

PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
OCTOBER 14, 2020

The Chairman, Mr. S. Trosclair, called the meeting to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, offered by Councilman D. J. Guidry, Councilman C. Harding led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy. A quorum was declared present.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. J. Amedée, “THAT, the Council approve the minutes of the Regular Council Session held on September 09, 2020.”

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Mr. J. Amedée moved, seconded by Mr. D. Babin, “THAT, the Council approve the Accounts Payable Bill Lists dated 09/28/2020, 10/05/2020, and 10/12/2020.”

The Chairman called for a vote on the motion offered by Mr. J. Amedée.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
ABSTAINING: D. W. Guidry, Sr.
The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Mr. D. Babin, “THAT the Council approve the Manual Check Listing for August 2020.”

The Chairman called for a vote on the motion offered by Mr. G. Michel.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Vice Chairman D. W. Guidry, Sr. read the proclamation designating the month of October 2020 as "Atchafalaya National Heritage Areas Month" in the Parish of Terrebonne.

Justin Lemoine, Executive Director of the Atchafalaya National Heritage area, thanked Parish President Gordon Dove for acknowledging “Atchafalaya National Heritage Areas Month”. He proceeded to direct the public to their web site to learn

more information regarding the Atchafalaya National Heritage Area.

Vice-chairman D. W. Guidry, Sr. expressed his sincere thanks to Mr. Lemoine and the Atchafalaya National Heritage Area.

RESOLUTION: Supporting the Recreation District No. 2, 3 millage.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. G. Michel.

(***RESOLUTION WITHDRAWN AFTER DISCUSSION**)

Upon questioning, Parish Attorney Jules Hebert explained the legality of passing a resolution in support of a tax and the purpose of the resolution. He proceeded to provide further clarification stating that the resolution provides the public with information regarding the tax, but not specifically supporting it.

Several council members agreed that the Council should not get involved and encourage the public to educate themselves and exercise their right to vote.

Mr. D. Babin moved, seconded by Mr. G. Michel, "THAT, the Council open public hearings at this time."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- A. An ordinance to revised certain portions of Chapter 6, Article VI and Appendix A, Part II and Appendix B of the Terrebonne Parish Code of Ordinances pertaining to small cell wireless facilities and fees.

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

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. BABIN
SECONDED BY: MR. D. J. GUIDRY

ORDINANCE NO. 9189

AN ORDINANCE PURSUANT TO SECTION 2-14 OF THE TERREBONNE PARISH HOME RULE CHARTER FOR THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT TO REVISE CERTAIN PORTIONS OF CHAPTER 6, ARTICLE VI AND CERTAIN PORTIONS OF APPENDIX A, PART II AND APPENDIX B OF THE TERREBONNE PARISH CODE OF ORDINANCES AS PER THE ATTACHED EXHIBIT A.

WHEREAS, the Terrebonne Parish Consolidated Government desires to enact ordinances to governing the development, implementation and enforcement of regulations and permitting requirements for the placement, renovation, improvement, modification, demolition, or removal of small cell facilities, and other telecommunications towers within the parish of Terrebonne.; and

WHEREAS, on September 9, 2020, the Parish Council voted to adopt Ordinance No. 9178 to revise certain regulations, procedures, and design guidelines for the placement of small cell wireless facilities within the parish, and

WHEREAS, at the regular meeting on September 9, 2020, comments were made by members of the Council concerning grammatical errors, typos, and formatting pertaining to the proposed revisions as well as comments regarding reasonable fees for such facilities; and

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that:

SECTION I

Revisions to certain portions of Sections 6-175 through 6-188 and certain portions of Appendix A and certain portions of Appendix B of Article VI of Chapter 6 of the Terrebonne Parish Code of Ordinances shall be and are hereby enacted as per the attached Exhibit A.

SECTION II

To the extent applicable, the Council Clerk shall cause all necessary notices and publications to occur with respect to the subject ordinance.

SECTION III

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 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 thirty days, was voted upon as follows:

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amed e, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

Exhibit A

*****Proposed revisions or additions are shown in bold underlined text*****

ARTICLE VI. - COMMUNICATION TOWERS AND SMALL WIRELESS FACILITIES^[4]

Footnotes:

--- (4) ---

Editor's note— Ord. No. 9037, § I, adopted March 27, 2019, amended Art. VI title to read as herein set out. The former Art. VI title pertained to Communication towers.

Sec. 6-175. - Purpose and intent.

- (a) The purpose of this article is to encourage telecommunication and wireless infrastructure investment by providing a fair and predictable process for the deployment of these facilities, while enabling the parish to promote the management of rights-of-way and visual qualities in the overall interests of the public health, safety, and welfare.
- (b) *Intent.* In enacting this article, the parish is establishing uniform standards to address issues presented by telecommunication towers and small wireless facilities, including without limitation, to:
 - (1) Prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
 - (2) Prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
 - (3) Prevent interference with the facilities and operations of facilities lawfully located in rights-of-way or public property, as well as public safety vehicles;
 - (4) Protect against environmental damage, including damage to trees;
 - (5) Preserve the aesthetics of the neighborhoods in which facilities are installed; and
 - (6) Facilitate rapid deployment of small cell facilities to provide the benefits of advanced wireless services.
- (c) *Conflicts.* This article supersedes all provisions adopted prior hereto that are in conflict herewith, to the extent of such conflict.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— Ord. No. 9037, §§ II, IV, adopted March 27, 2019, renumbered the former § 6-175—6-179 as 6-181—6-185 and added new §§ 6-175—6-180 to read as herein set out. The historical notations have been retained with the amended provisions for reference purposes.

Sec. 6-176. - Definitions.

For the purposes of this article, the following definitions shall apply:

Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

Applicable codes means the Terrebonne Parish Code and uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes, or adopted by the parish, enacted solely to address imminent threats of destruction of property or injury to persons to the extent not consistent with the terms of this document.

Applicant means any person who submits an application and is a wireless provider.

Application means a request submitted by an applicant for (i) a building permit to collocate small wireless facilities; or (ii) to approve the installation, modification, or removal

of a utility pole, telecommunication tower, small wireless facility, or wireless support structure.

Application, Facility Cluster means a group of individual applications, up to a maximum of 10 total facilities, submitted by an applicant for group review. A maximum of two (2) facility clusters per applicant (provider) may **be** in the permit process at any given time.

Community Notice Verification (CNV) Process means the process and period of time prior to the Applicant's submittal of a small wireless facilities permit application in which the Applicant notifies property owners and occupants located within 250 feet of a proposed new or modified small wireless facility that it intends to install small cell wireless facilities; the process and period of time allowed for public response and comment following notice; and the preparation and submittal of the CNV Report to the Department of Planning and Zoning.

Collocate means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole. "Collocation" has a corresponding meaning.

Day means a calendar day.

Fee means a one-time charge.

Parish or TPCG means Terrebonne Parish Consolidated Government.

Person means any natural or juridical person, including the parish.

Rate means a recurring charge.

Rights-of-way or ROW means a public right-of-way within the jurisdiction of the parish.

Parish-owned pole means a utility pole owned or operated by the parish and located within a public right-of-way, or a right-of-way granted to TPCG.

Small wireless facility means a wireless facility that meets both of the following qualifications: (1) the antenna is located inside an enclosure of no more than six (6) cubic feet in volume and (2) all of the wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight (28) cubic feet. In the case of an antenna that has exposed elements, (1) the antenna and all of its exposed elements shall fit within an imaginary enclosure of not more than six (6) cubic feet and (2) all of the wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight (28) cubic feet. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

Stealth or stealth design means a method of camouflaging any wireless facility or antenna, tower, utility pole, or wireless support structure, including, but not limited to, supporting electrical or mechanical equipment, which is designed to enhance compatibility with adjacent land uses and be as visually unobtrusive as possible. Stealth design may include a repurposed structure.

Telecommunications tower A tower, pole or similar structure that supports a telecommunications antenna operated for commercial purpose above ground in a fixed location, freestanding, guyed, or on a building, residence or other structure.

Utility Pole means a pole or similar structure that is used in whole or in part for the purpose of carrying electric distribution lines or cables or wires for telecommunications, cable or electric service, or for lighting, traffic control, signage, or a similar function regardless of ownership, including parish-owned poles. Such term shall not include structures supporting only wireless facilities.

Wireless facility means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include the structure or improvements on, under, or within which the equipment is collocated.

Wireless infrastructure provider means any person, including a person authorized to provide telecommunications service in the state, that builds or installs wireless communication transmission equipment, wireless facilities or wireless support structures, but that is not a wireless services provider.

Wireless provider means a wireless infrastructure provider or a wireless services provider.

Wireless services means any services, whether at a fixed location or mobile, provided using wireless facilities.

Wireless services Provider means a person who provides wireless services.

Wireless Support Structure means a freestanding structure, such as a monopole, tower, either guyed or self-supporting, billboards, or, other existing or proposed structure designed to support or capable of supporting wireless facilities. Such term shall not include a utility pole.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175.

Sec. 6-177. – Pre-Application meeting.

Applicants are encouraged, but not required, to schedule a pre-application meeting with the Department of Planning and Zoning before initiating the CNV process to:

- (a) Review general requirements and standards for small wireless facilities and the requirements of the CNV with the staff; and
- (b) Present a preliminary area plan and map of proposed facilities locations.

Sec. 6-178. – Permit; application and fees.

- (a) *Permit required.* No person shall place, modify, or remove a telecommunication tower or small wireless facility without first filing the appropriate building permit application and obtaining a permit therefore.
- (b) *Commencement of application review.* No application review, or application review timeline under any applicable law, shall commence until an application is delivered to the director of the planning and zoning department or designee. Applications for wireless facilities which require other permits, including, but not limited to, zoning and building permits, shall not be considered complete until applicant has made complete application for those other permits, as well.
- (c) *Community Notice Verification (CNV) Report.* All applications for new or modified small wireless facilities shall include a CNV Report unless otherwise specified in this code. Until all required CNV documents are submitted to the staff, an application will not be deemed complete.
 - (1) At least 18 calendar days prior to applying for a new or modified small wireless facility permit, the applicant shall send by mail or other verifiable delivery method a CNV information packet to all physical addresses, occupants, and property owners located within a 250 feet radius from the proposed facility (the CNV area). The CNV information packet shall include at a minimum:
 - a. A brief description of the proposal.
 - b. An area plan and map showing ~~general~~ locations of proposed facilities.
 - c. A statement identifying a public comment period within which the applicant shall receive comments. The public comment period shall be a minimum of 18 calendar days from the postmark date of the last mailing and the delivery date of the information packet if another delivery method is utilized.
 - d. A general description of how the applicant can be contacted for additional information requests and comments including phone numbers, email address, and websites.
 - e. A statement as to how requests and feedback shall be addressed.
 - f. A general statement that the FCC requires the Parish to take final action on such applications with 60 days for collocations and 90 days for facilities on new support structures.
 - (2) After the conclusion of the public comment period, the applicant shall create a CNV Report. The report shall provide the following information:
 - a. The list of addresses, occupants, and property owners who were sent a CNV information packet and an affidavit from the applicant stating that the information packet was postmarked or otherwise delivered no later than 18 calendar days before the end of the public comment period.

- b. A listing or catalog of any comments received during the public comment period.
 - c. A statement as to how each comment was or will be addressed. If the comment was not addressed, the applicant shall state the reasons.
 - d. Copies of letters, affidavits, meeting invitations, newsletters, publications, and petitions, and any other outreach or comments received concerning the project.
 - e. The date, time, and location of any meetings held on the project.
- (d) *Application requirements.* The application shall be made by the telecommunication or wireless provider, or its duly authorized representative as may be required by law, and shall contain the following information:

(1) New facility or New Facility Cluster:

- a. The applicant's name, address, telephone numbers, and e-mail addresses;
- b. The telecommunication or wireless provider's name, address, telephone numbers, and e-mail addresses, if different from applicant;
- c. Complete CNV Report;
- d. An electronic parish-wide site plan in GIS format, indicating locations and types of all of applicant's permitted wireless facilities;
- e. A site-specific plan indicating the location of the proposed wireless facility, including physical address and longitude and latitude coordinates, and its relation to other wireless facilities, adjacent properties, the zone of adjacent properties, and the distance from the nearest residence;
- f. If the proposed wireless facility is to be placed on property owned by anyone other than the parish, the application must include a site-specific statement of consent from the property owners;
- g. If the proposed wireless facility is to be placed on parish property, the application must include (1) a letter of no objection from the parish, and (2) a fully executed standard right-of-way use agreement, available at Form 2 of Appendix C, Standard Forms, of the Terrebonne Parish Code of Ordinances;
- h. Manufacturer's specifications on all equipment;
- i. Digital drawing to scale indicating the elevation profile of the structure with heights of proposed antennas, heights designated for future attachment (if any), any equipment shed or cabinets, cabling, etc. and the location in relation to existing wireless facilities (with carrier names and antenna type). Drawings must be stamped by a Louisiana professional engineer; and
- j. Any special exceptions or approvals as may be required by the Houma Board of Adjustment or Houma Historic District Commission.

- (2) Modifications, including improvements, alterations, additions, or replacements to existing wireless facilities or facility clusters:

- a. The applicant's name, address, telephone numbers, and e-mail addresses;
 - b. The telecommunication or wireless provider's name, address, telephone numbers, and e-mail addresses, if different from applicant;
 - c. CNV Report subject to the following conditions:
 - i. If the modification is considered a minor modification or a routine replacement or upgrade of equipment, a CNV report is not required.
 - ii. If the modification is proposed for a facility permitted prior to the establishment of the CNV requirement, and the facility location does not change, a CNV report is not required.
 - iii. If the proposed modification will result in the facility location in an area covered in a final CNV report within the past 5 years, a new CNV report is not required.
 - d. Vicinity map providing location of wireless facility to be modified, including physical address;
 - e. Manufacturer's specifications on all equipment;
 - f. Digital drawing to scale indicating the elevation profile of the structure with heights of proposed antennas, heights designated for future attachment (if any), any equipment shed or cabinets, cabling, etc., and proposed modifications. Drawings must be stamped by a Louisiana professional engineer; and
 - g. Any special exceptions or approvals as may be required by the Houma Board of Adjustment or Houma Historic District Commission.
- (e) *Time for response.* The TPCG shall comply with any applicable federal, state, or local laws governing the time for response to an application under this section. Notwithstanding any law to the contrary, TPCG shall respond to the application within a reasonable time.
- (f) *Rejected application.* If an application is rejected, the applicant shall be required to file a new application.
- (g) *Review and application decision by staff.* The staff shall review the application and consider the following criteria in making a decision to approve, request modified location, or deny a proposed facility:
- (1) Do the proposed facilities meet the criteria in Sec. 6.175., Purpose and Intent, of this section?
 - (2) Do the proposed facilities comply with the standards in Appendix B. Small Wireless Facilities Design Manual?
 - (3) Does the CNV Report consider comments and requests from the public?
 - (4) Do the proposed facilities comply with all requirements of this code and all other local, regional, state and federal standards?
- (h) *Effect of permit.* A permit from the parish authorizes an applicant to undertake only certain activities in accordance with this chapter and does not create a property right or

grant authority to the applicant to impinge upon the rights of others who may already have an interest in the rights-of-way.

- (i) *Routine maintenance.* An application shall not be required for routine maintenance.
- (j) *Information updates.* Any amendment to information contained in a permit application shall be submitted in writing to the parish within thirty (30) days after the change necessitating the amendment.
- (k) *Permit application fees.* Application fees for new small wireless facilities or modifications to existing small wireless facilities shall be paid at the time of the application in the amount(s) set forth in Table 1409.2.2(4) of Section 109 of the Terrebonne Parish Building Code (Terrebonne Parish Code of Ordinances, Article VI, Chapter 6, Appendix A).
- (l) *Additional costs.* Should the TPCG determine that a permit application fee is insufficient to cover TPCG's costs associated with the application, the TPCG may invoice applicant and applicant shall reimburse the TPCG for those additional costs. Costs may include, but are not limited to staff resources; hired professionals such as engineers, architects, planners, attorneys, telecommunications, and contractors; and post-installation inspection expenses. The parish shall provide the applicant with an invoice itemizing additional costs due, including backup information, and applicant shall reimburse TPCG in full within thirty (30) days from the date of the invoice.
- (m) TPCG may withhold approval of any permit application until applicant reimburses the TPCG in full for these costs. In the event applicant fails to pay the additional costs invoiced under this section, and TPCG places the invoice in the hands of an attorney for collection, the applicant shall be charged with and liable to pay judicial interest from date of invoice, as well as TPCG's attorney's fees, expenses, and costs. TPCG may also revoke applicant's permit for non-payment.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175.

Sec. 6-179. – Maintenance of facilities.

Wireless Provider, at its sole expense, shall operate and maintain all facilities and their accessories, component parts, support structures, and stealth components in a working, orderly, safe, and neat condition in accordance with local, state, and federal laws. The Parish may, but shall not be obligated to, notify the Wireless Provider of any deficiencies. If the Parish notifies the Wireless Provider of any deficiency of operation or maintenance, Wireless Provider shall remedy the deficiency within ten days of the date of notice. Should the Wireless Provider fail to remedy the deficiency within ten days of notice, the Parish may revoke the Wireless Provider's permit for the said facility and demand removal of the facility and its support structure, accessories, component parts and stealth components at its sole expense.

Sec. 6-180. – Removal, relocation or abandonment of small wireless facilities.

- (a) Within ninety (90) days following written notice from the parish, wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless facilities within the rights-of-way whenever the parish has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any parish improvement, in or upon, or the operations of the parish in or upon, the rights-of-way.
- (b) The parish retains the right and privilege to cut or move any small wireless facility located within the rights-of-way of the parish, as the parish may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the parish shall notify the wireless provider and provide the wireless provider an opportunity to move its own facilities prior to cutting or removing a facility and shall notify the wireless provider after cutting or removing a small wireless facility.
- (c) Abandonment of facilities. The wireless provider shall notify the parish in writing within ninety (90) days of its abandonment of a small wireless facility within the rights-of-way of the parish. Following receipt of such notice the parish may direct the wireless provider to remove all or any portion of the small wireless facility and/or its support structure if the parish, or any of its departments, determines that such removal will be in the best interest of the public health, safety and welfare. Failure of the wireless provider to remove the abandoned small wireless facility and/or support structure within thirty (30) days of direction by the parish shall subject the wireless provider to continued annual charges for right-of-way rates applied to the abandoned facility until such time the parish removes the facility and/or support structure itself. Any costs incurred by the parish for the removal of the abandoned facility and/or support structure shall be charged to the wireless provider.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175.

Sec. 6-181. - Small wireless facilities design manual.

The design and placement of small wireless facilities shall be in compliance with Appendix B, Small Wireless Facilities Design Manual, of this chapter 6 of the Terrebonne Parish Code of Ordinances.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175.

Sec. 6-182. - ~~Right of way use~~ **Annual** fees.

- (a) ~~Annual~~ **Right of Way** fees. A wireless provider permitted to place small wireless facilities within the rights-of-way shall pay to the parish annual fees for use of the parish rights-of-way as follows:

- (1) Two hundred seventy dollars (\$270.00) per year for each new pole or support structure installed for the support of a small wireless facility, which supports no more than one (1) small wireless facility;
- (2) One hundred seventy dollars (\$170.00) per year for each small wireless facility installed on any existing pole or support structure, resulting in the collocation of the permitted small wireless facility;

(b) Non-Right of Way fees. A wireless provider permitted to place small wireless facilities outside of the public the rights-of-way shall pay to the parish annual fees for use as follows:

- (1) Two hundred seventy dollars (\$270.00) per year for each new pole or support structure installed for the support of a small wireless facility, which supports no more than one (1) small wireless facility;**
- (2) One hundred seventy dollars (\$170.00) per year for each small wireless facility installed on any existing pole or support structure, resulting in the collocation of the permitted small wireless facility;**

- (~~b~~c) Annual fees are due in advance and shall not be prorated for partial annual use.
- (~~e~~d) The first annual fee for each permitted small wireless facility shall be due at the time of permit approval, but before a formal permit is issued.
- (~~d~~e) Subsequent annual fees shall be billed to the provider on an annual basis, on or around the first month of each year. Payment is due at receipt of invoice.
- (~~e~~f) *Cease payment.* A wireless provider is authorized to remove its facilities from the rights-of-way upon providing the parish with at least thirty (30) days written notice and cease paying the parish compensation for use of the rights-of-way after removal of its facilities.
- (~~f~~g) *Make-ready.* For parish-owned utility poles in the rights-of-way, the parish shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested small wireless facility, including pole replacement if necessary, within sixty (60) days after receipt of a completed request. Make-ready work including any pole replacement shall be completed within sixty (60) days of written acceptance of the good faith estimate by the wireless provider.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175. Sec. 6-183. - Setback requirements for construction of communication towers.

- (a) Any freestanding tower constructed for communications or cellular phone purposes shall have setback requirements a distance equal to or greater than its height from any residential structure.
- (b) Homeowners permitting construction of a tower on home sites on which they reside shall be exempt from the setback requirements.
- (c) When constructing a tower in a residential area, public hearings will be encouraged to receive input from the residents.
- (d) Any guyed tower constructed for communications or cellular phone purposes shall have setback requirements within the guys from any residential structure.

(Ord. No. 7102, § I, 4-12-06; Ord. No. 9037, § II, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175. Sec. 6-184. - Fencing material.

- (a) Fencing shall be required at the base of the communication tower and shall be constructed of wood, vinyl, or plastic material. Hurricane fencing, corrugated tin, or any metal material shall be prohibited.
- (b) Areas designated as FEMA flood zones with elevation requirements of five (5) feet or greater shall be exempt from the fencing regulations.

Sec. 6-185. Small Wireless Facilities Design

- (a) Facilities shall be reasonably designed to objectively comply with the Design Manual to meet the aesthetics necessary to blend into the surrounding environment and complement existing streetscape elements or structures through the use of color, camouflaging and architectural treatment.
- (b) Any equipment mounted to the support structures shall also match the support structure in color and general design unless a different color is needed for public safety or service reliability reasons. All antennas and related equipment mounted to existing utility poles, light structures, or traffic signals shall be camouflaged, screened and/or obscured to the extent technically feasible.
- (c) If new monopoles, utility poles, light structures, or traffic signals are installed for the purpose of small wireless facilities, the antennas and related mounted equipment shall be camouflaged, screened and/or obscured to the extent technically feasible.
- (d) Facilities shall be located such that they do not interfere with public health or safety facilities, such as, but not limited to a fire hydrant, fire station, fire escape, water valve, underground vault, or valve housing structure. New utility poles and other support structures for facilities shall not be installed directly over any water, sewer, or reuse main or service line.

(Ord. No. 7102, § I, 4-12-06; Ord. No. 9037, § II, 3-27-19; [Ord. No. 9178, § IV, 9-9-20](#))

Editor's note— See the editor's note to § 6-175.

Sec. ~~6-185~~[186](#). - Co-use requirements.

- (a) *Towers*. All communications towers shall be encouraged to construct with co-user potential.
- (b) *Small wireless facilities; co-location required*. In an effort to reduce visual clutter in the parish's public rights-of-way, applicants are required to practice collocation of small wireless facilities when practicable as determined by the parish, to the extent permitted under applicable regulations or law, to reasonably and objectively provide the best concealment and aesthetics possible in accordance with the Design Manual.
 - (1) The applicant shall provide verification to the staff that co-location was considered and prioritized when available.
 - (2) If co-location is not an option ~~which~~ **when** such facilities exist in the area, the applicant shall provide a written explanation as to why co-location was not suitable.
 - (3) Notwithstanding any provision in this article to the contrary, the Parish may, using sound planning and/or engineering principals, determine independently whether co-location is available for any small wireless facilities permit. The Parish shall tax costs of consultants used for this determination to the applicant.

(Ord. No. 7102, § I, 4-12-06; Ord. No. 9037, § II, 3-27-19; [Ord. No. 9178, § IV, 9-9-20](#))

Editor's note— See the editor's note to § 6-175. Sec. ~~6-186~~[187](#). - Variance for setback requirements.

The setback requirements established by section 6-181 may be waived by the parish council, via ordinance, in accordance with Section 2-11(17) of the Terrebonne Parish Charter, through the recommendation of the director of the department of planning and zoning. Any such waiver of setback requirements shall be consistent with a waiver form approved by legal counsel for the parish government and the department of planning and zoning. A copy of all such waiver forms shall be maintained by the director of the department of planning and zoning.

(Ord. No. 7102, § I, 4-12-06; Ord. No. 9037, §§ II, III, 3-27-19; [Ord. No. 9178, § IV, 9-9-20](#))

Editor's note— See the editor's note to § 6-175. Sec. ~~6-187~~[188](#). - Wireless communication facilities permits.

No person shall locate, place, install, renovate, improve, modify, demolish, or remove any wireless cellular tower (macrocells), small cell facility, distributed antenna system, or any

component of these facilities within the parish without permit from the Terrebonne Parish Planning and Zoning Department. Under the direction and approval of the parish president, the director of the department of planning and zoning shall and is hereby authorized to develop, implement, and enforce rules, regulations, and permitting requirements for the placement, installation, renovation, improvement, modification, demolition, or removal of any and all communication facilities within the parish intended for use in or being used in commercial wireless telecommunications networks, including towers, tower bases, small cell facilities and distributed antenna systems, and any of their appurtenances. Any rules, regulations, and permitting requirements implemented and enforced shall be within the regulatory framework of the Telecommunications Act, 47 U.S.C. § 332(c)(7), § 253, the Middle Class Tax Relief Act, 47 U.S.C. § 1455(a), any applicable FCC regulations, all as amended, and any other federal, state, or local laws.

(Ord. No. 7102, § I, 4-12-06; Ord. No. 9037, § II, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

Editor's note— See the editor's note to § 6-175. APPENDIX B. - SMALL WIRELESS FACILITIES DESIGN MANUAL

This Design Manual provides objective, technically feasible criteria applied in a non-discriminatory manner that reasonably matches the aesthetics and character of the immediate area regarding all of the following which the Parish shall consider in reviewing an application.

- (a) The location of any small wireless facilities including their relationship to other existing or planned small wireless sites
- (b) The location of a small wireless facility on a wireless support structure
- (c) The appearance and concealment of small wireless facilities, including those relating to materials used of arranging, screening, and landscaping
- (d) The design and appearance of a wireless support structure including any height requirements adopted in accordance with this document.

It is the goal of the Parish to allow the installation of a small cell wireless infrastructure with a minimum footprint. This shall be accomplished by small cell wireless siting and, to the greatest extent feasible, collocations.

Building permits for new installation, additions to, alterations to, or replacements of any small wireless facilities may be issued under the design provisions listed below. This Manual, however, is not intended to supersede or conflict with engineering, technical, or operational requirements found in the Terrebonne Parish Code of Ordinances and its appendices and Standard Form Agreements.

A. General site requirements. Small wireless facilities:

- 1. Shall not interfere with the use of streets, street furniture (e.g., signs, benches, mailboxes) sidewalks, alleys, parkways, and other public ways, public services, and public places;
- 2. Shall not interfere with the facilities and operations of facilities lawfully located in rights-of-way, servitudes, easements, public or private property;
- 3. Shall be located in a manner that meets the Americans with Disabilities Act of 1990 and does not obstruct, impede or hinder the usual pedestrian or vehicular path of travel;
- 4. Shall provide for the antenna to be located inside an enclosure of no more than six (6) cubic feet in volume and all of the wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight (28) cubic feet, or in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet and all of the wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight (28) cubic feet;
- 5.** The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services;

- 6.** Shall design its base or support equipment to be pole-mounted in a manner to maintain a visual appeal:
 - a. Applicant may apply for a waiver of this requirement when such installation is not possible.
 - b. Waiver is subject to approval by Planning and Zoning Director's or designee's sole discretion.
 - 7.** Shall incorporate into its design a method for quick disconnect for the power source, and shutoff shall be accessible by TPCG, SLECA or Entergy;
 - 8.** Shall not create visual or physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
 - 9.** To the extent technically feasible, shall not be located less than six hundred (600') feet, measured pole to pole, from the nearest telecommunication tower or small wireless facility in any given direction, unless collocating;
 - 10.** Shall be set back at a distance equal to or greater than its height from any inhabited residential structure;
 - 11.** Shall be located a minimum of twelve (12) feet from any driveway apron;
 - 12.** Shall be located a minimum of fifteen (15) feet away from any trees to prevent disturbance within the critical root zone of existing trees having a six (6) inch or greater diameter at breast height in the immediate vicinity;
 - 13.** Shall not adversely affect the Parish's ability to perform normal parish functions or furnish normal parish services in the vicinity of the location of placement;
 - 14.** Shall not result in the Parish incurring costs/expenditures in money/personnel that have not been reimbursed by Applicant;
 - 15.** Shall protect against environmental damage, including damage to trees and vegetation;
 - 16.** Shall be in continuous compliance with all applicable Federal, State, and local laws including zoning districts;
 - 17.** Shall be designed, constructed, operated, and maintained in compliance with all generally applicable health and safety standards, regulations, and laws, including without limitation all applicable regulations for human exposure to RF emissions. Applicant shall provide the Planning and Zoning Director with a report documenting compliance with the FCC's OET Bulletin 65 and its amendments for each wireless facility installation each calendar year or upon request.
 - 18.** The maximum allowable noise emitted by the Small Wireless Facility shall not exceed 30dB measured at a distance of three (3) feet from any portion of the facility;
 - 19.** No lighting is allowed on wireless facilities unless required for safety measures. If there are lights on the supplied equipment, they must be covered, removed, or deactivated.
- B. Site specific requirements. Small wireless facilities:
1. Shall comply with the Terrebonne Parish Code and all applicable zoning ordinances of the Parish;
 2. Shall be reasonably and objectively reflective of the aesthetics of the area and incorporate stealth design that mimics the aesthetics of the area whenever possible to maintain visual appeal, taking into consideration the special aesthetics and requirements of the following, non-exclusive areas:
 - a. Residential corridors.
 - b. Commercial corridors.
 - c. Rural areas.
 - d. Historic District.

e. Commission-Approved Planned Unit Developments.

For example, in areas with decorative light poles, wireless support structures must be consistent with the decorative light poles, calling for a design that is comparable in scale and incorporates the design characteristics of those poles.

5. To the extent reasonable, shall incorporate stealth and aesthetics to camouflage equipment, cabinets, and any other small wireless facilities accessories, subject to Planning Department approval. Acceptable means of concealment include but are not limited to:
 - a. Tapered antennae shrouds (especially for top-mounted antennas);
 - b. Shapes and colors that match surrounding infrastructure and minimize adverse visual impacts;
6. Shall either use existing structures for placement or require a new structure designed for safety and to conform or reflect the aesthetics such as the same general dimensions, coloration, material, and appearance as other poles and facilities in the area to be located;
7. Shall locate accessories underground to the fullest extent possible.

C. Use of Rights-of-Way.

1. Small wireless facilities, and new or modified utility poles and wireless support structures for the collocation of small wireless facilities, may be placed within the rights-of-way as a permitted use subject to the following requirements:
 - a. Shall be accompanied by a Letter of No Objection (LONO) from the manager, operator, or owner of any public property, servitude, right-of-way, or easement when located on a public property, servitude, right-of-way, or easement;
 - b. Each new or modified utility pole or wireless support structure installed in the rights-of-way shall not exceed the greater of:
 - 1) Ten (10) feet above the tallest existing utility pole in the rights-of-way in place as of the effective date of this document located within five hundred (500) feet of the new pole, or,
 - 2) Fifty (50) feet above ground level.
 - c. New small wireless facilities in the rights-of-way shall not exceed the greater of:
 - 1) More than ten (10) feet above an existing utility pole or wireless support structure in the rights-of-way in place as of the effective date of this document; or,
 - 2) Above the height for a new utility pole or wireless support structure under any other section in this document or relating ordinance(s).
2. A permit from the Parish authorizes an applicant to undertake only certain activities in accordance with this document or related ordinance(s), and does not create a property right or grant authority to the applicant to impinge upon the rights of others who may already have an interest in the rights-of-way.

D. Application Process Overview:

1. No application review, or application review timeline under any applicable law, shall commence until an application is delivered to the Director of the Planning and Zoning Department or designee. Applications for small wireless facilities shall include a Final CNV report unless otherwise specified.
2. No permit shall be issued outside of compliance with applicable law and ordinances.
3. Once a permit is issued by the Parish, the work permitted is subject to all enforcement and inspections authorized by the Terrebonne Parish Code.
4. Upon completion of the installation work, Applicant shall provide the Parish with an affidavit of compliance, sealed by a professional engineer licensed in the

State of Louisiana, certifying all work was carried out consistent with the previously submitted and approved calculations and drawings.

5. Upon successful completion of required inspections and Parish's receipt of applicant's affidavit of compliance, Parish may issue a certificate of completion.
6. TPCG may use any professional consultants to assist in the application review process.
7. Applicant shall comply with any requests made by TPCG within thirty (30) days of the date of request unless TPCG grants an extension.

(Ord. No. 9037, § IV, 3-27-19; **Ord. No. 9178, § IV, 9-9-20**)

CHAPTER 6. BUILDINGS AND STRUCTURES

APPENDIX A. - TERREBONNE PARISH CONSOLIDATED BUILDING CODE

PART II – ADOPTION OF THE CODE

SECTION 109 - FEES

Table 109.2.2(4) Miscellaneous Permit Fees

Purpose of Permit	Basis of Calculation	Minimum
Mardi Gras reviewing stand	Flat Fee (Trade Permits Required as Appropriate)	\$50
On-premises business signage	Flat Fee (Trade Permits Required as Appropriate)	\$125
Off-premises business signs and advertising	Flat Fee (Trade Permits Required as Appropriate)	\$100
Mobile Seafood Vending	Flat Fee (Trade Permits Required as Appropriate)	\$20
Small Wireless Facility Permit for installation or modification	Flat Fee for a single application for up to five (5) Small Wireless Facilities <u>on new poles</u>	\$500 <u>\$1,000</u>
	<u>Flat fee for a single application for up to five (5) Small Wireless Facilities on existing poles</u>	<u>\$500</u>
	<u>Subject to Additional Costs described in Ch.6, Art. VI, Sec. 6-178(l)</u>	
	Flat Fee for each additional Small Wireless Facility beyond the first five (5) (Trade Permits Required as Appropriate) <u>Subject to Additional Costs described in Ch.6, Art. VI, Sec. 6-178(l)</u>	\$100
Miscellaneous other permits	Flat Fee (Trade Permits Required as Appropriate)	\$100

The Chairman recognized the public for comments on the following:

- B. An ordinance to authorize the use of the building and land located at 424 Roussell Street, Houma, Louisiana, by Terrebonne Parish Consolidated Government (TPCG) to Terrebonne Parish Sheriff’s Office (TPSO); authorize the Parish President to execute any and all Intergovernmental Agreements and any and all other documents necessary for TPSO to use the afore referenced premises, to terminate the existing Intergovernmental Agreement with the TPSO, and to provide for other matters relative thereto.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. D. Babin, "THAT the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. W. GUIDRY

SECONDED BY: MR. D. BABIN

ORDINANCE NO. 9190

AN ORDINANCE TO AUTHORIZE THE USE OF THE BUILDING AND LAND LOCATED AT 424 ROUSSELL STREET, HOUMA, LOUISIANA, BY TERREBONNE PARISH CONSOLIDATED GOVERNMENT ("TPCG") TO TERREBONNE PARISH SHERIFF'S OFFICE ("TPSO"); AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL INTERGOVERNMENTAL AGREEMENTS AND ANY AND ALL OTHER DOCUMENTS NECESSARY FOR THE TPSO TO USE THE AFOREFERENCED PREMISES, TO TERMINATE THE EXISTING INTERGOVERNMENTAL AGREEMENT WITH THE TPSO AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, La. R.S. 33:1324 provides any parish or political subdivision of the state may make agreements among themselves to engage jointly in the construction or improvement of any public project or improvement provided that at least one of the participants to the agreement is authorized by law to complete the undertaking; and

WHEREAS, TPCG is authorized to provide for the safety and welfare of the citizens of Terrebonne Parish and to provide offices for the TPSO; and

WHEREAS, the TPSO is charged with providing various services and programs as well as protection for the citizens within Terrebonne Parish; and

WHEREAS, the TPSO is presently without adequate office space necessary to provide these services without the use of the building and land located at 424 Roussell Street, Houma, Louisiana; and

WHEREAS, in the spirit of cooperation and to enhance the quality of life for the citizens of Terrebonne Parish, TPCG has determined that there is sufficient space located at 424 Roussell Street, Houma, Louisiana to provide office space for these programs of the TPSO; and

WHEREAS, the above parties believe that the TPSO serves a necessary public purpose; and

WHEREAS, since Timothy R. Soignet is the new duly elected Sheriff of Terrebonne parish, it is recommended by Administration that a new Intergovernmental Agreement be entered into concerning this matter and the prior Intergovernmental Agreement be terminated; and

WHEREAS, Section 2-11 (11) of the Terrebonne Parish Charter requires an ordinance to lease any land or property on behalf of the Parish Government; and

WHEREAS, the proposed Intergovernmental Agreement for the use of the building and land located at 424 Roussell Street, Houma, Louisiana ("Premises") by the TPSO could be considered a lease under Section 2011(11) above; and

WHEREAS, the TPSO is currently using the Premises and TPCG Administration recommends that the use of the Premises continue; and

WHEREAS, Timothy R. Soignet is the new duly elected Sheriff of Terrebonne Parish and the TPCG Administration recommends to the Terrebonne Parish Council to execute a new Intergovernmental Agreement for TPSO to use the Premises for a term of five (5) years, commencing on July 1, 2020 with the option to renew by the TPSO, subject to Council approval, for three consecutive five year terms and subject to substantially other terms and conditions as those contained in the proposed IGA attached hereto and made a part hereof as Exhibit "A"; and

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish President, Gordon E. Dove, on behalf of TPCG, is hereby authorized to enter into an Intergovernmental Agreement for the TPSO to use the building and land located at 424 Roussell Street, Houma, Louisiana ("Premises") that the Parish President, Gordon E. Dove, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to allow the use of the aforescribed Premises to the TPSO for the above stated purposes for a term of five years commencing on July 1, 2020 with the option to renew by the TPSO, subject to Council approval, for three consecutive five year terms and to contain substantially the same terms as those contained within the aforementioned proposed Intergovernmental Agreement attached hereto and made a part hereof as Exhibit "A".

SECTION II

The aforescribed use will be conducive to the public interest, convenience and safety and will enable Terrebonne Parish Consolidated Government (TPCG) to properly fulfill the functions imposed upon it by law.

SECTION III

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 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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

- C. An ordinance to authorize the Parish President to execute, on behalf of Terrebonne Parish Consolidated Government, an Intergovernmental Agreement with Terrebonne Parish Sheriff's Office to establish funding obligations for keeping and feeding prisoners and to provide for other matters relative thereto at the Parish Jail located at 3211 Grand Caillou Road, Houma, Louisiana.

Mr. D. J. Guidry moved, seconded by Mr. C. Harding, "THAT the Council close the aforementioned public hearing."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. J. GUIDRY

SECONDED BY: MR. C. HARDING

ORDINANCE NO. 9191

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE, ON BEHALF OF TERREBONNE PARISH CONSOLIDATED GOVERNMENT, AN INTERGOVERNMENTAL AGREEMENT WITH TERREBONNE PARISH SHERIFF'S OFFICE TO ESTABLISH FUNDING OBLIGATIONS FOR KEEPING AND FEEDING PRISONERS AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO AT THE PARISH JAIL LOCATED AT 3211 GRAND CAILLOU ROAD, HOUMA, LOUISIANA

SECTION I

WHEREAS, LA R.S. 33:1324 and 1324.1, also known as the Local Services Act, provides that any parish or political subdivision of the state may make agreements between or among themselves to engage jointly in the exercise of any power, provided that at least one of the participants to the agreement is authorized under a provision of general or special law to exercise such power, including the joint use of personnel necessary to accomplish the purposes of the agreement; and

WHEREAS, under the authority of LA R.S. 15:704 the Terrebonne Parish Sheriff's Office ("TPSO") is the keeper of the Terrebonne Parish Criminal Justice Complex and is tasked with preserving the peace and apprehending all disturbers thereof, and other public offenders; and

WHEREAS, under the authority of LA R.S. 13:5535 TPSO is entitled to reimbursement from the governing authority (TPCG) for the actual costs of keeping and feeding prisoners at an amount of at least \$3.50 per prisoner per day; and

WHEREAS, under the authority of LA R.S. 15:706 TPCG is responsible for the costs of prisoners that are transferred to another parish to be held; and

WHEREAS, the TPCG and TPSO would like to enter into an agreement that would allow prisoners to remain in the parish; and

WHEREAS, this agreement will provide TPCG the authority to fund the compensation of TPSO deputies in order to keep the prisoners in the Terrebonne Parish Criminal Justice Complex located at 3211 Grand Caillou Road, Houma, Louisiana; and

WHEREAS, an Intergovernmental Agreement has been entered into with the TPSO and authorized by Ordinance No. 9027; and

WHEREAS, Timothy R. Soignet is the new duly elected Sheriff of Terrebonne Parish and Administration recommends that a new Intergovernmental Agreement concerning the above referenced matters should be entered into between the parties; and

WHEREAS, the funding for these payments has been previously budgeted.

NOW THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, hereby authorizes the Terrebonne

Parish President to enter into an Intergovernmental Agreement with the Terrebonne Parish Sheriff's Office as approved by the legal department.

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

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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

- D. An ordinance to authorize the use of the building and land located at 500 School Street, Houma, Louisiana, by Terrebonne Parish Consolidated Government (TPCG) to Terrebonne Parish Sheriff's Office (TPSO); authorize the Parish President to execute any and all Intergovernmental Agreements and any and all other documents necessary for TPSO to use the afore referenced premises, to terminate the existing Cooperative Endeavor Agreement with the TPSO, and to provide for other matters relative thereto.

Mr. D. Babin moved, seconded by Mr. D. W. Guidry, Sr., "THAT the Council close the aforementioned public hearing."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. BABIN

SECONDED BY: MR. D. W. GUIDRY, SR.

ORDINANCE NO. 9192

AN ORDINANCE TO AUTHORIZE THE USE OF THE BUILDING AND LAND LOCATED AT 500 SCHOOL STREET, HOUMA, LOUISIANA, BY TERREBONNE PARISH CONSOLIDATED GOVERNMENT ("TPCG") TO TERREBONNE PARISH SHERIFF'S OFFICE ("TPSO"); AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL INTERGOVERNMENTAL AGREEMENTS AND ANY AND ALL OTHER DOCUMENTS NECESSARY FOR THE TPSO TO USE THE AFOREREFERENCED PREMISES, TO TERMINATE THE EXISTING COOPERATIVE ENDEAVOR AGREEMENT WITH THE TPSO AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, La. R.S. 33:1324 provides any parish or political subdivision of the state may make agreements among themselves to engage jointly in the construction or improvement of any public project or improvement provided that at least one of the participants to the agreement is authorized by law to complete the undertaking; and

WHEREAS, TPCG is authorized to provide for the safety and welfare of the citizens of Terrebonne Parish and to provide offices for the TPSO; and

WHEREAS, the TPSO is charged with providing various services and programs as well as protection for the citizens within Terrebonne Parish; and

WHEREAS, the TPSO is presently without adequate office space necessary to provide these services without the use of the building and land located at 500 School Street, Houma, Louisiana; and

WHEREAS, in the spirit of cooperation and to enhance the quality of life for the citizens of Terrebonne Parish, TPCG has determined that there is sufficient space located at 500 School Street, Houma, Louisiana to provide office space for these programs of the TPSO; and

WHEREAS, the above parties believe that the TPSO serves a necessary public purpose; and

WHEREAS, since Timothy R. Soignet is the new duly elected Sheriff of Terrebonne Parish, it is recommended by Administration that a new Intergovernmental Agreement be entered into concerning this matter and the prior Intergovernmental Agreement be terminated; and

WHEREAS, Section 2-11 (11) of the Terrebonne Parish Charter requires an ordinance to lease any land or property on behalf of the Parish Government; and

WHEREAS, the proposed Intergovernmental Agreement for the use of the building and land located at 500 School Street, Houma, Louisiana (“Premises”) by the TPSO could be considered a lease under Section 2011(11) above; and

WHEREAS, the TPSO is currently using the Premises and TPCG Administration recommends that the use of the Premises continue; and

WHEREAS, Timothy R. Soignet is the new duly elected Sheriff of Terrebonne Parish and the TPCG Administration recommends to the Terrebonne Parish Council to execute a new Intergovernmental Agreement for TPSO to use the Premises for a term of five (5) years, commencing on July 1, 2020 with the option to renew by the TPSO, subject to Council approval, for three consecutive five year terms and subject to substantially other terms and conditions as those contained in the proposed IGA attached hereto and made a part hereof as Exhibit “A”; and

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish President, Gordon E. Dove, on behalf of TPCG, is hereby authorized to enter into an Intergovernmental Agreement for the TPSO to use the building and land located at 500 School Street, Houma, Louisiana (“Premises”) that the Parish President, Gordon E. Dove, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to allow the use of the afore described Premises to the TPSO for the above stated purposes for a term of five years commencing on July 1, 2020 with the option to renew by the TPSO, subject to Council approval, for three consecutive five year terms and to contain substantially the same terms as those contained within the aforementioned proposed Intergovernmental Agreement attached hereto and made a part hereof as Exhibit “A”.

SECTION II

The afore described use will be conducive to the public interest, convenience and safety and will enable Terrebonne Parish Consolidated Government (TPCG) to properly fulfill the functions imposed upon it by law.

SECTION III

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 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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

E. An ordinance to rename the Carrol Street Bridge crossing Bayou Black to the "Mr Lawless Gibson Sr Memorial Bridge," to authorize the installation of the appropriate signs, and to address other matters relative thereto.

Mr. C. Harding moved, seconded by Mr. D. W. Guidry, Sr., "THAT the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. C. Harding.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. C. HARDING

SECONDED BY: MR. D. W. GUIDRY, SR.

ORDINANCE NO. 9193

AN ORDINANCE TO RENAME THE CARROL STREET BRIDGE CROSSING BAYOU BLACK TO THE "MR LAWLESS GIBSON SR MEMORIAL BRIDGE," TO AUTHORIZE THE INSTALLATION OF THE APPROPRIATE SIGNS, AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, wishes to honor the memory of Mr. Lawless Gibson, Sr.; and

WHEREAS, Mr. Gibson was a prominent businessman and community supporter who provided necessary housing and other services to the Gibson area; and

WHEREAS, Terrebonne Parish benefitted from Mr. Gibson’s service as a part-time deputy and an advisor for his local community; and

WHEREAS, the family of Mr. Gibson would like to preserve his legacy and honor him by renaming the Carrol Street Bridge crossing Bayou Black to the “Mr Lawless Gibson Sr Memorial Bridge.”

SECTION I

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that this ordinance shall become effective on the 19th day of November 2020; and,

BE IT FURTHER ORDAINED, that a copy of this ordinance be submitted to the Terrebonne Parish Communications Board, so that the local U.S. Postal Services, fire districts, Acadian Ambulance, Terrebonne Parish Sheriff’s Office, and any other appropriate agencies may be notified; and

BE IT FURTHER ORDAINED that the Public Works Department be directed to install the proper signage at the appropriate location, and that any other actions relative thereto be addressed.

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

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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

Councilman C. Harding recognized the late Mr. Lawless Gibson’s son, Lloyd Gibson.

Mr. Lloyd Gibson thanked the Council for honoring his father by naming the bridge in his honor.

Several councilmembers as well as Parish President Gordon Dove, thanked Mr. Gibson and his late father for their service in Terrebonne Parish.

The Chairman recognized the public for comments on the following:

F. An ordinance to amend the Parish Code of Terrebonne Parish by adding to Chapter 18: Motor Vehicles and Traffic, Article IV: Operation of Vehicles, Division 2: Parish, Section 18-87 to establish a "4-Way Stop" at the intersection of Alma Street and

Derusso Street; to provide for the installation of said signs; to provide for other matters relative thereto.

Ms. J. Domangue moved, seconded by Mr. D. W. Guidry, Sr., "THAT the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Ms. J. Domangue.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MS. J. DOMANGUE

SECONDED BY: MR. D. W. GUIDRY, SR.

ORDINANCE NO. 9194

AN ORDINANCE TO AMEND THE PARISH CODE OF TERREBONNE PARISH BY ADDING TO CHAPTER 18: MOTOR VEHICLES AND TRAFFIC, ARTICLE IV: OPERATION OF VEHICLES, DIVISION 2: PARISH, SECTION 18-87 TO ESTABLISH A "4-WAY STOP" AT THE INTERSECTION OF ALMA STREET AND DERUSSO STREET; TO PROVIDE FOR THE INSTALLATION OF SAID SIGNS; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED, by the Terrebonne Parish Council, in regular session convened and on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code of Terrebonne Parish be amended by adding to Chapter 18: Motor Vehicles and Traffic: Article IV: Operation of Vehicles, Division 2: Parish, Section 18-87: To establish a "4-Way Stop" at the intersection of Alma Street and Derusso Street, as follows:

CHAPTER 18: MOTOR VEHICLES AND TRAFFIC ARTICLE IV: OPERATION OF VEHICLES DIVISION 2: PARISH

SECTION 18-87: 4-WAY STOP INTERSECTIONS

The intersection of Alma Street and Derusso Street is hereby designated as a "4-Way Stop" intersection and appropriate "4-Way Stop" signs shall be erected and maintained along said roadways to create and maintain said intersection. Any vehicle traveling along Alma Street and/or Derusso Street shall respect the signs erected and maintained under the provisions of this section.

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

This ordinance shall become effective upon arrival by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Character for the 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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

G. An ordinance to amend Section 8-2 of the Terrebonne Parish Code of Ordinance to allow use of certain approved fireworks during specified holidays in Terrebonne Parish, to provide license and permit requirements for public display of fireworks; to enact Section 8-3 to provide regulation and licensing for the sales of such fireworks, to provide for related matters.

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

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. J. GUIDRY

SECONDED BY: MR. D. BABIN

ORDINANCE NO. 9195

TO AMEND SECTION 8-2 OF THE TERREBONNE PARISH CODE OF ORDINANCES TO ALLOW USE OF CERTAIN APPROVED FIREWORKS DURING SPECIFIED HOLIDAYS IN TERREBONNE PARISH, AND PROVIDE LICENSE AND PERMIT REQUIREMENTS FOR PUBLIC DISPLAY FIREWORKS; TO ENACT SECTION 8-3 TO PROVIDE REGULATION AND LICENSING FOR SALES OF SUCH FIREWORKS

WHEREAS, Section 2-11 of the Terrebonne Parish Home Rule Charter requires an ordinance to amend or repeal previous Ordinances; adopt or amend an administrative code; and establish a rule or regulation imposing fines or other penalties; and

WHEREAS, the general public has expressed an interest in enjoying fireworks through consumer use and public display in celebration of certain holidays; and

WHEREAS, the use of fireworks is currently prohibited throughout Terrebonne Parish;

WHEREAS, Revised Statutes Title 51, Section 660 authorizes local governing authorities to regulate sale, use, and possession of fireworks; and

WHEREAS, the Council of Terrebonne Parish and the Sheriff believe that regulation of the sale and use of certain approved fireworks can ensure the safe usage of fireworks within Terrebonne Parish, excluding the City of Houma;

NOW THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government that:

SECTION I

Chapter 8, Article I, Section 2 of the Terrebonne Parish Code shall be amended, are hereby amended (using strikethrough to indicate deletions and underlining to indicate additions) and same are hereby adopted to read as follows:

Sec. 8-2. - Fireworks; ~~sale and use prohibited; exception; definitions; penalty.~~

~~(a) It shall be unlawful for any individual, firm, partnership, corporation, or other entity to possess, sell, trade, exchange, barter or in any other manner dispose of any item of fireworks within Terrebonne Parish.~~

~~(b-a)~~ It shall be unlawful for any individual, firm, partnership, corporation, or other entity to use, fire, ignite, shoot, discharge or otherwise set off any item of fireworks within Terrebonne Parish, except as specifically provided in subsection (c) below, except as specifically provided in this Article, it being the intention of this section to prohibit the use of fireworks whatsoever within the City of Houma.

~~(b)~~ It shall be lawful to use, fire, ignite, shoot, discharge or otherwise set off fireworks for "consumer use" exclusively as follows:

(1) A person may ignite, discharge, or use permissible fireworks on the following days during the following hours:

- A. Between dusk and 10:00 p.m. on January 1st.
- B. ~~Between dusk and 10:00 p.m. on July 4th.~~
- C. ~~Between dusk on December 31st and 1:00 a.m. on January 1st.~~

(2) It shall be unlawful for anyone under the age of eighteen (18) to purchase fireworks in Terrebonne Parish from a lawfully approved fireworks vendor. Vendors shall require proper photo identification at each sale for this purpose.

(3) Discharging of fireworks by persons under fifteen (15) years of age as described in this section is prohibited in the absence of direct supervision by a parent, guardian, or other responsible party who is eighteen (18) years of age or over.

(c) It shall be lawful to use, fire, ignite, shoot, discharge or otherwise set off fireworks for "public display" exclusively as follows:

(1) The "public display" of fireworks shall be handled by a competent and qualified operator, and otherwise in accordance with LSA-R.S. 51:650(24) and 51:655.

(2) The "public display" of fireworks shall only be between the hours of 9:00 a.m. to 9:00 p.m., except that the permissible hours for a New Year's Eve and a 4th of July "public display" shall be between the hours of 9:00 a.m. on December 31 and 2:00 a.m. on January 1 of the new year and on July 4, and 2:00 a.m. on July 5.

(3) The "public display" of fireworks shall be conducted in excess of one thousand (1,000) feet of any church, hospital, asylum, public school, or nursing home, unless prior written consent by the governing board or duly authorized representative of such consents to said display in writing two (2) weeks prior to the public display, and in excess of seventy-five (75) feet of where the fireworks being used for the "public display" event are being stored prior to use.

(4) In addition to compliance with LSA-R.S. 51:655, any person who is issued a permit from the State Fire Marshal for a "public display" event shall obtain a "Letter Acknowledging Notification" from the Chief of the Houma Fire Department

acknowledging notification of the specific date, time, duration and location of such planned "public display" event within the city limits of Houma, or, for a planned "public display" event within the jurisdiction of a fire protection district, the applicant shall obtain a "Letter Acknowledging Notification" from the chairman of the governing board of the fire protection district having jurisdiction over the location of the planned "public display" event and such "Letter Acknowledging Notification" shall acknowledge notification of the specific date, time, duration and location of such "public display" event;

(5) Any person or entity producing a "public display" of fireworks accompanying a political, educational, religious, sporting, charity or similar special event shall require a permit from the Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office. In order to receive a permit, the permit applicant shall submit an application, proof of statutory Workers Compensation insurance with one million dollars (\$1,000,000) in Employers Liability, along with Auto and General Liability insurance with a limit of five million dollars (\$5,000,000) each, naming Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office as Additional Insureds on the Auto and General Liability policies, and provide a Waiver of Subrogation in favor of Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office on the Workers Compensation policy and on the Auto and General Liability policies, and an agreement holding harmless and indemnifying Terrebonne Parish Consolidated Government, its departments, and offices from any legal liabilities not caused by Terrebonne Parish Consolidated Government or Terrebonne Parish Sheriff's Office. Applications shall be submitted two (2) weeks before the event. No permit granted hereunder shall be transferable. Fees for permitting shall be \$250.00 for Terrebonne Parish Consolidated Government, and \$250.00 for Terrebonne Parish Sheriff's Office.

(d) For purposes of this Article, "fireworks" shall mean any device or composition used to obtain visible or audible pyrotechnic display enumerated in La. R.S. 51:651 as a "permissible firework", also known as a "class C" firework. This definition includes, but is not limited to, flutter sparklers, sky rockets, bottle rockets, firecrackers, roman candles, and shell explosives.

The term "fireworks," as used herein, shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths (25/100) grains or less of explosive compounds are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for exploding, and toy paper pistol caps which contain less than twenty-five hundredths (25/100) grains of explosive compounds. The term "fireworks" shall not include any article or device that constitutes ammunition for a firearm.

(e) No person, individual, or entity shall discharge fireworks:

(1) within the corporate city limits of Houma; (2) indoors;

(2) in a confined space;

(3) from a vehicle, moving or non-moving;

(4) closer than 1000 feet from any facility where flammable/combustible and/or hazardous materials are used, manufactured, or stored;

(5) near products that will support combustibles such as paper, dry grass, wood or pulp;

(6) intentionally targeting buildings, structures, or a motor vehicle.

(f) All sales and use of fireworks permitted in this section shall be suspended in the event of a "Burn Ban" issued by the Governor's office or the State Fire Marshal pursuant to La.

R.S. 40:1602 or 40:1563.

(g) Fireworks for consumer use or public display shall not be modified or altered from their intended design in any way and shall not be combined with any other device or devices to increase energy or loudness of its discharge.

(e-h) Any person who violates Violation of this section shall be subject to penalties as provided in section 1-16 of this Code. is a misdemeanor punishable by a fine of not more than \$500 and/or not more than six (6) months in jail.

SECTION II

Section 8-3 of the Terrebonne Parish Code of Ordinances shall be and is hereby enacted to read, in its entirety, as follows:

Sec. 8-3. - Fireworks: sale prohibited; exception; definitions; penalty.

(a) It shall be unlawful for any individual, firm, partnership, corporation, or other entity to possess, sell, trade, exchange, barter or in any other manner dispose of any item of fireworks within Terrebonne Parish, except as specifically provided in this Article, it being the intention of this section to prohibit the sale of fireworks whatsoever within the City of Houma:

(1) Approved vendors may engage in sales of any kind ten (10) days in advance of any approved day where the discharging of fireworks by the general public is permitted in this Article, and sales shall cease on the last day of the permitted days of consumer use listed in Section 8- 2(b)(1).

(b) All retail vendors shall receive a permit from the Parish (Parish vendor's permit) at least the day before the sales period begins. Fees shall be set in accordance with La. R.S. 51:659. Parish vendor's permits shall expire on January 1 of the year following its issuance. Vendors operating without a Parish permit shall be ordered to immediately cease operations.

(c) In addition to the retail vendor's permits required by the Parish and the State Fire Marshal, wholesale and retail sellers of permissible fireworks shall hold a Terrebonne Parish occupational license, provide proof of general liability insurance of at least five million (\$5,000,000) dollars upon application of a permit to the Parish, naming Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office as Additional Insured and provide a Waiver of Subrogation in favor of Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office and meet all other requirements of a business entity involved in permanent or temporary commercial trade within Louisiana.

(d) It shall be unlawful for a lawfully approved fireworks vendor to sell fireworks to:

(1) Persons under the age of eighteen (18). Failure of a vendor to require approved photo identification prior to completing a sale shall result in revocation of vendor's parish occupational license;

(2) persons who are intoxicated;

(3) persons who are known to be irresponsible.

(e) No vendor shall sell, barter, convey, possess, dispose of, or use fireworks prohibited by federal or state law, including but not limited to:

(1) friction fireworks with white or yellow phosphorous and explosives;

(2) cherry bombs, tubular salutes, two-inch American-made salutes, firecrackers with casings the external dimensions of which exceed one and one-half inches in length or one-

quarter of an inch in diameter, repeating bombs, aerial bombs, torpedoes which exceed three-eighths of an inch in diameter, Roman candles larger than ten ball, and sky rockets larger than six ounces;

(3) only class "C" fireworks as defined in Section 8-2 (d) shall be sold, transferred, and distributed and/or marketed for consumer use.

(f) Vendors shall comply with employment, health, sales, storage, display, and disposal laws and regulations in accordance with state law, federal law, requirements of the State Fire Marshal, and all pertinent parish ordinances. Periodic inspections of each retail stand shall be conducted throughout the permitted sales period. Vendors shall comply with TPCG building codes.

(g) Vendors shall adhere to signage regulations set forth as follows:

(1) Upon issuance of a sign permit, Parish vendor's permit holders shall be allowed one (1) seasonal on-premise sign, not to exceed four (4') feet by eight (8') feet, to be posted at the retail location All signs shall require a sign permit from Terrebonne Parish and shall adhere to all applicable building codes and requirements associated with a sign permit.

(2) Sign permit holders may also post off-premise signage. Off-premise signs shall adhere to the signage requirements of the zoning district at the retail location, Terrebonne Parish, and the State of Louisiana Department of Transportation and Development, and other regulations.

(3) All signage shall be promptly removed within ten days of each sales period.

(h) Violation of this section is a misdemeanor punishable by a fine of not more than \$500 and/ or six (6) months in jail. A vendor who violates any provision of this section shall be subject to revocation or suspension of his permit.

(i) Subject to compliance with Federal and/or State laws, nothing contained herein shall in any way restrict, prohibit, or discourage manufacturing, wholesale trade, and distribution to the fireworks industry within Terrebonne Parish.

SECTION III

Any section, clause, paragraph, provision, or portion of these regulations found to be invalid is severable and shall not affect the validity of the whole.

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

- H. An ordinance to amend Chapter 19, Article I, of the Terrebonne Parish Code of Ordinances by adding Section 19 "Protection of Levees"; and to provide for related matters relative thereto.

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

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. BABIN
SECONDED BY: MR. D. J. GUIDRY

ORDINANCE NO. 9196

AN ORDINANCE TO AMEND CHAPTER 19, ARTICLE I, OF THE TERREBONNE PARISH CODE OF ORDINANCES BY ADDING SECTION 19 "PROTECTION OF LEVEES"; AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, Section 1-06 of the Home Rule Charter for the Parish of Terrebonne provides that the 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 matter necessary, requisite or proper for the management of the parish affairs, and all other subject matter without exception, subject only to the limitations that the same shall not be inconsistent with the Constitution or expressly denied by the general law applicable to the parish, and

WHEREAS, the Terrebonne Parish Consolidated Government desires to add an ordinance pertaining to the protection of levees, water control gates, water control locks, water control structures, pumps, pump stations, culverts with flap or screw gates, sluice gates, and any environmental control structure; and

WHEREAS, the Levees and all the other aforementioned items protect the citizens of Terrebonne Parish from flooding during heavy rain events, hurricanes and/or storm surges; and

WHEREAS, the Levees always need to stay in optimal condition to provide said protection, and

WHEREAS, motor vehicles and/or motorized vessels have damaged parts of the levees in the past, and

WHEREAS, this ordinance will allow law enforcement agencies and our judicial system to enforce any damages to levees and the other water control structures with monetary fines, jail time or both

WHEREAS, the United States Army Corps of Engineers have required TPCG to maintain certain levees within the Parish and if after inspection, should any damages be found, they have a right to repair these damages and seek restitution from the Parish along with possible fines

NOW THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government that:

SECTION I

Article I of Chapter 19 of the Terrebonne Parish Code of Ordinance shall be and is hereby amended as follows:

Sec. 19-19. Protection of Levees, Pump Stations, Water Control Structures and Environmental Control Structures

- (a) It shall be unlawful for any person to operate any motorized vehicle(s) or motorized vessel(s) on or over any levee within the boundaries of Terrebonne Parish.
- (b) It shall also be unlawful for any person to damage grass growing on the top, sides, and berms of the levee, including but not limited to damage caused by setting it on fire, intentionally cutting or pulling of the grass and its roots, poisoning or preventing its natural growth by any means.
- (c) For purposes of this section, the term “levee” shall mean any land or earth embankment built and maintained to protect against flooding and shall include all the area from the natural base elevation to the elevation peak of the embankment. The term “levee” shall also mean any such embankment built or maintained by the Terrebonne Parish Consolidated Government (TPCG), the Terrebonne Levee and Conservation District (TLCD), and the predecessor or successor of each of these governmental entities. The term “levee” shall also include the grass growing on the top, sides, and berms of the levee to help prevent erosion. Any levees that incorporate steel, vinyl &/or timber bulkheads as part of the water control system shall have these components covered by this ordinance. Any levee that is armored by rocks or “rip rap” will have the rocks covered by this ordinance. Any levee that is covered by limestone, crushed asphalt, or other material to create an access road for authorized users shall have this material covered by this ordinance.
- (d) For purposes of this section, the terms “motorized vehicle” and “motorized vessel” shall have their commonly understood meaning, but shall also include, but not be limited to, personal or commercial automobiles &/or trucks of any kind, motorcycles, dirt bikes, motocross cycles, all-terrain vehicles (ATV’s), golf carts, excavators, bulldozers, front-end loaders, tractors, lawn mowers, airboats, wave runners, jet skis, marsh buggies and all personal or commercial watercraft vehicles. The terms “motorized vehicle” and “motorized vessel” shall also mean all the vehicles or vessels regardless if such vehicle or vessel is powered by gasoline, diesel, or electricity.
- (e) Any person who violates the provisions of this section by damaging, stealing from or hampering the operations of any TPCG or TLCD levees, pumps, pump stations, sluice gates, water control gates, water control locks, water control structures, culverts with flap &/or screw valves for water control purposes and any environmental control structure and any associated component of any of the above shall be subject to this ordinance.
- (f) Any person who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment without hard labor up to thirty (30) days, a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00), or both.
- (g) Any person who violates the provisions of this section and upon conviction of a second offense shall be guilty of a misdemeanor punishable by imprisonment without hard labor for not more than ninety (90) days, or by a fine of not less than three hundred (\$300.00) dollars and not more than seven hundred and fifty (\$750.00) dollars, or both.
- (h) Any person who violates the provisions of this section and upon conviction of a third or subsequent offense shall be guilty of a misdemeanor punishable by imprisonment without hard labor for not less than sixty (60) days and not more than six (6) months, or by a fine of not less than five hundred (\$500.00) dollars nor more than one thousand (\$1,000.00) dollars, or both.
- (i) The provisions of this section shall not apply to any personnel performing their duties of employment as an employee, contractor, or consultant of TPCG, TLCD, the U.S. Army Corps of Engineers, or any other local, state, or federal governmental agency rightfully authorized to do so. This provision of this section shall also not apply to

any person who has the express written consent from TPCG &/or TLCD. The provisions of this section shall also not apply to any person who otherwise has authorization for such activity pursuant to any prior existing agreements, including servitude agreements, right-of-way agreements, or contract agreements to maintain publicly owned pumps or water-control structures.

- (j) Notwithstanding the above, landowners with land burdened by levee servitudes shall have the right to cross a levee located upon their property provided said crossing does not cause damage to the levee.
- (k) Nothing in this section shall interfere with the crossing over any public levees, at ramps or inclines established under plans and specifications of the Department of Transportation and Development or the Terrebonne Parish Consolidated Government.

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

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: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

- I. An ordinance to declare as surplus 9 tax properties of various percentages from various years, to acquire authorization to dispose of said properties in accordance with LA R.S. 47:2196.

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

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. D. BABIN

SECONDED BY: MS. J. DOMANGUE

ORDINANCE NO. 9197

AN ORDINANCE DECLARING THE FOLLOWING PROPERTIES ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT AS SURPLUS AND NOT NEEDED FOR A PUBLIC PURPOSE: **1) 149 CALUMET ST. 2) 145 OCTAVIA ST. 3) 335 BAYOU BLUE BY-PASS RD. 4) 172 SMITH LN. 5) PORTION OF LOT ON BARRINGER ST. 6) 204 ACORN ST. 7) 91 DOE ST. 8) 5944 GRAND CAILLOU RD. 9) 7782 WATERFRONT DR.;** AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, a percentage of immovable property was adjudicated to the Terrebonne Parish Consolidated Government for nonpayment of taxes; and

WHEREAS, LA R.S. 47:2196, *et seq.* authorizes the parish to sell adjudicated property in accordance with law; and

WHEREAS, the three (3) year period for redemption provided by Art. 7, §25 of the Louisiana Constitution has elapsed without redemption; and

WHEREAS, the Terrebonne Parish Consolidated Government now wishes to declare the property described below surplus and not needed for a public purpose and to dispose of said property in accordance with LA R.S. 47:2196, *et seq.*; and

NOW BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the following described properties adjudicated to the Terrebonne Parish Consolidated Government, with an owner(s) of record as denoted and as depicted on the attached plats, if any, are hereby declared surplus:

1. **ON THE RIGHT DESCENDING BANK OF BAYOU TERREBONNE. LOT 144' ON SOUTH SIDE OF CALUMET STREET X 48' BEING LOT 1 ON SKETCH RECORDED CB 901/629. (149 CALUMET ST.), (PARCEL #4010), WITH OWNER OF RECORD JOE HARRIS, JR. (24.75%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JUNE 25, 2015.**
2. **LOT 6 GROS SUBD. (145 OCTAVIA ST.). (PARCEL #4055). WITH OWNER HILDA E. SMITH ESTATE (50%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JUNE 24, 2011.**
3. **ON THE RIGHT DESCENDING BANK OF BAYOU BLUE. BOUNDED ABOVE BY WALTER THIBODEAUX BOUNDED BELOW BY HENRY DICK. LOT 61 1/2' BY DEPTH 274'. (335 BAYOU BLUE BY PASS RD.), (PARCEL #6506) WITH OWNER DORIS WILSON JONES (5%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JUNE 24, 2011.**
4. **50 X 79 NORTHERNMOST PORTION OF LOT 11 WEST SIDE SMITH LANE, SMITHVILLE. (172 SMITH LN.) (PARCEL # 21883) WITH AN OWNER OF RECORD GREGORY TEMBER (21%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JULY 6, 2012.**
5. **SOUTHERNMOST 10' WITH A DEPTH OF 96' OF A CERTAIN LOT OF GROUND ON THE WEST SIDE OF BARRINGER ST. IN THE CITY OF HOUMA, LA; SAID 10' BEING A PORTION OF A LOT OWNED BY VENDORS HEREIN MEASURING 54'8" ON THE WEST SIDE OF BARRINGER ST. WITH A DEPTH OF 96' ON ITS SOUTHERN BOUNDARY AND WITH A DEPTH OF 101' ON THE SOUTH SIDE OF**

WALLIS STREET WITH A REAR LINE MEASUREMENT OF 96' & BEING BOUNDED AS FOLLOWS: ON THE NORTH BY WALLIS ST. ON THE SOUTH BY PROPERTY OF PURCHASER HEREIN ON THE EAST BY BARRINGER ST. & ON THE WEST BY A CEMETERY. (BARRINGER ST.) (PARCEL # 21985) WITH AN OWNER OF RECORD DAVID FRANCIS WOLFE, JR. (25%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JUNE 24, 2014.

6. **LOT 1-A BLOCK 2 RESURVEY OF LOT 1 BLOCK 2 LONE OAK SUBD. (204 ACORN ST.) (PARCEL # 24842) WITH AN OWNER OF RECORD DAVID FRANCIS WOLFE, JR. (2%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JUNE 24, 2014.**
7. **LOT 5 BLOCK 4 ADDEN. 2 A.J. AUTHEMENT SUBD. #2. (91 DOE ST.) (PARCEL # 27593) WITH AN OWNER OF RECORD SAUNDRA DILLARD. (2.46%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JULY 6, 2012.**
8. **ON THE LEFT DESCENDING BANK OF BAYOU GRAND CAILLOU. A BATTURE LOT 200' ON HWY 57 X DEPTH TO THE CANAL. BEING A PART OF TRACT 8 WILLIE BONVILLAIN HEIRS. THE NORTH LINE OF SAID LOT BEING THE DIVIDING LINE BETWEEN TRACTS 8 & 9. ALSO BATTURE 100' FRONT BEGINNING 200' SOUTH OF N/E CORNER OF BATTURE PORTION OF TRACT 8 AND ADJOINING ABOVE LOT. LOCATED IN SECTION 1, T19S-R17E. (5944 GRAND CAILLOU RD.) (PARCEL # 28361) WITH AN OWNER OF RECORD HARRIET DOMANGUE (3%) AND LESLIE LEBOUF (3%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JULY 2, 2013.**
9. **LOTS 55 & 69-B ROBINSON CANAL CAMP SITES TRACT D & REDIVISION. (7782 WATERFRONT DR.) (PARCEL # 35111) WITH AN OWNER OF RECORD ROBERT M. TROIA. (.99%) ADJUDICATED TO TERREBONNE PARISH CONSOLIDATED GOVERNMENT ON JULY 2, 2013.**

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Administration be hereby authorized to dispose of the property in accordance with LA R.S. 47:2196, *et seq.* and inclusive of the following terms.

SECTION I

Each bid shall be accompanied by a deposit in the form of a Certified Check, Cashier's Check, Money Order or Bid Bond with Power of Attorney (Letters of Credit WILL NOT be accepted) in the amount of twenty percent (20%) of the proposed price made payable to the Terrebonne Parish Consolidated Government. Bid deposits made for non-winning bids shall be returned. The bid deposit made with the winning bid shall be non-refundable, unless redemption occurs, and paid towards the purchase price. The balance of the purchase price is due at the time of closing and payable in the form of a Certified Check, Cashier's Check, or Money Order.

SECTION II

Additionally, the winning bidder shall bear the cost of recording the sale document into the conveyance records of the Parish of Terrebonne pursuant to La. R.S. 47:2207.

SECTION III

The winning bidder, otherwise known as the Purchaser or Acquirer, of this adjudicated property is solely responsible for compliance with La. R.S. 47:2206 regarding notification of parties who may have had an interest in the property regarding their rights of redemption and La. R.S. 47:2208 regarding recordation of those notices. Copies of the applicable law will be distributed along with bid packets for this adjudicated property. Terrebonne Parish Consolidated Government has not and will not perform these requirements; thus, it is the purchaser's or acquiring person's responsibility to do so. Terrebonne Parish Consolidated Government encourages the Purchaser or Acquiring Person to consult legal counsel regarding Louisiana law on adjudicated property.

SECTION IV

By acquiring a bid packet for the bid/purchase of this adjudicated property, each bidder acknowledges that he/she/it has received all information discussed in this ordinance as well as the statutes (laws) discussed in Section II above, and that he/she/it understands these procedures must be followed in order to fully protect he/she/its rights in the adjudicated property purchased from the parish.

SECTION V

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 force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION VI

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

SECTION VII

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 two weeks, was voted upon as follows:

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

The Chairman recognized the public for comments on the following:

- J. An ordinance to amend the 2020 Adopted Operating Budget and 5-Year Capital Outlay Budget of the Terrebonne Parish Consolidated Government for the following items and to provide for related matters:
 - I. Houma Downtown Development, \$28,098
 - II. Houma Police Dept-LA Commission on Law Enforcement Grant, \$58,506
 - III. OCD Hurricane Isaac, (\$108,755)
 - IV. Westside Boulevard Phase 1, \$3,700
 - V. Ashland Wetland Assimilation, \$12,281

- VI. Eastside Safe Room, \$66,340
- VII. Safe Room-EOC, \$1,517
- VIII. West Park Sidewalks, -0-
- IX. Prospect Boulevard Sidewalks, -0-
- X. Bonanza Pump Station, \$1,750
- XI. Coteau/Smithridge Bar Screen, \$40,927
- XII. Upper Little Caillou Pump Station, \$65,311
- XIII. Upper Ward 7 Mitigation, \$159,000
- XIV. Oyster Bed Surge Protection, \$100,000

Mr. G. Michel moved, seconded by Mr. J. Amedée, "THAT the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. G. Michel.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: MR. G. MICHEL

SECONDED BY: MR. J. AMEDEE

ORDINANCE NO. 9198

AN ORDINANCE TO AMEND THE 2020 ADOPTED OPERATING BUDGET AND 5-YEAR CAPITAL OUTLAY BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE FOLLOWING ITEMS AND TO PROVIDE FOR RELATED MATTERS.

- I. Houma Downtown Development, \$28,098
- II. Houma Police Dept-LA Commission on Law Enforcement Grant, \$58,506
- III. OCD Hurricane Isaac, (\$108,755)
- IV. Westside Boulevard Phase 1, \$3,700
- V. Ashland Wetland Assimilation, \$12,281
- VI. Eastside Safe Room, \$66,340
- VII. Safe Room-EOC, \$1,517
- VIII. West Park Sidewalks, -0-
- IX. Prospect Boulevard Sidewalks, -0-
- X. Bonanza Pump Station, \$1,750
- XI. Coteau/Smithridge Bar Screen, \$40,927
- XII. Upper Little Caillou Pump Station, \$65,311
- XIII. Upper Ward 7 Mitigation, \$159,000
- XIV. Oyster Bed Surge Protection, \$100,000

SECTION I

WHEREAS, the Downtown Development Board has received State Revenue Sharing from Hotel/Motel Tax in the amount of \$28,098, for the 2020 year, and

WHEREAS, the Hotel/Motel Tax has been allocated by the Downtown Development Board for beautification and operations of the Folklife Cultural Museum and to help maintain the existing buildings, parks and the Court Square in the Historic District, as well as advertising to market Houma's Historic District attractions.

NOW, THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government that the 2020 Adopted Budget

be amended to adjust various Downtown Development Corporation Accounts. (Attachment A)

SECTION II

WHEREAS, the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice has awarded Fiscal LCLE FY2020 Coronavirus Emergency Supplemental funds to the Houma Police Department of the Terrebonne Parish Consolidated Government (TPCG) in the amount of \$58,506, and

WHEREAS, the LCLE FY2020 Coronavirus Emergency Supplemental Funds will provide grant funding to support the TPCG, Houma Police Department, City Court and Jail, and

WHEREAS, the funds will be used for dispatchers and police officers overtime, purchases of PPE equipment and reusable supplies due to the coronavirus.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of Terrebonne Parish Consolidated Government, that the 2020 Adopted Operating Budget of the Terrebonne Parish Consolidated Government be amended for the LCLE FY2020 Coronavirus Emergency Supplemental Grant Award. (Attachment B)

SECTION III

WHEREAS, the State of Louisiana Office of Community Development Disaster (OCD) Recovery Unit-Hurricane Isaac and the Louisiana Housing Corporation grant funds will be decreased due to the funds not being used by the deadline date, and

WHEREAS, the OCD funding will be decreased by \$108,755.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government that the 2020 Adopted Operating Budget be amended for the OCD Hurricane Isaac. (Attachment C)

SECTION IV

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget to provide funding for Westside Boulevard Phase I, and

WHEREAS, the funding source is from the Road Construction Fund, fund balance for \$3,700.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the funding of Westside Boulevard Phase I. (Attachment D)

SECTION V

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget to provide funding for the Ashland Wetland Assimilation, and

WHEREAS, the funding source is from the Parishwide Sewerage Construction fund balance for \$12,281.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the funding of the Ashland Wetland Assimilation. (Attachment E)

SECTION VI

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the East Side Safe Room project, and

WHEREAS, the adjustment will affect the Public Safety fund balance for \$66,340.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the East Side Safe Room project. (Attachment F)

SECTION VII

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget to provide funding for the Safe Room-EOC project, and

WHEREAS, the funding source is from the Capital Projects Control fund for \$1,517.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the funding of the Safe Room-EOC project. (Attachment G)

SECTION VIII

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the West Park Sidewalks project, and

WHEREAS, the net effect will be zero.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the West Park Sidewalks project. (Attachment H)

SECTION IX

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the Prospect Boulevard Sidewalks project, and

WHEREAS, the net effect will be zero.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the Prospect Boulevard Sidewalks project. (Attachment I)

SECTION X

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the Bonanza Pump Station project, and

WHEREAS, the adjustment will affect the Parishwide Drainage Construction fund balance for \$1,750.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the Bonanza Pump Station project. (Attachment J)

SECTION XI

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the Coteau/Smithridge Bar Screen project, and

WHEREAS, the adjustment will affect the Parishwide Drainage Construction fund balance for \$40,927.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the Coteau/Smithridge Bar Screen project. (Attachment K)

SECTION XII

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget by closing out the Upper Little Caillou Pump Station, and

WHEREAS, the adjustment will affect the Parishwide Drainage Construction fund balance for \$65,311.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the closure of the Upper Little Caillou Pump Station. (Attachment L)

SECTION XIII

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget to provide funding for the Upper Ward 7 Mitigation, and

WHEREAS, the funding source is from the Parishwide Drainage Construction Fund for \$159,000.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the funding of the Upper Ward 7 Mitigation. (Attachment M)

SECTION XIV

WHEREAS, Administration is requesting to amend the 5-Year Capital Outlay Budget to provide funding for the Oyster Bed Surge Protection, and

WHEREAS, the funding source is from the Parishwide Drainage Construction Fund for \$100,000.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2020 5-Year Capital Outlay Budget be amended to recognize the funding of the Oyster Bed Surge Protection. (Attachment N)

SECTION XV

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 XVII

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.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 14th day of October 2020.

Prepared By: Finance

Department PC File:

2020-Variou Items –

M Date Prepared:

9/14/2020 BA #15

ATTACHMENT A - Houma Downtown Development

	<u>Adopted</u>	<u>2020 Change</u>
DDC/Folk Salaries-Allocated	29,153	28,098
State-Hotel/Motel Tax Share	(228,061)	(28,098)

ATTACHMENT B - Houma Police Department

	<u>Adopted</u>	<u>2020 Change</u>
LCLE-CESF		(58,506)
CESF Overtime		34,338
CESF Supplies		10,168
CESF Equipment		14,000

ATTACHMENT C - OCD Hurricane Isaac

	<u>Adopted</u>	<u>2020 Change</u>
OCD Hurricane Isaac	(108,755)	108,755
LMI Property Mitigation	108,755	(108,755)

ATTACHMENT D - Westside Blvd Phase I

	<u>Adopted</u>	<u>2020 Change</u>
Westside Blvd-Phase I	(3,700)	3,700
Fund Balance (decrease)	n/a	(3,700)

ATTACHMENT E - Ashland Wetland Assimilation

	<u>Adopted</u>	<u>2020 Change</u>
Ashland Wetland Assimilation	(12,281)	12,281
Fund Balance (decrease)	n/a	(12,281)

ATTACHMENT F - Eastside Safe Room

	<u>Adopted</u>	<u>2020 Change</u>
E Side Safe Room HMGP 1786-07	112,585	(112,585)
Safe Room East HMGP 1786-109-07	(46,245)	46,245
Transfer to Public Safety Fund		66,340
Transfer from Capital Project Control Fund		(66,340)
Fund Balance (increase)	n/a	66,340

ATTACHMENT G - Safe Room-EOC

	<u>Adopted</u>	<u>2020 Change</u>
Safe Room-EOC/Multi Agency	1	1,517
Fund Balance (decrease)	n/a	(1,517)

Mr. D. Babin moved, seconded by Mr. D. J. Guidry, “THAT, the Council continue the Proposed 2021 Parish Budget and Five-Year Capital Outlay Budget public hearing until October 28, 2020 at 6:30 p.m.”

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. J. Amedée, “THAT the Council return to the regular order of business.”

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. Babin moved, seconded unanimously, “THAT, the Council ratify Parish President Gordon Dove’s recommendation to appoint of Clay Naquin as the Director of Solid, Hazardous, and Recycling Waste Department.”

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Mr. D. W. Guidry, Sr., “THAT, the Council ratify Parish President Gordon Dove's recommendation to appoint Harley M. Papa as an Assistant Parish Attorney.”

The Chairman called for a vote on the motion offered by Mr. G. Michel.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, and S. Trosclair.

NAYS: None.

ABSENT: None.

ABSTAINING: J. Navy

The Chairman declared the motion adopted.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. G. Michel, “THAT, the Council ratify Parish President Gordon Dove's recommendation to appoint Derick Bercegeay as a Part-Time Assistant Parish Attorney.”

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, and S. Trosclair.

NAYS: None.

ABSENT: None.

ABSTAINING: J. Navy

The Chairman declared the motion adopted.

Parish President Gordon Dove acknowledged CFO Kandace Mauldin, who provided the Council with information regarding two millage rededications being considered on the November 3, 2020 ballot for Waste Collection and Disposal and The Health Unit. She noted that the rededication millage will be for the purpose of improving, operating, providing, and maintaining public safety personnel facility, and sites within Terrebonne Parish and can only be used for Public Safety purposes.

Mr. Toups presented an update on drainage pump station projects across Terrebonne Parish, noting approval by the Louisiana Statewide Flood Control Program to let for bid the D-04 Lower Little Caillou Lashbrook Pump Station project. Mr. Toups said the completion of cap fitting for the D-13 Industrial Blvd. pump; the delivery and future installation of check valves for the D-19 Lower Bayou Dularge pump station; the completion of repairs to the D-69 Pointe Aux Chenes pump; and the postponement of the Montegut Levee Lift project, due to excess rainwater from the Delta hurricane system.

Councilman J. Navy and S. Trosclair commended the Parish and Public Works Department for the completion of the Isle de Jean Charles Road project.

Eric Kiehlmeier, a resident of 100 Belmere Luxury Ct. and a member of the United States Coast Guard (U.S.C.G.), addressed the Council in relation to the lack of free and safe parking for U.S.C.G. members near the Post Office in Downtown Houma.

Parish President Gordon Dove requested that parking meters be removed and designate parking areas specifically for U.S.C.G. members.

Council Chair S. Trosclair suggested that the parking meters remain in place, provide the U.S.C.G. members with identifying placards, and inform Houma Police Department (H.P.D.) to recognize the parking tags to prevent the members from receiving tickets.

Parish Attorney Jules Hebert suggested that the Council pass a motion to approve special placards for the U.S.C.G. members, which will be provided, in writing, to H.P.D.

Councilwoman J. Domangue suggested that Planning and Zoning Director Chris Pulaski investigate parking for the Downtown Houma area.

Anthony Rainey Sr., a resident of 3593 Hwy 316 Gray, LA and a member of the Recreation District No. 1 Board, addressed the Council relative to concerns regarding the Recreation District budget and hours of operation for Terrebonne Parish gyms. He encouraged the Council to reopen gyms as a way to help increase children's productivity.

Councilman C. Harding informed Mr. Rainey that the Recreation District budget is not stretched, also acknowledging that there have been gym supervisor job cuts.

Several council members agreed that gyms should be able to open on weekends for the children to use.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. D. Babin, "THAT, the Council accept and ratify the minutes of the Terrebonne Parish Sales and Use Tax Advisory Board meeting dated September 24, 2020 relative to:

- 1) Accepting the 2019 Financial Audit Report as prepared by Bourgeois Bennett, LLC;
- 2) Appointing Mrs. Brandi Fontenot to replace Mr. Daigle as Director of Sales and Use tax Department upon Mr. Daigle's retirement; and
- 3) Setting Mrs. Fontenot's salary at the same level as Mr. Daigle's departing salary."

(*MOTION VOTED ON AFTER DISCUSSION)

Councilman J. Navy requested clarification regarding the recommendation for setting Mrs. Fontenot's salary at the same level as Mr. Daigle's departing salary.

Mr. Daigle stated that the Advisory Bard used the same practice as has been customary for setting Mrs. Fontenot's salary at the same level as his departing salary.

Several council members congratulated Mr. Daigle on his retirement.

*The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 10/12/2020, whereupon the Committee Chairman, noting that ratification of the minutes calls six public hearings on Wednesday, October 28, 2020 at 6:30 p.m., rendered the following:

PUBLIC SERVICES COMMITTEE

OCTOBER 12, 2020

The Chairman, Carl Harding, called the Public Services Committee meeting to order at 5:30 p.m. in the Terrebonne Parish Council Meeting Room with an Invocation led by Committee Member D. W. Guidry, Sr. and the Pledge of Allegiance led by Committee

Member S. Trosclair. Upon roll call, Committee Members recorded as present were: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy. A quorum was declared present.

The Chairman recognized Mr. Earl Eues, TOHSEP Director, who reported on Terrebonne Parish's current COVID-19 cases and death statistics for various age groups, noting that future COVID-19 testing opportunities would be provided. Upon Committee Member J. Navy's request, Mr. Eues gave an overview on the reporting of cases from local school districts. He then briefly reviewed the Parish's response to Hurricane Delta and its local impacts.

Several Committee Members voiced their appreciation for Mr. Eues and the EOC staffers who worked in preparation for Hurricane Delta and commended the Parish departments who participated in cleanup efforts related to the storm.

OFFERED BY: MR. D. BABIN
SECONDED BY: MR. D. J. GUIDRY

RESOLUTION NO. 20-284

A resolution ratifying the appointment of the firm of Delta Coast Consultants, LLC to provide professional services for the Brady Road Bridge Replacement Project; FP&C # 50-J55-20-01; and authorizing execution of an agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government is desirous of appointing a firm to provide professional services for the project entitled Brady Road Bridge Replacement Project, and

WHEREAS, this bridge is in need of replacement, and

WHEREAS, Terrebonne Parish Consolidated Government is desirous of replacing this bridge, and

WHEREAS, the firm of Delta Coast Consultants, LLC has been selected by Terrebonne Parish President Gordon E. Dove to provide the professional services relative to said project, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council does hereby ratify the appointment of the firm of Delta Coast Consultants, LLC by Terrebonne Parish President Gordon E. Dove for professional services for the Brady Road Bridge Replacement Project, and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an agreement with the firm of Delta Coast Consultants, LLC by Terrebonne Parish President Gordon E. Dove.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D. Babin, D. J. Guidry and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: D.W. Guidry, Sr.

ABSENT: S. Trosclair.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

A discussion ensued relative to additional costs incurred by the engineering company due to its continuing oversight of their associated contractor and potential avenues for the Parish to recoup said costs once the project was completed. (***RESOLUTION ADOPTED AFTER DISCUSSION**)

OFFERED BY: MR. D. W. GUIDRY, SR.
SECONDED BY: MR. G. MICHEL

RESOLUTION NO. 20-285

A resolution providing approval of Amendment No. 9 to the Engineering Agreement for Parish Project No. 02-DRA-28, **Forced Drainage Project 1-1A (Statewide Flood Control) Project**, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a Engineering Agreement dated July 19, 2002, with T. Baker Smith, LLC., for the Project entitled Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A (Statewide Flood Control) Project, and

WHEREAS, the Engineering Agreement between OWNER and ENGINEER provides for certain limitations for specific Additional Services, and

WHEREAS, certain Additional services were performed under budget, and

WHEREAS, additional time was incurred for extended services, and

WHEREAS, this amendment will increase the upset limits for additional services of this contract by an amount of \$97,661.10, and

WHEREAS, the firm of T. Baker Smith, LLC. has been asked to perform these activities under the Additional Services sections of the Engineering Agreement for this project, and

WHEREAS, the TPCG is desirous of having these services continued so that there is a need to increase the upset limits for these services, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve this Amendment No. 9 to the Engineering Agreement for an increase of \$97,661.10 in Additional Services, authorizes Parish President, Gordon E. Dove, to execute this Amendment No. 9 to the Engineering Agreement for Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A (Statewide Flood Control) Project, with T. Baker Smith, LLC., and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, T. Baker Smith, LLC.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair, and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

OFFERED BY: MR. D. BABIN
SECONDED BY: MR. S. TROSCLAIR

RESOLUTION NO. 20-286

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 19-GT-03, Government Tower Elevator Renovation, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated February 11, 2020 with EMR Services, LLC, for Parish Project No. 19-GT-03, Government Tower Elevator Renovation, Terrebonne Parish, Louisiana, and

WHEREAS, it is necessary to decrease the Contract Amount due to substitutions made during the submittal process, and

WHEREAS, this change order will decrease the overall contract price by Forty-Nine Thousand, Four Hundred Seventeen Dollars and Twenty-Eight Cents (\$49,417.28), and

WHEREAS, this Change Order No. 1 has been recommended by the Architect, Houston J. Lirette, Jr., for this project.

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 Gordon E. Dove of Change Order No. 1 to the construction agreement with EMR Services, LLC for Parish Project No. 19-GT-03, Government Tower Elevator Renovation Terrebonne Parish, Louisiana, for a decrease to the contract amount in the amount of Forty-Nine Thousand, Four Hundred Seventeen Dollars and Twenty-Eight Cents (\$49,417.28) with no change in construction time, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to Architect, Houston J. Lirette, Jr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

Committee Member J. Amedée commended Parish Administration for pursuing said generators and shared his optimism for their utilization during emergency events. (***RESOLUTION ADOPTED AFTER DISCUSSION**)

OFFERED BY: MR. D. BABIN

SECONDED BY: MR. J. AMEDÉE

RESOLUTION NO. 20-287

A resolution ratifying the appointment of the engineering firm of G.E.C., Inc. (Gulf Engineers and Consultants, Inc.) to provide services for the FEMA/HMGP – Terrebonne Parish Pollution Control Generator Project; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to obtain FEMA/HMGP funding for the Terrebonne Parish Pollution Control Generator Project, and

WHEREAS, the engineering firm of G.E.C., Inc., has been selected through the Request for Qualifications process to provide the required services for the FEMA/HMGP – Terrebonne Parish Pollution Control Generator Project; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council does hereby ratify the appointment of the engineering firm of G.E.C., Inc., by Terrebonne Parish President Gordon E. Dove, for professional services for the FEMA/HMGP – Terrebonne Parish Pollution Control Generator Project; and

BE IT FUTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of G.E.C., Inc., by Terrebonne Parish President Gordon E. Dove, for the FEMA/HMGP – Terrebonne Parish Pollution Control Generator Project.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

OFFERED BY: MR. D. BABIN

SECONDED BY: MR. D. J. GUIDRY

RESOLUTION NO. 20-288

A resolution authorizing the execution of Change Order No. 2 for the Construction Agreement for Parish Project No.18-BRG-52, Industrial Boulevard Bridge Replacement, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated June 10, 2020 with Hard Rock Construction, LLC, for Parish Project No.18-BRG-52, Industrial Boulevard Bridge Replacement, Terrebonne Parish, Louisiana, and

WHEREAS, it is necessary to adjust storm drain pipe sizes and make changes to pavement markings, and

WHEREAS, this change order will increase the overall contract price by Seventy-Nine Thousand, Five Hundred Forty-Two Dollars and Twenty-Eight Cents (\$79,542.28), and

WHEREAS, this change order will increase Contract time by fourteen (14) days due to mobilization delays due to an adjacent project, and

WHEREAS, this Change Order No. 2 has been recommended by the Engineer, T. Baker Smith, LLC, for this project, and

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 Gordon E. Dove of Change Order No. 2 to the construction agreement with Hard Rock Construction, LLC for Parish Project No.18-BRG-52, Industrial Boulevard Bridge Replacement, Terrebonne Parish, Louisiana, for an increase to the contract amount in the amount of Seventy-Nine Thousand, Five Hundred Forty-Two Dollars and Twenty-Eight Cents (\$79,542.28) with increase of fourteen (14) days in construction time, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to Engineer, T. Baker Smith, LLC.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

OFFERED BY: MR. G. MICHEL

SECONDED BY: MR. D. W. GUIDRY, SR.

RESOLUTION NO. 20-289

A Resolution authorizing the Parish President, Gordon E. Dove, to enter into an agreement with START Corporation for the management of the daily operations of the Beautiful Beginnings Center in the amount of \$87,619.00.

WHEREAS, there are families with children in need of safe emergency housing and resources to help them become self-sufficient; and

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, is committed to providing safe emergency housing and self-sufficiency resources; and

WHEREAS, START Corporation, a non-profit agency designated as a Community Housing Development Organization by Terrebonne Parish Resolution 98-192, is committed to assisting the homeless in Terrebonne Parish; and

WHEREAS, START Corporation has satisfactorily provided Terrebonne Parish Consolidated Government's Beautiful Beginnings Center with operational management services for over fifteen years and Terrebonne Parish Consolidated Government desires to renew its current annual agreement with START Corporation.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of Terrebonne Parish Consolidated Government, authorizes the Parish President, Gordon E. Dove, to enter into an agreement with START

Corporation for the management of the daily operations of the Beautiful Beginnings Center in the amount of \$87,619.00.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: J. Domangue.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

Ms. J. Domangue moved, seconded by Mr. G. Michel, “THAT the Public Services Committee introduce an ordinance to authorize the acquisition of sites and/or servitudes required for the Bayou Terrebonne Drainage Project; authorize the Parish President to execute any and all documents necessary to acquire sites and/or servitudes for said purposes; to authorize the parish legal staff to commence expropriation proceedings in the event the sites and/or servitudes cannot be obtained conventionally; to declare that the taking, if required, is necessary or useful for the benefit of the public; to provide for other matters relative thereto; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m.” (***MOTION VOTED ON AFTER DISCUSSION**)

Upon Committee Member G. Michel’s questioning, Chief Financial Officer Kandace Mauldin clarified that funding for acquiring said rights-of-way was included in the original budget for the project and that any additional funding required would be requested through a budget amendment.

*The Chairman called for the vote on the motion offered by Ms. J. Domangue.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Ms. J. Domangue, “THAT the Public Services Committee introduce an ordinance to authorize the acquisition of sites and/or servitudes required for the Bayou Terrebonne Dredging Project; authorize the Parish President to execute any and all documents necessary to acquire sites and/or servitudes for said purposes; to authorize the parish legal staff to commence expropriation proceedings in the event the sites and/or servitudes cannot be obtained conventionally; to declare that the taking, if required, is necessary or useful for the benefit of the public; to provide for other matters relative thereto; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m.” (***MOTION VOTED ON AFTER DISCUSSION**)

Upon Committee Member G. Michel’s request, Planning and Zoning Director Christopher Pulaski stated that the previously adopted motion provides for the acquisition of sites and servitudes for the Bayou Terrebonne Drainage Project and that the current motion provides for the acquisition of sites and servitudes for the Bayou Terrebonne Dredging Project.

*The Chairman called for the vote on the motion offered by Mr. G. Michel.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Mr. D. Babin, "THAT the Public Services Committee introduce an ordinance to ratify and acknowledge the Intergovernmental Agreement entered into between Terrebonne Parish Consolidated Government and Terrebonne Parish Sheriff's Office for the use of what is commonly known as the Rifle Range; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m." (***MOTION ADOPTED AFTER DISCUSSION**)

Upon questioning by Committee Member G. Michel, Council Clerk Suzette Thomas informed the Committee that the 2014 Intergovernmental Agreement was provided as additional backup and was uploaded to the agenda site for public viewing this morning.

*The Chairman called for the vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. J. Amedée, "THAT the Public Services Committee introduce an ordinance to authorize the use of a batture tract of property lying between Falgout Canal Road and Falgout Canal, identified as Parcel No. 42536, Theriot, Louisiana, as per the Terrebonne Parish Assessor's Records in connection with Coastal Protection and Restoration Authority's Project No. TE-0138, the Bayou Decade Ridge and Marsh by Terrebonne Parish Consolidated Government (TPCG) to Apollo Environmental Strategies, Inc. (Apollo); authorize the Parish President to execute any and all Cooperative Endeavor Agreements and any and all other documents necessary for the use of the afore referenced premises, provide for other matters relative thereto; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m."

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

THERE WAS RECORDED:

YEAS: C. Harding, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: G. Michel.

The Chairman declared the motion adopted.

Mr. J. Amedée moved, seconded by Mr. S. Trosclair, "THAT the Public Services Committee introduce an ordinance to amend the Parish Code of Terrebonne Parish pursuant to the authority of Section 4-13 of the Home Rule Charter by amending Chapter 2, Administration, Article IV, Administrative Organizational Structure, Section 2-87 Organizational Chart to update the Terrebonne Parish Consolidated Government Organizational Chart; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m."

The Chairman called for the vote on the motion offered by Mr. J. Amedée.

THERE WAS RECORDED:

YEAS: C. Harding, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: G. Michel.

The Chairman declared the motion adopted.

Mr. J. Amedée moved, seconded by Mr. J. Navy, "THAT the Public Services

Committee introduce an ordinance to amend the Terrebonne Parish Code of Ordinances, Chapter 5, "Animals" to provide the addition of procedural rules for dangerous/vicious dog administrative hearings; and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m." (***MOTION VOTED ON AFTER DISCUSSION**)

Upon Committee Member J. Navy's request, Animal Shelter Manager Valerie Robinson clarified the changes being proposed would provide specific rules and regulations for administrative hearings regarding dangerous or vicious animals. She then stated that no further amendments would be required in order to institute the changes recommended to them.

*The Chairman called for the vote on the motion offered by Mr. J. Amedée.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Upon Committee Member J. Navy's questioning, Recreation Director Roddy Lerille gave an overview of the measures being taken to provide opportunities across the Parish for children to register for Recreation activities. He then shared that rescheduling football games cancelled due to the hurricane season and other scheduling issues were still being considered at this time.

Committee Member J. Navy suggested that the Recreation Department consider scheduling additional games and other activities during the upcoming holiday seasons as an effort to continue providing recreational opportunities for Parish residents.

Upon Committee Member S. Trosclair's request, Mr. Lerille clarified that those who registered for programs earlier in the year but were unable to participate due to COVID-19 were able to be refunded their registration fees.

A discussion ensued relative to complaints received from parents and coaches who were experiencing difficulties in registering children to participate in Recreation Department programs.

Upon Committee Member J. Domangue's request, Mr. Jim Wendell, Recreation Department, reported that all public and private schools in the Parish were contacted earlier in the year in order to provide them with flyers and other materials regarding registration for Recreation Department programs.

Mr. D. Babin moved, seconded by Mr. D. W. Guidry, Sr., "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 Mr. D. Babin.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:15 p.m.

Carl Harding, Chairman

Keith Hampton, Minute Clerk

Mr. C. Harding moved, seconded by Ms. J. Domangue, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 10/12/2020."

The Chairman called for a vote on the motion offered by Mr. C. Harding.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget and Finance Committee meeting held on 10/12/2020:

Mr. J. Navy moved, seconded by Mr. C. Harding, "THAT, the Council rescind Item No. 5 on the Budget and Finance Committee agenda to introduce an ordinance to amend the Compensation Plan of the Terrebonne Parish Consolidated Government so as to adjust the structure of the Executive Positions and calling a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m.."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Committee Chairman, noting that ratification of the minutes calls two public hearings on Wednesday, October 28, 2020 at 6:30 p.m., rendered the following:

BUDGET & FINANCE COMMITTEE

OCTOBER 12, 2020

The Chairman, Mr. John Navy, called the Budget & Finance Committee meeting to order at 6:20 p. m. in the Terrebonne Parish Council Meeting Room with an Invocation led by Committee Member C. Harding and the Pledge of Allegiance led by Committee Member S. Trosclair. Upon roll call, Committee Members recorded as present were: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy. A quorum was declared present.

OFFERED BY: MR. S. TROSCLAIR

SECONDED BY: MR. J. AMEDÉE

RESOLUTION NO. 20-290

A resolution to amend Resolution No. 20-129 to change the dollar amount from \$330,525.00 to \$498,342.39 to allow for the additional street patching/paving work that was performed for the Public Works/Roads and Bridges Division.

WHEREAS, Resolution No 20-129 awarded the bid for the 2020 Asphalt Street Project for the Public Works Department (Roads & Bridges Division) for Bid # 20-RDS-11 to Barriere Construction., LLC, and

WHEREAS, Terrebonne Parish Consolidated Government, Public Works Department, Roads and Bridges Division added additional streets to the 2020 Asphalt Street Project, and,

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in account numbers 661-310-8916-56 (\$16381.58) and 251-310-8431-99 (\$151435.81) for the additional cost, and,

WHEREAS, the Parish Administration wishes to amend Resolution No. 20-129 in order to accept the additional cost for the 2020 Asphalt Street Paving to Barriere Construction Co., LLC.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget & Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration be approved; that Resolution No. 20-129 be hereby amended to accept the additional amount of cost for the 2020 Asphalt Street Project as per the attached documents.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

OFFERED BY: MR. J. AMEDÉE

SECONDED BY: MR. S. TROSCLAIR

RESOLUTION NO. 20-291

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE THE EMERGENCY MANAGEMENT PERFORMANCE GRANT - FY 2020 NO. EMT-2020-EP-00001-S01 FROM THE GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS (GOHSEP) FOR OPERATIONAL EXPENSES OF THE TERREBONNE PARISH OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS.

WHEREAS, the Parish has received a grant from the Governor's Office of Homeland Security and Emergency Preparedness in the amount of \$33,731.21, which the period of this grant expires May 31, 2022, and

WHEREAS, the Parish agrees to apply said funds towards salaries or expenses related directly to the operations of the Parish's Office of Emergency Preparedness Department

NOW THEREFORE, BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does authorize Parish President Gordon E. Dove to execute any and all documents relative to this grant.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

Parish Manager Mike Toups reported on the performance of the devices and shared that the devices are calibrated daily by the Houma Police Department. (***RESOLUTION ADOPTED AFTER DISCUSSION**)

OFFERED BY: MR. D. W. GUIDRY, SR.
SECONDED BY: MR. J. AMEDÉE

RESOLUTION NO. 20-292

Terrebonne Parish President Gordon E. Dove, on March 12, 2020, declared a parish wide public emergency in the Parish of Terrebonne as a result of the imminent threat to life and health posed to the citizens of Terrebonne Parish by COVID-19, and

WHEREAS, the Terrebonne Parish Consolidated Government has an obligation to respond to these public emergencies related to public health, and

WHEREAS, the Terrebonne Parish Consolidated Government Purchased Five Elevated Body Temperature (EBT) Detection Devices at a cost of six thousand nine hundred and ninety-five dollars (\$6,995.00) each. The EBT will be located at the Courthouse/Annex and TPCG tower, and

WHEREAS, the Terrebonne Parish Consolidated Government will complete the goal and objective of DOJ-Coronavirus Emergency Supplemental Funding Program FY 2020 grant by purchasing EBTs to be able to take the general public and parish employees' temperature before going into TPCG buildings while improving the safety for all, and

WHEREAS, the Terrebonne Parish Consolidated Government will be reimbursed for the total cost of the EBTs by the DOJ-Coronavirus Emergency Supplemental Funding Program FY 2020 grant, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and ratify the action taken during the Declaration of Emergency by the Purchasing and Warehouse Division / Finance Department for the agreements and/or purchases per the attached.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

OFFERED BY: MR. J. AMEDÉE
SECONDED BY: MR. D. W. GUIDRY, SR.

RESOLUTION NO. 20-293

WHEREAS, on October 1, 2020 bids were received by the Terrebonne Parish Consolidated Government (TPCG) for Bid 20-WHSE-31 Purchase of New/Unused Gas Meters (6-Month Requirements Contract), and

WHEREAS, after careful review by the Angela Guidry, Warehouse Manager and Cary Robichaux, Gas Distribution Superintendent, it is determined that Ferguson provided the lowest qualified bid for items on the attached listing for TPCG Warehouse gas meter inventory, and

WHEREAS, the contract will commence on the date of the “Notice of Award” for a period of six (6) months. Subject to the availability of funds appropriated, the contract may be extended at TPCG’s option, for two (2) additional six (6) month periods provided the terms, conditions, prices and specifications remain the same.

WHEREAS, should the awarded vendor be unable to supply the Warehouse Division with the required gas meter inventory, the Purchasing Division shall be authorized to award the item(s) to the next lowest qualified bidder, and

WHEREAS, Parish Administration concurs with the recommendation to award Bid 20-WHSE-31 Purchase of New/Unused Gas Meters (6-Month Requirements Contract) to Ferguson as per attached documents, and

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be accepted for the purchase of gas meters for Warehouse inventory, as per attached documents

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue D.W. Guidry, Sr., D. Babin, D. J. Guidry S. Trosclair and J. Navy.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 12th day of October 2020.

Mr. J. Amedée moved, seconded by Mr. G. Michel, “THAT the Budget and Finance Committee introduce an ordinance to amend the Compensation Plan of the Terrebonne Parish Consolidated Government so as to adjust the structure of the Executive Positions and call a public hearing on said matter on Wednesday, October 28, 2020 at 6:30 p.m.” (***MOTION ADOPTED AFTER LENGTHY DISCUSSION**)

Committee Member G. Michel stated that, in his opinion, the proposed adjustments would not provide any maximum salary increases at this time.

Upon the Chairman’s questioning, Ms. Mauldin clarified that there were changes in paygrades for executive director positions and that no increases or decreases for current salaries would take place.

The Chairman shared his concerns for the proposed executive pay structure changes for the Director of Utilities.

Upon Committee Member G. Michel’s request, Parish Manager Mike Toups explained how the proposed pay structures were determined then clarified that the maximum salary for the current Utilities Director would be reduced per the new pay structure as a result of changes in responsibilities.

Committee Member C. Harding shared his concerns with regards to the delegation of responsibilities then suggested that salaries for Parish employees be reviewed for better consistency and relevance to their positions.

Upon Committee Member D. Babin’s request, Ms. Mauldin explained that the current Director of Utilities would retain the current salary with approximately \$40,000 of maximum pay remaining within the new paygrade to allow for potential raises should the changes take effect.

The Chairman questioned the need for reducing the pay structure for the Director of Utilities position then shared that he would not support the proposed ordinance.

Several Committee Members shared their support of calling a public hearing on the proposed ordinance to allow for greater discussion and deliberation with public input.

Discussion ensued relative to continuing discussion regarding the proposed ordinance prior to calling a public hearing and potential issues should it be determined at the public hearing that the proposed ordinance requires substantial changes before a vote is taken concerning its adoption.

The Chairman recognized Parish Attorney Julius Hebert who suggested that the language used for agenda items be amended to provide for the calling of a public hearing and discussion regarding the business item should the Committee wish to discuss a business item prior to calling a public hearing.

Discussion continued regarding the Committee's ability to discuss items prior to a public hearing and the procedures to follow should an item need to be revisited.

Committee Member D. W. Guidry, Sr. suggested that the reasonings for the changes in responsibilities could be presented at the public hearing to provide greater insight on the proposed changes.

*The Chairman called for the vote on the aforementioned motion offered by Mr. J. Amedée.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Mr. C. Harding, "THAT the Budget and Finance Committee introduce an ordinance to amend the 2020 Adopted Operating Budget of the Terrebonne Parish Consolidated Government for the following items and to provide for related matters:

- I. Juvenile Detention Department, (\$500,000)
- II. Parish Prisoners Department, (\$1,016,600)
- III. Public Safety Fund, (\$2,000,000)
- IV. Road and Bridge Department, (215,000)
- V. Criminal Court Fund, \$292,742
- VI. Houma Fire Department, \$5,957
- VII. CARES Act-Transit, \$6,043,127
- VIII. La. Commission on Law Enforcement, Juvenile Detention Department, \$57,218 and call a public hearing on said matters on October 28 at 6:30 p.m."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: D. W. Guidry, Sr.

The Chairman declared the motion adopted.

Mr. J. Amedée moved, seconded by Mr. S. Trosclair, "THAT the Budget and Finance Committee introduce an ordinance to amend Ordinance No. 9075 due to mutual agreement to terminate the Cooperative Endeavor Agreement with Options for Independence for the donation of eleven (11) surplus adjudicated properties and call a public hearing on said matter on October 28, 2020, at 6:30 p.m." (***MOTION ADOPTED AFTER DISCUSSION**)

Upon questioning from Committee Member C. Harding, Parish Attorney Julius Hebert explained that Options for Independence desires to relinquish the donated properties back to Terrebonne Parish so that it could invest in other local properties.

At Committee Member C. Harding's request, Housing and Human Services Director Darrel Waire clarified that several factors including title clearing and timelines for federal grant programs were involved with the decision to relinquish the properties to the Parish.

A brief discussion ensued regarding potential sale of the adjudicated properties that are relinquished to the Parish and other related benefits.

*The Chairman called for the vote on the aforementioned motion offered by Mr. J. Amedée.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

A review of the proposed 2021 Budget began on the following funds/departmental budgets:

- a) **Parish Council (Fund 151-111; Sm. Bk. 13; Big Bk. 6)** – Chief Finance Officer Kandace Mauldin presented the proposed 2021 Budget noting that Ordinance No. 8257, adopted in January 2013, established new salaries for the Council Members and Council Chair (Parish Code, Section 2-51): Council Members, \$1,422.00; Council Chair, \$1,600.00. (NO ACTION TAKEN)
- b) **Council Clerk (Fund 151-115; Sm. Bk. 15; Big Bk. 8)** - Chief Finance Officer Kandace Mauldin highlighted the proposed 2021 Budget explaining that there were no significant changes. (NO ACTION TAKEN)
- c) **Official Fees/Publications (Fund 151-119; Sm. Bk. 18; Big Bk. 10)** – Chief Finance Officer Kandace Mauldin summarized the proposed 2021 Budget stating that that Membership Dues and other fees for the year 2021 are as follows: Louisiana Municipal Association: \$12,487, METLEC (Metropolitan Law Enforcement Commission): \$3,545, National Association of Counties: \$2,237, Police Jury Association: \$12,000, Independent Audit Fees: \$212,500 (\$3,500 more than 2020), Publish Proceedings (Minutes, Public Notices, etc.): \$25,000 (\$3,000 less than 2020). (NO ACTION TAKEN)
- d) **City Court (Fund 151-120; Sm. Bk. 19; Big Bk. 11)** – Chief Finance Officer Kandace Mauldin stated that there were no significant changes to the proposed 2021 Budget. (NO ACTION TAKEN)
- e) **District Court (Fund 151-121; Sm. Bk. 21; Big Bk. 12)** – Chief Finance Officer Kandace Mauldin presented the proposed 2021 Budget noting that there were no significant changes. (NO ACTION TAKEN)

Upon questioning by Committee Member C. Harding, Ms. Mauldin clarified that outside agencies partially funded by Terrebonne Parish manage their own pay structures therefore their wages and salaries are not included with the Parish's budget.

- f) **Ward Court (Fund 151-126; Sm. Bk. 25; Big Bk. 16)** – Chief Finance Officer Kandace Mauldin summarized the proposed 2021 Budget stating that wages paid to the Justices of the Peace and Constables includes "State Supplemental Pay" which is reimbursed by the State monthly. She added that every Justice of the Peace and Constable are required to attend at least one training course with the Attorney General every other year to comply with state law. (NO ACTION TAKEN)

Upon questioning by Committee Member C. Harding, Ms. Mauldin stated that each Justice of the Peace and Constable submits a monthly mileage report based on the honor system. She added that the reports are reviewed regularly, and the reimbursement rate is based on the IRS rate.

- g) Judicial – Other (Fund 151-129; Sm. Bk. 26; Big Bk. 17)** - Chief Finance Officer Kandace Mauldin reviewed the proposed 2021 Budget highlighting that Act 1031 of the 2003 State Regular Session amended the state law to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases filed by the Clerk of Court; to increase the amount deposited into the registry of the court; and to provide for an additional fee in criminal cases, with 2021 Court Warrants being budgeted at \$65,000, which is the same as 2020. (NO ACTION TAKEN)
- h) Registrar of Voters (Fund 151-141; Sm. Bk. 30; Big Bk. 20)** – Chief Finance Officer Kandace Mauldin presented the proposed 2021 Budget noting that there were no significant changes. (NO ACTION TAKEN)
- i) Elections (Fund 151-142; Sm. Bk. 32; Big Bk. 21)** - Chief Finance Officer Kandace Mauldin highlighted the proposed 2021 Budget stating that there were no significant changes. (NO ACTION TAKEN)
- j) Government Buildings (Fund 151-194; Sm. Bk. 45; Big Bk. 30)** - Chief Finance Officer Kandace Mauldin summarized the proposed 2021 Budget highlighting that there were no significant changes. (NO ACTION TAKEN)
- k) Janitorial Services (Fund 151-198; Sm. Bk. 49; Big Bk. 34)** - Chief Finance Officer Kandace Mauldin presented the proposed 2021 Budget explaining that the General Fund share of the contract for cleaning services is \$248,430, which is the same as 2020. (NO ACTION TAKEN)
- l) Auditoriums (Fund 205-196; Sm. Bk. 97; Big Bk. 89)** – Chief Finance Officer Kandace Mauldin highlighted the proposed 2021 Budget stating that there were no significant changes. (NO ACTION TAKEN)
- m) General – Other (Fund 151-199; Sm. Bk. 50; Big Bk. 35)** – Chief Finance Officer Kandace Mauldin summarized the proposed 2021 Budget highlighting that there were no significant changes. (NO ACTION TAKEN)
- n) Parish VA Service Office (Fund 151-408; Sm. Bk. 55; Big Bk. 39)** – Chief Finance Officer Kandace Mauldin reviewed the proposed 2021 Budget explaining that the Parish supplement for the State Veterans Service Office is \$23,784, which is \$354 less than 2020. (NO ACTION TAKEN)
- o) Health and Welfare (Fund 151-409; Sm. Bk. 56; Big Bk. 40)** - Chief Finance Officer Kandace Mauldin presented the proposed 2021 Budget noting their budgets as follows: Veterans Homeless Shelter, \$28,000, which is the same as 2020; Lenox Hotard Post #31(America Legion) operating, \$25,000, which is the same as 2020; and Houma-Terrebonne Marine Corps League, \$25,000. (NO ACTION TAKEN)

Upon Committee Member D. Babin’s request, Ms. Mauldin clarified that the budget allocation for the Marine Corps League would be used to assist with repairs of the building.

- p) Road District #6 O&M (Fund 258; Sm. Bk. 118; Big Bk. 268)** – Chief Finance Officer Kandace Mauldin highlighted the proposed 2021 Budget stating that, on November 7, 2006, the voters of Ward 6 approved a .80 mills ad valorem tax which was renewed for the years 2019 to 2028 that will generate an estimated \$40,648 for 2021. She added that street repairs in 2021 are being proposed at a cost of \$30,000. (NO ACTION TAKEN)

- q) **Road Lighting Districts (Fund 267-276; Sm. Bk. 119; Big Bk. 272)** - Chief Finance Officer Kandace Mauldin summarized the proposed 2020 Budget highlighting that the attached table (table listed in the 2021 Proposed Budget Book) highlights the Road Lighting District's Ad Valorem Tax Revenue (without penalties), maximum authorized, millages levied, and year tax expires, as well as the proposed revenue for each road lighting district. (NO ACTION TAKEN)

Upon Committee Member G. Michel's questioning, Ms. Mauldin explained that the 2020 tax levied for Road Lighting District No. 10 was too low to provide adequate funding for the district and the higher rate has been levied for 2021 to compensate for the lowered rate. She then shared that there are no road lighting district millages being considered for renewal later this year.

- r) **Housing and Human Services (Fund 151-653; Sm. Bk. 66; Big Bk. 48)** – Chief Finance Officer Kandace Mauldin reviewed the proposed 2021 Budget explaining that there were no significant changes. (NO ACTION TAKEN)
- s) **Recap Housing and Human Services Grants (Fund HHS Grants; Sm. Bk. 149; Big Bk. 116)** – Chief Finance Officer Kandace Mauldin explained the proposed 2021 Budget highlighting that the CDBG Entitlement supplements the Homeless Shelter, \$120,000 and Head Start, \$11,000. The General Fund supplements the Homeless Shelter, HOME Investment Partnership, Head Start, Rural Transit, and Section 8. She then explained that most of the other associated funds have no significant changes; however, the FTA Grant was eliminating one (1) open Bus Driver, Grade 102 position and Head Start was also eliminating one (1) open Bus Driver position as well. (NO ACTION TAKEN)

Mr. D. Babin moved, seconded by Mr. G. Michel, "THAT, the Budget & Finance Committee continue the 2021 Budget review."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. S. Trosclair moved, seconded by Mr. C. Harding, "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 Mr. S. Trosclair.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 7:08 p. m.

John Navy, Chairman

Keith Hampton, Minute Clerk

Mr. J. Navy moved, seconded by Mr. C. Harding, "THAT, the Council accept and ratify the minutes of the Budget and Finance Committee meeting held on 10/12/2020."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- 4D. An add-on to introduce an ordinance to amend the Compensation Plan of the Terrebonne Parish Consolidated Government so as to adjust the structure of the Executive Positions to add the new position of Director of Solid, Hazardous, and Recycling Waste Department.

The Chairman called for comments on the aforementioned add on, there were none.

Mr. D. Babin moved, seconded by Mr. D. W. Guidry, Sr., "THAT, the Council close the call for public comments."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. G. Michel, "THAT, pursuant to 42:19 A.(1)(cc) and a unanimous vote, the Council may consider a motion to add-on to the agenda the introduction of an ordinance to amend the Compensation Plan of the Terrebonne Parish Consolidated Government so as to adjust the structure of the Executive Positions to add the new position of Director of Solid, Hazardous, and Recycling Waste Department."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded D. Babin, "THAT, the Council introduce an ordinance to amend the Compensation Plan of the Terrebonne Parish Consolidated Government so as to adjust the structure of the Executive Positions to add the new position of Director of Solid, Hazardous, and Recycling Waste Department and call a public hearing on Wednesday, October 28, 2020 at 6:30 p.m."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. W. Guidry, Sr. moved, seconded by Mr. J. Amedée, "THAT the Council return to the regular order of business."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.
The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Mr. J. Navy, "THAT the Council approve the following street light list:

**STREET LIGHT LIST
10/14/2020**

INSTALL ONE (1) STREET LIGHT ON EXISTING POLE AT 1212 DR. BEATROUS RD., THERIOT; RLD #10; SLECA; DANIEL BABIN, DISTRICT 7.

The Chairman called for a vote on the motion offered by Mr. G. Michel.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Mr. D. Babin moved, seconded by Mr. G. Michel, "THAT, the Council open, close, and re-appoint Ms. Janie Voisin to serve a term on Recreation District No. 4 Board and to hold the second expiring term over for two weeks."

The Chairman called for a vote on the motion offered by Mr. D. Babin.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Mr. D. Babin, "THAT, the Council open, close, and appoint Ms. Angela Portier, Ms. Jan Rogers, Mr. Mickey Thomas, and Mr. Jeff DeBlieux to additional terms on the Coastal Zone Management and Restoration Board."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Mr. D. W. Guidry, Sr., "THAT, the Council open, close, and appoint Mr. Hayward Sims, Jr. to the Bayou Cane Fire Protection Board."

The Chairman called for a vote on the motion offered by Mr. G. Michel.
THERE WAS RECORDED:
YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.
NAYS: None.
ABSENT: None.
The Chairman declared the motion adopted.

Mr. G. Michel moved, seconded by Mr. D. J. Guidry, "THAT, the Council open, close, and nominate Mr. Dakota Fitch and Ms. Suzette Lafont and vote to determine who will fill the One Voting Member vacancy on the Terrebonne Parish Recreation Modernization Advisory Board representing Recreation District No. 6; that nominations be closed; and that a voice vote of the Council be taken to determine who will fill the position."

The Chairman called for a vote on the motion offered by Mr. G. Michel.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Voting to appoint Mr. Dakota Fitch:

C. Harding

G. Michel

D. Babin

D. J. Guidry

S. Trosclair

Voting to appoint Ms. Suzette Lafont:

J. Amedée

J. Domangue

D. W. Guidry, Sr.

J. Navy

Minute Clerk M. LeCompte announced the votes tallied for the One Voting Member of the Terrebonne Parish Recreation Modernization Advisory Board representing Recreation District No. 6, which were recorded as follows: five (5) votes for Mr. Dakota Fitch and four (4) votes for Ms. Suzette Lafont.

The Chair stated that as per the above voice vote, Mr. Dakota Fitch has been appointed to fill the vacancy as the One Voting Member of the Terrebonne Parish Recreation Modernization Advisory Board representing Recreation District No. 6.

Mr. D. Babin moved, seconded by Mr. G. Michel, "THAT, the Council hold over appointing to fill the alternate member position on the Houma Board of Zoning Adjustments vacancy for two weeks."

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman announced the following vacancies, which he noted will be handled as per the usual procedure:

- **Coteau Fire District:** Two unexpired terms due to resignations.
- **Recreation District No. 3A:** One vacancy due to an expired term.
- **Tree Board:** One vacancy due to a resignation.
- **911 Communications District:** One vacancy due to resignation.
- **Airport Commission:** Two expiring terms 10/15/20 and 11/28/20.
- **Recreation District No. 5:** Two expiring terms 11/27/20.
- **Recreation District No. 7:** One expiring term 11/27/20.
- **Houma Area Convention and Visitors Bureau:** One expiring term 12/31/20.
- **Terrebonne ARC:** Two vacancies due to resignations - one nominated by Terrebonne ARC membership and one representing the Ministerial Association.
- **Houma Downtown Development Corporation:** Five expiring terms 11/30/20 one each representing the Historical Society, Parish President, Garden Clubs, and two representing the Parish Council.
- **Terrebonne Port Commission:** Three expiring terms.

- **Houma-Terrebonne Regional Planning Commission:** One expiring term 11/30/20 and one vacancy due to a resignation.
- **Children & Youth Services Planning Board:** Twelve expiring terms 11/05/20 representing the Terrebonne Parish Sheriff's Office, Faith Base Organization, Social Services, Terrebonne Parish Juvenile Detention Center, Office of Juvenile Justice, Education, Bayou Area Children's Foundation, Department of Health & Hospitals Office of Behavioral Health, Terrebonne Parish District Attorney's Office, Options for Independence, Gulf Coast Teaching and Family Services, and Houma Police Department.

Announcements Agenda Item 8A – Parish President Dove: Was not present.

Announcements Agenda Item 8B – Announcements: Council Members:

- Councilman J. Amedée encouraged interested members of the public to visit the Terrebonne Parish Main Library and take advantage of a free service that will help them learn more about their ancestry.
- Councilwoman J. Domangue encouraged the public to complete their Census by Wednesday, October 14, 2020 at 11:59 p.m.
- Councilman J. Navy thanked CFO Kandace Mauldin and Administration for helping to keep Terrebonne Parish's bond rating steady, compared to neighboring parishes.
- Councilman D. Babin informed the Council about members of the public dumping items in drainage ditches throughout Terrebonne Parish. He would like to see the litter ordinance enforced.
- Councilman D. J. Guidry dumping violators prosecuted.
- Chairman S. Trosclair reminded the public to complete their census and keep veterans, active military, law enforcement, firefighters, etc in their thoughts and prayers.

Mr. D. J. Guidry, seconded by Mr. J. Amedée, "THAT, the Council accept the following monthly engineering reports:"

A. T. Baker Smith, LLC

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

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. W. Guidry, Sr. moved, seconded by Ms. J. Domangue, "THAT, there being no further business to come before the Council, the meeting be adjourned."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry, Sr.

THERE WAS RECORDED:

YEAS: C. Harding, G. Michel, J. Amedée, J. Domangue, D. W. Guidry, Sr., D. Babin, D. J. Guidry, S. Trosclair, and J. Navy.

NAYS: None.

ABSENT: None.

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

MARGEUX LECOMPTE, MINUTE CLERK

/S/ STEVE TROSCLAIR, CHAIRMAN

TERREBONNE PARISH COUNCIL

ATTEST:

/S/ SUZETTE THOMAS, COUNCIL CLERK
TERREBONNE PARISH COUNCIL