guidry, G. Hood, Sr., R. Hornsby, P. Lambert, J. Navy, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted and the meeting was adjourned at 6:35 p.m.

Arlanda J. Williams, Chairwoman

Suzette Thomas Minute Clerk

Ms. A. Williams moved, seconded by Ms. C. Duplantis, “THAT, the Council accept and ratify the minutes of the Community Development and Planning Committee meeting held on 03/11/13.”

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. G. Hood, Sr., “THAT, the Council approve the following street light list:

INSTALL STREET LIGHT ON EXISTING POLE ALONG LOUISIANA HIGHWAY 24 SOUTH/WEST MAIN STREET, HOUMA, LA ACROSS FROM JAMES AITKENS

SUBDIVISION IN THE VICINITY OF 7123 AND 7145 WEST MAIN STREET; ROAD LIGHTING DISTRICT NO. 3A; ENTERGY; CHRISTA M. DUPLANTIS

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. A. Williams moved, seconded by Ms. C. Duplantis, "THAT, the Council hold nominations open for the one long- standing vacancy on the Bayou Blue Fire Protection District Board until the next Council meeting."

The Chairwoman called for a vote on the motion offered by Ms. A Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. R. Hornsby moved, seconded by Mr. G. Hood, Sr., "THAT, the Council open nominations, nominate Ms. Susan Normand, close nominations and appoint Ms. Susan Normand to serve a term that extends until 01/01/15 on the Fire Protection District No. 8 Board."

The Chairwoman called for a vote on the motion offered by Mr. R. Hornsby.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. D. Babin, "THAT, the Council open nominations for the vacant position on the Hospital Service District No. 1 Board due to the demise of Mr. Michael Voisin (representative of a civic organization domiciled in Terrebonne Parish) whose term extended until July 31, 2013, nominate Mr. Michael Fakier (United Way for South Louisiana nominee), close nominations and appoint Mr. Michael Fakier to serve the remaining term of Mr. Michael Voisin on said board."

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

The Council Chairwoman acknowledged Mr. Michael Fakier who thanked the Council for this appointment and assured the Council that he is going to serve to the best of his ability.

Under Agenda Item 6A – Announcements, Council Members:

- Councilman D. Babin announced that a memo from DOTD was received and that the Houma Tunnel will be closed to vehicular traffic nightly from 9:00 p.m. to 5:00 a.m. beginning on Monday, March 11<sup>th</sup> 2013 until Friday, March 22<sup>nd</sup> 2013. This closing allows DOTD to work on the tunnel lighting system and other related electrical work. LA 24, the Twin Span bridges and LA 315 can be used as alternative routes while work is being performed.
- Councilman D. Babin announced the District No. 7 “Trash Bash” is scheduled for Saturday, March 16<sup>th</sup>.
- Councilman D. Babin announced that the levee work around the parish is remarkable and if any of the citizens get a chance, they could take a ride to see the work that is being done.
- Councilwoman A. Williams announced that three out of seven of our small businesses that applied for the TEDA Goldman Saks Grant Program were accepted.
- Councilwoman A. Williams announced that at the recent NACo Conference in Washington, D.C. a resolution was passed by the U.S. Corps of Engineers that can save our levee vegetation and save our municipal bonds; this occurred as a result of the flooding during Hurricane Katrina.
- Councilwoman A. Williams announced that the Membership Committee of NACo is pushing for 100% participation when the conference comes to New Orleans. NACo is still signing up parishes for the Dental Assistance Program.
- Councilwoman A. Williams announced that she is working with Mr. Sam Kass, White House Assistant Chef and Senior Policy Advisor for the Healthy Food Initiative Program submitting Terrebonne Parish as a site for the First Lady Michelle Obama’s “Let Move Cities, Towns and Counties Childhood Obesity Program”
- Councilwoman A. Williams announced that the Louisiana Entrepreneurship Fest for Youths and First-Time Entrepreneurs will be held on June 20<sup>th</sup> and 21<sup>st</sup>, 2013 at the Houma Civic Center in conjunction with TEDA, Louisiana Economic Development, Terrebonne Parish Consolidated Government, Nicholls State University and the Terrebonne Parish Youth Advisory Board.
- Councilwoman A. Williams announced that on Friday, March 15<sup>th</sup> Terrebonne General Medical Center will have its Annual “Ladies Night Out” sponsored by the Terrebonne General Foundation.
- Councilwoman C. Duplantis announced to every pet owner to have their pets spayed or neutered to help control the pet population, and asked that if a stray animal is found to please contact the Animal Shelter at (985) 873-6709.
- Councilman D. Guidry announced the Terrebonne Advocates for Possibilities will sponsor a “Trash Bash” in Chauvin on Saturday, March 23<sup>rd</sup>. Registration begins at the Little Caillou Elementary School from 7:30 a.m. to 8:00 a.m. Volunteers are needed. For more information, contact Mr. Kirk Lirette at (985) 594-5000.
- Councilman D. Guidry announced that Parish President M. Claudet will have a Town Hall meeting on Thursday, March 14<sup>th</sup> at American Legion Hall Post No. 380 in Chauvin, LA at 6:00 p.m.
- Councilman R. Hornsby announced that Leadership Terrebonne Program does not endorse any political actions and is not endorsing the Terrebonne Parish School Board Tax.
- Council Clerk C. Poché announced that she received notice this afternoon that Mr. Rodney Boudreaux that he will no longer be able to continue to serve on the Recreation District No. 5 Board and that she will announce the vacancy.
- Councilwoman B. Amedée announced that the Houma Police Department is offering RAD classes to women who want to learn self-defense. If you are interested, contact the Police Department at (985) 868-5500.
- Councilwoman B. Amedée thanked the citizens of District No. 4 who sent e-mails and correspondences about the road repairs in this area.
- Councilwoman B. Amedée announced that the Houma-Terrebonne Community Band will be having a free concert on April 13<sup>th</sup> at the J. C. Penney Court in Southland Mall celebrating 29 years of existence. This event will begin at 6:30 p.m. to 8:30 p.m.

- Councilwoman B. Amedée announced that she and Councilwoman A. Williams recently went to the NACo Conference in Washington, D.C.; there she met with our Louisiana delegation (Senator Mary Landrieu, Senator David Vitter, Congressman Bill Cassidy and Representative Steve Scalise) and voiced her concerns for Terrebonne Parish. She is looking forward to receiving information and presenting it at the next Council meeting.

Under Agenda Item 6B – Announcements, Parish President:

- The Gaubert Service station at the corner of Van Avenue and Industrial Avenue will become the first CNG Dual Fuel Station in Terrebonne Parish.
- On Tuesday, March 12<sup>th</sup> bids were received for the streets and infrastructure for the public facility structure in Gray, LA. This project along with the Denley Road Right-Turn Lane Project will be presented to the Council for recommendation at the next Council meeting.
- On April 2<sup>nd</sup> the Cleanest City Contest will be held in Terrebonne Parish.
- There will be a Town Hall Meeting on March 21st at the Montegut Recreation Center located at 104 Dolphin Street in Montegut beginning at 6:00 p.m.
- Cocodorie has been entered once again into the “Ultimate Fishing Town Contest” which will begin on April 14<sup>th</sup>. You are eligible to vote four (4) times a day.

No action necessary on Agenda Item 7A, Staff Reports – Information List.

Ms. A. Williams moved, seconded by Mr. G. Hood, Sr., “THAT, the Council approve the following Monthly Engineering Report:

- A) CB and I (formerly Shaw-Coastal)
- B) Duplantis Design Group, PC
- C) GSE Associates, LLC
- D) Milford and Associates, Inc.
- E) T. Baker Smith, LLC

The Chairwoman called for a vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. G. Hood, Sr., “THAT, there being no further business to come before the Council the meeting be adjourned.”

The Chairwoman called for a vote on the motion offered by Mr. D. Babin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Williams, G. Hood, Sr., B. Amedée, C. Duplantis, R. Hornsby, D. Babin, D. Guidry, P. Lambert and J. Navy.

NAYS: None.

ABSENT: None.

The Chairwoman declared the motion adopted and the meeting adjourned at 7:58 p.m.

TAMMY E. TRIGGS, MINUTE CLERK

/S/ BERYL A. AMEDÉE, CHAIRWOMAN  
TERREBONNE PARISH COUNCIL

ATTEST:

/S/ CHARLETTE D. POCHÉ, COUNCIL CLERK  
TERREBONNE PARISH COUNCIL