
TERREBONNE PARISH COUNCIL

PUBLIC SERVICES COMMITTEE

Mr. Dirk Guidry	Chairman
Mr. John Amedee	Vice-Chairman
Mr. John Navy	Member
Mr. Carl Harding	Member
Mr. Gerald Michel	Member
Ms. Jessica Domangue	Member
Mr. Darrin W. Guidry, Sr.	Member
Mr. Daniel Babin	Member
Mr. Steve Trosclair	Member



In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Suzette Thomas, Council Clerk, at (985) 873-6519 describing the assistance that is necessary.

AGENDA

July 26, 2021
5:35 PM

Robert J. Bergeron Government Tower Building
8026 Main Street
2nd Floor Council Meeting Room
Houma, LA 70360

NOTICE TO THE PUBLIC: If you wish to address the Council, please complete the "Public Wishing to Address the Council" form located **on the table near the entrance into the building** and give it to either the Chairman or the Council Clerk prior to the beginning of the meeting. Individuals addressing the council should be respectful of others in their choice of words and actions. Thank you.

ALL CELL PHONES, PAGERS AND ELECTRONIC DEVICES USED FOR COMMUNICATION SHOULD BE SILENCED FOR THE DURATION OF THE MEETING

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Discussion and update from the Office of Homeland Security & Emergency Preparedness relative to COVID-19 and any other pertinent public information.
2. **RESOLUTION:** Providing approval of Change Order No. 2 (Balancing) to Norris & Boudreaux Contractors LLC for Cast Iron Gas Line Replacement, St. Louis and McKinley Street Area, Phase 20, Parish Project No. 18-GAS-45.
3. **RESOLUTION:** Ratifying the appointment of the firm of Delta Coast Consultants, LLC, to provide engineering services for the North Hollywood Road Drainage Improvements Project; and authorizing the execution of an agreement for these services.

4. Introduce an ordinance to amend Article II, Comprehensive Solid Waste Management Program, of Chapter 11 of the Terrebonne Parish Code of Ordinances to classify waste generated in the process of lawful eviction; to provide procedures for management and disposal of bulky waste not authorized for parish pickup, to provide for administration and penalties for violations related thereto; and call a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.
5. Introduce an ordinance to establish a “4-Way Stop” at the intersection of “Kellie Drive and McCoy Street” and call a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.
6. Introduce an ordinance to correct and update the polling locations identified in Ordinance No. 9099 to establish Precinct 15, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 16, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 29, East Park Fire Station located at 8547 Park Avenue in Houma, LA; Precinct 46, Municipal Auditorium located at 880 Verret Street in Houma, LA; Precinct 58, Pointe-aux-Chenes Elementary School located at 1236 Highway 665 in Montegut, LA; Precinct 63, Little Caillou Volunteer Fire Department Fitness Center located at 5612 Highway 56 in Chauvin, LA; and Precinct 72, Dularge Recreation Center located at 1330 Dr. Beatrous Road in Theriot, LA; and call a public hearing on said matter on Wednesday, August 11, 2021, at 6:30 p.m.
7. Introduce an ordinance to amend and supplement Ordinance No. 9277 which authorized the issuance by the Parish of Terrebonne not to exceed six million dollar (\$6,000,000) of its Public Library Sales Tax Bonds, Series 2021, ratifying the sale of the bonds to Raymond James and Associates, Inc., and providing for other matter in connection therewith, and calling a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.
8. Discussion, revisit, and possible action relative to recreation oversight of the Recreation District No. 11 as per Section 21-92 (a) of Ordinance No. 8938.
9. Quality of Life- Review of draft highlighted sections of the Recreation Procedure Manual.
10. Adjourn

Category Number:
Item Number:



Monday, July 26, 2021

Item Title:

INVOCATION

Item Summary:

INVOCATION

Category Number:
Item Number:



Monday, July 26, 2021

Item Title:

PLEDGE OF ALLEGIANCE

Item Summary:

PLEDGE OF ALLEGIANCE

Category Number:
Item Number: 1.



Monday, July 26, 2021

Item Title:

COVID Update

Item Summary:

Discussion and update from the Office of Homeland Security & Emergency Preparedness relative to COVID-19 and any other pertinent public information.

ATTACHMENTS:

Description

Executive Summary

Upload Date

2/4/2021

Type

Executive Summary

EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE

COVID 19 update

PROJECT SUMMARY (200 WORDS OR LESS)

Discussion and update from the Office of Homeland Security & Emergency Preparedness relative to COVID-19 and any other pertinent public information.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)

TOTAL EXPENDITURE

N/A

AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)

ACTUAL

ESTIMATED

IS PROJECTALREADY BUDGETED: (CIRCLE ONE)

N/A

NO

YES

**IF YES AMOUNT
BUDGETED:**

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)

PARISHWIDE

1

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John Navy

ALL COMMITTEE MEETINGS

Signature

Date

Category Number:
Item Number: 2.



Monday, July 26, 2021

Item Title:

St Louis & McKinley Change Order 2

Item Summary:

RESOLUTION: Providing approval of Change Order No. 2 (Balancing) to Norris & Boudreaux Contractors LLC for Cast Iron Gas Line Replacement, St. Louis and McKinley Street Area, Phase 20, Parish Project No. 18-GAS-45.

ATTACHMENTS:

Description	Upload Date	Type
St Louis & McKinley Change Order 2	7/9/2021	Executive Summary
St Louis & McKinley Change Order 2	7/9/2021	Resolution
St Louis & McKinley Change Order 2	7/9/2021	Backup Material



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE

Cast Iron Gas Line Improvements, St. Louis & McKinley Street Area, Phase 20, Parish Project No. 18-GAS-45.

PROJECT SUMMARY (200 WORDS OR LESS)

Approval of Change Order No. 2 for Norris & Boudreaux Contractors, LLC to include a balancing of contract items that have been increased or decreased to the actual field quantities.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)

The project has upgraded and replaced the existing gas distribution system with approximately 33,500 linear feet pf 4" and 2" PE gas line.

TOTAL EXPENDITURE

\$(25,164.12)

AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)

☒ ACTUAL

☐ ESTIMATED

IS PROJECT ALREADY BUDGETED: (CIRCLE ONE)

N/A

☐ NO

☐ YES

IF YES AMOUNT
BUDGETED:

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)

☒ PARISHWIDE

1 2 3 4 5 6 7 8 9

Signature

Date

OFFERED BY:
SECONDED BY:

RESOLUTION NO. _____

A resolution providing approval of Change Order No. 2 (Balancing) to Norris & Boudreaux Contractors LLC for Cast Iron Gas Line Replacement, St. Louis and McKinley Street Area, Phase 20, Parish Project No. 18-GAS-45.

WHEREAS, by contract dated October 10, 2019, Terrebonne Parish Consolidated Government did award a contract to Norris & Boudreaux, LLC for Cast Iron Gas Line Replacement, St. Louis and McKinley Street Area Phase 20, Parish Project No. 18-GAS-45, Terrebonne Parish, Louisiana, as will be seen by reference to said contract which is recorded under Entry No. 1590915 of the records of Terrebonne Parish, Louisiana, and

WHEREAS, the Project Engineer has submitted plan Change Order No. 2 (Balancing) as the final and equalizing plan change order for the project, and

WHEREAS, a Change Order has been recommended for a decrease in the amount of Twenty Five Thousand One Hundred Sixty Four Dollars and Twelve Cents (\$25,164.12).

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, hereby approves this change order for the above referenced project.

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute Change Order No. 2 (Balancing), for an decrease in the amount of Twenty Five Thousand One Hundred Sixty Four Dollars and Twelve Cents (\$25,164.12).

THERE WAS RECORDED:

YEAS:

NAYS:

NOT VOTING:

ABSENT:

The Chairman declared the resolution adopted this _____ day of _____ 2021.

* * * * *

I, SUZETTER THOMAS, Clerk of Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of a resolution adopted and ratified by the Assembled Council in Regular Session on _____, 2021 at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____ DAY OF _____ 2021.

SUZETTE THOMAS, COUNCIL CLERK
TERREBONNE PARISH COUNCIL

DAVID A. WAITZ ENGINEERING AND SURVEYING, INC.
Civil Engineers & Professional Land Surveyors



Jacob A. Waitz, P.E., L.S.I.

David A. Waitz, P.E., P.L.S.

James M. Templeton, P.L.S.

June 29, 2021



Terrebonne Parish Consolidated Government
P.O. Box 2768
Houma, LA 70361

Attention: Mr. Cary Robichaux,
Superintendent of Gas Systems

RE: **TRANSMITTAL OF PLAN CHANGE NO. 2 – CAST IRON GAS LINE IMPROVEMENTS, ST. LOUIS AND MCKINLEY STREET AREA, PHASE 20 - PARISH PROJECT NO. 18-GAS-45 - TERREBONNE PARISH CONSOLIDATED GOVERNMENT – ENGINEER'S PROJECT NO. 2018-058**

Dear Cary:

By cover of this letter we are hereby transmitting to you Plan Change No. 2, which reflects an underrun of \$25,164.12 and has been executed by the Engineer and the Contractor. This is a balancing change order and the contract items have been increased or decreased to the actual field quantities utilized during construction. Additional contract days are requested due to the extreme wet weather during construction and with the COVID conditions resulting in a shortage of workers at times.

It is my understanding that you will handle the processing of this document accordingly and furnish my office and the Contractor with recorded copies upon completion.

Thank you in advance for your assistance in this matter and if you should have any questions pertaining to this matter, please do not hesitate to contact me.

Sincerely,

DAVID A. WAITZ
ENGINEERING AND SURVEYING, INC.

David A. Waitz, P.E., P.L.S.

DAW/dth

Enclosure: Plan Change No. 2 – 4 originals
cc: File & Reading File (with enclosure)

DATE: JUNE 28, 2021

PLAN CHANGE # 2

PLAN CHANGE AND/OR SPECIAL AGREEMENT

OWNER

TERREBONNE PARISH CONSOLIDATED
 GOVERNMENT
 P. O. BOX 2768
 HOUMA, LA 70361

ENGINEER

DAVID A. WAITZ ENGINEERING & SURVEYING, INC.
 P.O. BOX 1203
 THIBODAUX, LA 70302

PROJECT NAME: CAST IRON GAS LINE IMPROVEMENTS - ST. LOUIS AND MCKINLEY STREET AREA, PHASE 20 -
 PARISH PROJECT NO. 18-GAS-45 - TERREBONNE PARISH CONSOLIDATED GOVERNMENT -
 TERREBONNE PARISH, LOUISIANA - ENGINEER'S PROJECT NO. 2018-058

LOCATION: PARISH OF TERREBONNE, STATE OF LOUISIANA

CONTRACTOR: NORRIS & BOUDREAUX CONTRACTORS, L.L.C.
 ADDRESS: 1606 BULL RUN ROAD
 SCHRIEVER, LA 70395

Engineer's description, explanation, and estimated cost of proposed revision: The above will necessitate the following changes in quantities: (If space is not sufficient, use extra forms)

ITEM NO.	ITEM	UNIT	UNIT PRICE	REVISED		ORIGINAL	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
1(A)	2" PE GASLINE (3408) (SDR 11)	LIN. FT.	2.75	17,459.00	48,012.25	16,650.00	45,787.50
1(B)	4" PE GASLINE (3408) (SDR 11)	LIN. FT.	2.50	10,665.00	26,662.50	11,000.00	27,500.00
2(A)	2" PE VALVE & BOX	EACH	100.00	28.00	2,800.00	28.00	2,800.00
2(B)	4" PE VALVE & BOX	EACH	100.00	18.00	1,800.00	12.00	1,200.00
3(A)	2" TIE-IN TO EXISTING PE GASLINE	EACH	72.30	6.00	433.80	6.00	433.80
3(B)	2" TIE-IN TO EXISTING STEEL GASLINE	EACH	1100.00	2.00	2,200.00	2.00	2,200.00
3(C)	4" TIE-IN TO EXISTING P.E. GASLINE	EACH	211.00	5.00	1,055.00	5.00	1,055.00
3(D)	4" TIE-IN TO EXISTING C.I. GASLINE	EACH	233.00	2.00	466.00	2.00	466.00

ITEM NO.	ITEM	UNIT	UNIT PRICE	REVISED		ORIGINAL	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
4	ABANDON EXISTING GAS VALVES	EACH	96.00	32.00	3,072.00	32.00	3,072.00
5	1" GAS SERVICE PIPE	LIN. FT.	0.50	23,374.00	11,687.00	30,500.00	15,250.00
6	1" SERVICE RISER	EACH	25.00	384.00	9,600.00	495.00	12,375.00
7	BORE 1" GAS SERVICE LINE	LIN. FT.	0.00	23,329.00	0.00	30,500.00	0.00
8(A)	TUNNELING 2" GASLINE	LIN. FT.	0.00	0.00	0.00	800.00	0.00
8(B)	TUNNELING 4" GASLINE	LIN. FT.	0.00	0.00	0.00	800.00	0.00
8(C)	TUNNELING 1" GAS SERVICE LINE	LIN. FT.	0.00	0.00	0.00	800.00	0.00
9(A)	BORE 2" GASLINE	LIN. FT.	0.00	17,441.00	0.00	16,650.00	0.00
9(B)	BORE 4" GASLINE	LIN. FT.	0.00	11,000.00	0.00	11,000.00	0.00
9(C)	8" STEEL CASING (JACKING OR DRY BORING METHOD)	LIN. FT.	8.33	226.00	1,882.58	260.00	2,165.80
10(A)	CUT & PLUG EXISTING 2" C.I. GASLINE	EACH	73.93	2.00	147.86	2.00	147.86
10(B)	CUT & PLUG EXISTING 2" P.E. GASLINE	EACH	83.00	5.00	415.00	5.00	415.00
10(C)	CUT & PLUG EXISTING 4" P.E. GASLINE	EACH	83.30	5.00	416.50	5.00	416.50
11	SURFACE LIMESTONE HAULED & SPREAD	CU. YDS.	25.13	244.55	6,145.54	300.00	7,539.00
12	CONCRETE SAW CUT	LIN. FT.	3.22	623.50	2,007.67	800.00	2,576.00
13(A)	REMOVE & REPLACE ASPHALT STREET	SQ. YDS.	20.00	0.00	0.00	150.00	3,000.00
13(B)	REMOVE & REPLACE CONCRETE STREET	SQ. YDS.	20.00	133.00	2,660.00	150.00	3,000.00

ITEM NO.	ITEM	UNIT	UNIT PRICE	REVISED		ORIGINAL	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
13(C)	REMOVE & REPLACE CONCRETE DRIVEWAY (6" THICK)	SQ. YDS.	35.48	493.00	17,491.64	500.00	17,740.00
13(D)	REMOVE & REPLACE CONCRETE SIDEWALK (4" THICK)	SQ. YDS.	20.00	568.00	11,360.00	600.00	12,000.00
14	GRANULAR BACKFILL	CU. YDS.	10.00	250.00	2,500.00	250.00	2,500.00
15	HANDICAP RAMP	EACH	120.00	8.00	960.00	8.00	960.00
16	SANITARY SEWER LINE CLEANING	LIN. FT.	0.50	15,240.00	7,620.00	30,000.00	15,000.00
17	CLOSED CIRCUIT TELEVISION INSPECTION OF SANITARY SEWER LINE	LIN. FT.	0.50	15,240.00	7,620.00	30,000.00	15,000.00
18	INSPECTION OF SEWER SERVICE LATERALS	EACH	35.00	332.00	11,620.00	320.00	11,200.00
19	RESET-UP FOR CLOSED CIRCUIT TELEVISION INSPECTION DUE TO BLOCKED SEWER LINE	EACH	243.98	6.00	1,463.88	6.00	1,463.88
20	BAYOU CROSSING	EACH	2,000.00	2.00	4,000.00	2.00	4,000.00
USE BID SUB-TOTAL					186,099.22		211,263.34
ALTERNATE NO. 1							
A-1A	2" PE GASLINE (3408) (SDR 11)	LIN. FT.	80.00	7,508.00	600,640.00	7,508.00	600,640.00
A-5	1" GAS SERVICE PIPE	LIN. FT.	37.50	8,455.00	317,062.50	8,455.00	317,062.50
A-6	1" SERVICE RISER	EACH	1,741.00	127.00	221,107.00	127.00	221,107.00
A-7	BORE 1" GAS SERVICE LINE	LIN. FT.	4.00	8,189.00	32,756.00	8,189.00	32,756.00

	ITEM	UNIT	UNIT PRICE	REVISED		ORIGINAL	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
A-9A	BORE 2" GASLINE	LIN. FT.	5.00	7,508.00	37,540.00	7,508.00	37,540.00
A-16	SANITARY SEWER LINE CLEANING	LIN. FT.	6.25	8,000.00	50,000.00	8,000.00	50,000.00
A-17	CLOSED CIRCUIT TELEVISION INSPECTION OF SANITARY SEWER LINE	LIN. FT.	6.45	8,000.00	51,600.00	8,000.00	51,600.00
A-18	INSPECTION OF SEWER SERVICE LATERALS	EACH	320.00	80.00	25,600.00	80.00	25,600.00
A-19	RESET-UP FOR CLOSED CIRCUIT TELEVISION INSPECTION DUE TO BLOCKED SEWER LINE	EACH	300.00	2.00	600.00	2.00	600.00
ALTERNATE NO. 1					1,336,905.50		1,336,905.50
TOTAL							
					1,523,004.72		1,548,168.84
ADDITIONAL CONTRACT DAYS USED:				REVISED TOTAL-----\$1,523,004.72		ORIGINAL TOTAL----- \$1,548,168.84	
\$	AMT. OF UNDERRUN-----\$25,164.12						

THE FOLLOWING IS AN EXPLANATION OF THE REVISIONS TO THE CONTRACT:

Contract items have been increased or decreased according to actual field quantities utilized during construction.

Additional contract days utilized were due to extreme wet weather experienced during construction along with the COVID-19 pandemic existing during construction resulting in a shortage of workers at times.

PLAN CHANGE AND/OR SPECIAL AGREEMENT

The following are signatures for plan changes or special agreements for the following project:

PROJECT NAME: CAST IRON GAS LINE IMPROVEMENTS - ST. LOUIS AND MCKINLEY STREET AREA, PHASE 20 -
PARISH PROJECT NO. 18-GAS-45 - TERREBONNE PARISH CONSOLIDATED GOVERNMENT -
TERREBONNE PARISH, LOUISIANA - ENGINEER'S PROJECT NO. 2018-058

SIGNED:

Dan A. Waitz Engineering and Surveying, Inc.

Professional Engineers

By: 
Dan A. Waitz, P.E.

Date:

6/29/2021

ACCEPTED BY:

North & Boudreaux Contractors, L.L.C.

Contractor

By: 
Thomas J. Boudreaux, Managing Member

Date:

6/29/21

APPROVED BY:

TERREBONNE PARISH CONSOLIDATED GOVERNMENT

By: 

Date:

7-8-21



Monday, July 26, 2021

Item Title:

Appointment of DC for North Hollywood Rd. Drainage

Item Summary:

RESOLUTION: Ratifying the appointment of the firm of Delta Coast Consultants, LLC, to provide engineering services for the North Hollywood Road Drainage Improvements Project; and authorizing the execution of an agreement for these services.

ATTACHMENTS:

Description

Executive Summary

Resolution

Upload Date

7/21/2021

7/21/2021

Type

Executive Summary

Resolution



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
North Hollywood Road Drainage Improvements Project

PROJECT SUMMARY (200 WORDS OR LESS)
To appoint Delta Coast Consultants, LLC. to provide engineering services for the drainage improvements along North Hollywood Road.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
The purpose of this appointment is to provide engineering services for the drainage improvements in the North Hollywood Road area.

TOTAL EXPENDITURE	
N/A	
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)	
ACTUAL	ESTIMATED
IS PROJECTALREADY BUDGETED: (CIRCLE ONE)	
<u>N/A</u>	NO
YES	IF YES AMOUNT BUDGETED:
N/A	

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)										
PARISHWIDE	1	2	3	4	<u>5</u>	6	7	8	9	

/S/ Jeanne P. Bray

07/21/2021

Signature

Date

OFFERED BY:
SECONDED BY:

RESOLUTION

A resolution ratifying the appointment of the firm of Delta Coast Consultants, LLC, to provide engineering services for the **North Hollywood Road Drainage Improvements Project**; and authorizing the execution of an agreement for these services.

WHEREAS, Terrebonne Parish Consolidated Government is desirous of improving the drainage along North Hollywood Road, and

WHEREAS, the Terrebonne Parish Consolidated Government is desirous of appointing a firm to provide engineering services for the project entitled North Hollywood Road Drainage Improvements Project, and

WHEREAS, the firm of Delta Coast Consultants, LLC, has been selected by Terrebonne Parish President Gordon E. Dove to provide the engineering 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 North Hollywood Road Drainage Improvements 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:
NAYS:
NOT VOTING:
ABSENT

And the Chairman declared the resolution adopted on this _____ day of _____, 2021.

* * * * *

I, SUZETTE THOMAS, Clerk of the Terrebonne Parish Council, Houma, Louisiana, do hereby certify that the foregoing is a true and correct copy of the RESOLUTION adopted by the Terrebonne Parish Council on _____, 2021, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____ DAY OF _____, 2021.

SUZETTE THOMAS, CLERK
TERREBONNE PARISH COUNCIL



Monday, July 26, 2021

Item Title:

Rules for handling and disposing of bulky waste and debris not authorized for pickup by the parish and implement a process whereby the parish can pick up any such bulky waste or debris at the cost of the owner or the other person in violation

Item Summary:

Introduce an ordinance to amend Article II, Comprehensive Solid Waste Management Program, of Chapter 11 of the Terrebonne Parish Code of Ordinances to classify waste generated in the process of lawful eviction; to provide procedures for management and disposal of bulky waste not authorized for parish pickup, to provide for administration and penalties for violations related thereto; and call a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.

ATTACHMENTS:

Description	Upload Date	Type
Executive Summary	7/22/2021	Executive Summary
Ordinance	7/22/2021	Ordinance



EXECUTIVE SUMMARY

PROJECT TITLE

Rules for handling and disposing of bulky waste and debris not authorized for pickup by the parish and implements a process whereby the parish can pick up any such bulky waste or debris at the cost of the owner or other person in violation.

PROJECT SUMMARY (200 WORDS OR LESS)

Amend the Parish Code to include rules for handling and disposing of bulky waste and debris not authorized for pickup by the parish and implements a process whereby the parish can pick up any such bulky waste or debris at the cost of the owner or other person in violation.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)

Have a plan in place to pick up bulky waste and debris not allowed for pick up right now.
Charge the owner or person in violation for the pickup

TOTAL EXPENDITURE

AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)

ACTUAL

ESTIMATED

IS PROJECT ALREADY BUDGETED: (CIRCLE ONE)

N/A

NO

YES

IF YES AMOUNT
BUDGETED:

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)

PARISHWIDE

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Mike Toups, Parish Manager

7/22/21
Date

OFFERED BY: _____

SECONDED BY: _____

ORDINANCE NO _____

AN ORDINANCE TO AMEND ARTICLE II, COMPREHENSIVE SOLID WASTE MANAGEMENT PROGRAM, OF CHAPTER 11 OF THE TERREBONNE PARISH CODE OF ORDINANCES TO CLASSIFY WASTE GENERATED IN THE PROCESS OF LAWFUL EVICTION; TO PROVIDE PROCEDURES FOR MANAGEMENT AND DISPOSAL OF BULKY WASTE NOT AUTHORIZED FOR PARISH PICKUP, AND TO PROVIDE FOR ADMINISTRATION AND PENALTIES FOR VIOLATIONS RELATED THERETO.

WHEREAS, under the Louisiana Constitution Article VI, Sections 5 and 6, a Home Rule Chartered Government can pass ordinances to operate the internal affairs and management of its Parish, and Terrebonne Parish Consolidated Government is a Home Rule Charter government; and

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

WHEREAS, Sections 11-21 and 11-26 of the Terrebonne Parish Code regulates the criteria for the collection of refuse, garbage, and bulky waste from residential units and small commercial units within the parish of Terrebonne, and Parish Administration wishes to amend Sections 11-21, 11-26 and enact Section 11-36 for the purpose of further regulating bulky waste unauthorized for pickup; and

WHEREAS, La. R.S. 33:4766 allows the Parish to impose liens and privileges on properties for costs incurred in connection with maintenance, and allows the amounts of such liens and privileges to be assessed against the immovable as additional ad valorem property taxes; and

WHEREAS, commercial bulky waste is currently ineligible for pickup by the parish's Solid, Hazardous, and Recycling Waste Department, and bulky waste left to accumulate presents a hazard to the health, safety, and welfare of the general public;

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Article II of Chapter 11 of the Terrebonne Parish Code of Ordinances be amended as follows:

SECTION I

Article II of Chapter 11, Section 11-26 of the Terrebonne Parish Code of Ordinances shall be and is hereby amended (using ~~striketrough~~ to indicate deletions and underlining to indicate additions) as follows:

ARTICLE II. - COMPREHENSIVE SOLID WASTE MANAGEMENT PROGRAM

Sec. 11-26. – Solid waste authorized for collection.

[...]

(b) *Solid waste authorized for small commercial collection; method.*

[...]

(3) All solid waste authorized for small commercial collection under this subsection shall originate and be generated from the small commercial unit for which collection services are provided.

a. Waste generated from rental properties as a result of lawful eviction is commercial in nature, and bulky waste not authorized for pickup by the parish shall be disposed of in accordance with section 11-36 of this article.

SECTION II

Article II of Chapter 11, Section 11-21 of the Terrebonne Parish Code of Ordinances shall be and is hereby amended (using ~~strike through~~ to indicate deletions and underlining to indicate additions) as follows:

[...]

Land clearing debris means any waste generated by removal of debris, logs, trees, brush or demolition material from any site in preparation for land improvement or construction projects.

Large Commercial Refuse Container is defined as a roll-off container with a capacity of 10 to 40 yards.

Litter means a discarded material only.

[...]

SECTION III

That the Terrebonne Parish Code is hereby amended by adding a section, to be numbered Section 11-36, which section reads as follows:

Sec. 11-36- Disposal of Bulky Waste not authorized for pickup

(a) In order to ensure the health, safety and welfare of the general public, no individual or entity shall deposit or place bulky waste not eligible for pickup on a roadside, sidewalk, or public right of way. Bulky waste and debris not eligible for pickup shall be placed in a Large Commercial Refuse Container, as defined in this section, obtained from a Commercial Refuse Company at the expense of the property owner or the occupant disposing of the waste and/or debris.

(b) Notwithstanding anything to the contrary in this Section, and without prior notice, if necessary to protect the health, safety, and welfare of adjacent property owners and/or occupants of the property, roadway, or otherwise, Terrebonne Parish Consolidated Government may pick up and dispose of the waste and/or debris set forth in Section 11-26(c), impose a lien on the property, and send an invoice for costs and expenses with a notice of lien.

(c) Violation; administrative process; penalties

(1) Failure to comply with Subsection (a) or (b) of this section shall constitute a violation of this section. Any person, natural or juridical who deposits debris, trash, or refuse shall be responsible for payment of all disposal costs.

(2) Upon notice of noncompliance with Subsection (a), the Terrebonne Parish Solid, Hazardous, and Recycling Waste Department or its agent shall photograph the bulky waste and send a notice to the last known address of the owner or owners of the property in violation of this Section. If the person deemed to be in violation is not an owner of the property, notice shall be sent to both the owner and the person deemed to

be in violation. Notice shall be sent via hand delivery, commercial carrier, registered mail, or certified mail at the individual's actual address, or to the individual's last known address as listed in the tax rolls of the parish.

- a. The photograph of the bulky waste on the abutting roadside, right of way, or sidewalk shall constitute prima facie evidence of a violation of this article.
- b. Individuals who do not accept the notice to remove and dispose waive all rights to appeal the Solid, Hazardous, and Recycling Waste Department's lien and privilege in accordance with this Section.

(3) Within five (5) business days of receipt of a notice in accordance with this Section, the owner of the property found to be in violation of this Section must remove and properly dispose of the bulky waste. If the bulky waste is not removed from the property and disposed of within five (5) business days of receipt of the notice, the Terrebonne Parish Solid, Hazardous, and Recycling Waste Department or its agent shall remove and dispose of the bulky waste at the expense of the property owner, impose a lien against the property for costs and expenses, and invoice the property owner or persons deemed in violation for all costs.

- a. In the event of an emergency
- b. Costs shall include all attorney fees and all costs of court incurred in the locating of the owner or persons deemed in violation, the notification of the owner or persons deemed in violation, and the enforcement and collection of the amount secured by the lien against the immovable and the improvements. Costs shall also include interest on the amounts secured by the lien in accordance with La. R.S. 33:4766(2).
- c. Costs shall also include any costs for permits found by the Solid, Hazardous, and Recycling Waste Department to be necessary for compliance with this article.

(4) After the Solid, Hazardous, and Recycling Waste Department has removed and disposed of the bulky waste, it shall send Notice of Lien, along with an attested invoice for costs and expenses constituting the lien, to the property owner or persons deemed in violation in the same manner provided in Subsection (2) of this Section. If the person deemed to be in violation is not an owner of the property, notice shall be sent to both the owner and the person deemed to be in violation.

- a. Individuals who do not accept the Notice of Lien and invoice all rights to appeal the Solid, Hazardous, and Recycling Waste Department's lien in accordance with this Section.

(5) A property owner or other person found to be in violation may appeal the lien placed against his property by submitting a Request for Hearing to the Terrebonne Parish Solid, Hazardous, and Recycling Waste Department Head *and* the Parish Council via hand delivery, commercial carrier, registered mail, or certified mail within 30 days of the post-marked date or the date of hand delivery of the Notice of Lien and invoice. Upon receipt, the Parish Council shall hold an administrative hearing to review the administrative decision at the next Regular Parish Council Meeting for the sole purpose of determining whether the charges constituting the lien are valid and made for good cause. The standard of review shall be whether the Solid, Hazardous, and Recycling Waste Department Head's findings were clearly erroneous.

- a. If the Parish Council affirms the decision of the Solid, Hazardous, and Recycling Waste Department after such administrative hearing, the owner or person deemed to be in violation must pay the charges assessed within five (5) business days from the rendering of the Council's decision.
- b. Within five (5) business days the property owner or persons deemed in violation may seek a review of the record in District Court for the Parish of Terrebonne in the 32nd Judicial District Court. The appeal shall be filed with the Clerk of Court of the 32nd Judicial District Court, Terrebonne Parish.

(6) The lien shall be preserved and enforced in a manner consistent with La. R.S. 33:4766 (C) and (D).

- a. If the property owner fails to appeal the decision of the Solid, Hazardous, and Recycling Waste Department within the time required by Subsection (5) of this Section, the lien shall be immediately preserved and enforced.
- b. If the property owner appeals the decision of the Solid, Hazardous, and Recycling Waste Department within the time required by Subsection (5) of this Section, the lien shall be preserved and enforced only after the passing of the time limit set forth in Subsection (5)a of this Section.

(7) The amount of the lien costs and expenses, and any other expenses, shall be assessed as an additional ad valorem tax against the immovable property from which the violation occurred, and shall be collected by the official tax collector for Terrebonne Parish.

(8) Costs for services to pick up and handle bulky waste and debris under this section, exclusive of other necessary costs, shall be charged per hour at the rates as follows:

Equipment

- Grapple Truck—\$53.22
- Frontend Track Loader (Bob Cat Type 1CY Bucket)—\$41.33

Personnel

- Grapple Truck Operator (Equipment Operator III) —\$25.92
- Grapple Truck Helper (Field Tech II) —\$16.97
- Loader Operator (Equipment Operator II) —\$22.68
- Loader Helper (Field Tech II) —\$16.97

(9) The penalties set forth in this Section are not punitive, but strictly civil in nature.

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 Terrebonne Parish Consolidated Government, whichever occurs first.

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

THERE WAS RECORDED:

YEAS:

NAYS:

ABSTAINING:

NOT VOTING:

ABSENT:

The Chairman declared the ordinance adopted on this, the _____ day of _____ 2021.

DARRIN GUIDRY, CHAIR
TERREBONNE PARISH COUNCIL

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL

Date and Time Delivered to Parish President:

Approved _____ Vetoed
Gordon E. Dove, Parish President
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

I, SUZETTE THOMAS, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on _____, 2021, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS ____ DAY OF _____ 2021.

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL



Monday, July 26, 2021

Item Title:

4-Way Stop

Item Summary:

Introduce an ordinance to establish a “4-Way Stop” at the intersection of “Kellie Drive and McCoy Street” and call a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.

ATTACHMENTS:

Description

Executive Summary

Ordinance

Upload Date

7/23/2021

7/23/2021

Type

Executive Summary

Ordinance



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
4-Way Stop

PROJECT SUMMARY (200 WORDS OR LESS)
Introduce an ordinance to establish a “4-Way Stop” at the intersection of “Kellie Drive and McCoy Street” and call a public hearing on said matter on Wednesday, August 11, 2021, at 6:30 p.m.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
N/A

TOTAL EXPENDITURE	
N/A	
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)	
ACTUAL	ESTIMATED
IS PROJECTALREADY BUDGETED: (CIRCLE ONE)	
N/A	NO
YES	IF YES AMOUNT BUDGETED:

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)									
PARISHWIDE	1	2	<u>3</u>	4	5	6	7	8	9

COUNCILMAN MICHEL

07/23/2021

Signature

Date

OFFERED BY:
SECONDED BY:

ORDINANCE NO.

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 3: CITY, AND TO ADD A SECTION UNDER THE SAID ARTICLE TO BE DESIGNATED AS SECTION 18-120(C) TO ESTABLISH A “4-WAY STOP” AT THE INTERSECTION OF KELLIE DRIVE AND MCCOY 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 3: City, and by adding to said Article a section to be designated as Section 18-120(c): To establish a “4-Way Stop” at the intersection of Kellie Drive and McCoy Street, as follows:

CHAPTER 18: MOTOR VEHICLES AND TRAFFIC

ARTICLE IV: OPERATION OF VEHICLES

DIVISION 3: CITY

SECTION 18-120(c): 4-WAY STOP INTERSECTIONS

The intersection of Kellie Drive and McCoy 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 Kellie Drive and McCoy 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 approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for Consolidated Government for Terrebonne Parish, whichever occurs sooner.

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

THERE WAS RECORDED:
YEAS:
NAYS: .
NOT VOTING: .
ABSTAINING: .
ABSENT: .

The Chairman declared the ordinance adopted on this, the 11th day of August 2021.

DARRIN W. GUIDRY, SR., CHAIRMAN
TERREBONNE PARISH COUNCIL

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL

* * * * *

Date and Time Delivered to Parish President:

Approved _____ Vetoed _____
Gordon E. Dove, Parish President or his authorized designee, Michael Toups, Parish Manager
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

* * * * *

I, SUZETTE THOMAS, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on August 11, 2021, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 12TH DAY OF AUGUST 2021.

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL



Monday, July 26, 2021

Item Title:

Update of Polling Locations in Ordinance

Item Summary:

Introduce an ordinance to correct and update the polling locations identified in Ordinance No. 9099 to establish Precinct 15, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 16, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 29, East Park Fire Station located at 8547 Park Avenue in Houma, LA; Precinct 46, Municipal Auditorium located at 880 Verret Street in Houma, LA; Precinct 58, Pointe-aux-Chenes Elementary School located at 1236 Highway 665 in Montegut, LA; Precinct 63, Little Caillou Volunteer Fire Department Fitness Center located at 5612 Highway 56 in Chauvin, LA; and Precinct 72, Dularge Recreation Center located at 1330 Dr. Beatrous Road in Theriot, LA; and call a public hearing on said matter on Wednesday, August 11, 2021, at 6:30 p.m.

ATTACHMENTS:

Description	Upload Date	Type
Executive Summary	7/23/2021	Executive Summary
Precinct Polling Changes	7/23/2021	Ordinance



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE

Update of Polling Locations in Ordinance

PROJECT SUMMARY (200 WORDS OR LESS)

Introduce an ordinance to correct and update the polling locations identified in Ordinance No. 9099 to establish Precinct 15, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 16, Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA; Precinct 29, East Park Fire Station located at 8547 Park Avenue in Houma, LA; Precinct 46, Municipal Auditorium located at 880 Verret Street in Houma, LA; Precinct 58, Pointe-aux-Chenes Elementary School located at 1236 Highway 665 in Montegut, LA; Precinct 63, Little Caillou Volunteer Fire Department Fitness Center located at 5612 Highway 56 in Chauvin, LA; and Precinct 72, Dularge Recreation Center located at 1330 Dr. Beatrous Road in Theriot, LA; and call a public hearing on said matter on Wednesday, August 11, 2021, at 6:30 p.m.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)

N/A

TOTAL EXPENDITURE

N/A

AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)

ACTUAL

ESTIMATED

IS PROJECT ALREADY BUDGETED: (CIRCLE ONE)

N/A

NO

YES

IF YES AMOUNT
BUDGETED:

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)

PARISHWIDE

1

2

3

4

5

6

7

8

9

STAFF

07/23/2021

Signature

Date

OFFERED BY:
SECONDED BY:

ORDINANCE NO.

AN ORDINANCE TO CORRECT AND UPDATE THE POLLING
LOCATIONS IDENTIFIED IN ORDINANCE NO. 9099 ADOPTED BY
THE TERREBONNE PARISH COUNCIL IN OCT. 2019.

SECTION I

WHEREAS, the Terrebonne Parish Council adopted Ordinance No. 9099 in October 2019 creating prospective precincts by the split and/or merger of precinct geography in accordance with Louisiana Revised Statutes 18:532 and 18:532.1, and;

WHEREAS, Ordinance No. 9099 misidentified the polling locations for Precinct No. 46 as the TPCG Federal Programs Bldg located at 809 Barrow St. in Houma; Precinct No. 63 as the Boudreaux Canal Elementary School located at 208 Dr. Hugh St. Martin Dr. in Chauvin; and Precinct No. 72 as the Dularge Elementary School located at 1327 Bayou Dularge Rd. in Theriot; and;

WHEREAS, the polling locations for Precinct Nos. 15, 16, 29, and 58 where later moved by the Council via Resolution Nos. 20-050, 20-190, and 20-205, and;

WHEREAS, the correct polling location for Precinct Nos. 15 and 16 is Southdown Elementary School located at 1124 Saint Charles Street in Houma, LA as established by the Terrebonne Parish Council via Resolution No. 20-050, and;

WHEREAS, the correct polling location for Precinct No. 29 is the East Park Fire Station located at 8547 Park Avenue in Houma as established by the Terrebonne Parish Council via Resolution No. 20-190, and;

WHEREAS, the correct polling location for Precinct No. 46 is the Municipal Auditorium located at 880 Verret Street in Houma, LA as established by the Terrebonne Parish Council via Resolution No. 14-178, and;

WHEREAS, the correct polling location for Precinct No. 58 is the Pointe-Aux Chenes Elementary School located at 1236 Hwy 665 in Montegut, LA as established by the Terrebonne Parish Council via Resolution No. 20-205, and;

WHEREAS, the correct polling location for Precinct No. 63 is the Little Caillou Volunteer Fire Department Fitness Center located at 5612 Hwy 56 in Chauvin, LA as established by the Terrebonne Parish Council via Resolution No. 14-368, and;

WHEREAS, the correct polling location for Precinct No. 72 is the Dularge Recreation Center located at 1330 Dr. Beatrous Road in Theriot, LA as established by the Terrebonne Parish Council via Resolution No. 13-314;

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, that the following polling places are established:

PRECINCT CORRECTIONS

Precinct 15

Polling Place Location: Southdown Elementary School, 1124 Saint Charles Street, Houma

Beginning at the intersection of Little Bayou Black Drive (Louisiana Highway 311) and Saint Charles Street; thence south along Saint Charles Street to its intersection with an unnamed drainage canal in Section 102, T17S-R17E; thence northwest along the Section 102 unnamed drainage canal to its intersection Valhi Boulevard; thence

westerly along Valhi Boulevard ; thence northwesterly along Valhi Boulevard to its intersection with the Hanson Canal; thence southwesterly along the Hanson Canal to its intersection with Lagoon Court; thence northeasterly along Lagoon Court and Valhi Lagoon Court to its intersection with Louisiana Highway 311; thence westerly along Louisiana Highway 311 to its intersection with South Hollywood Road; thence northeasterly along South Hollywood Road to its intersection with Little Bayou Black; thence southeasterly along Little Bayou Black to its intersection with Saint Charles Street, the point of beginning.

Precinct 16

Polling Place Location: Southdown Elementary School, 1124 Saint Charles Street, Houma

Beginning at the intersection of Little Bayou Black and Ouiski Bayou and a power transmission line; thence southeasterly along Little Bayou Black to its intersection with South Hollywood Road; thence southwesterly along the centerline of South Hollywood Road to its intersection with Louisiana Highway 311; thence southeasterly along Louisiana Highway 311 to its intersection with Valhi Lagoon Crossing; thence southwesterly along Valhi Lagoon Crossing, its extension, and Lagoon Court to its intersection with the Hanson Canal; thence westerly along the Hanson Canal to its intersection with a power transmission line; thence northwesterly and northeasterly along the power transmission line across Valhi Boulevard and between Nottingham Trail and Riverwood Drive to its intersection with Little Bayou Black and Ouiski Bayou, the point of beginning.

Precinct 29

Polling Place Location: East Houma Fire Station, 8547 Park Avenue, Houma

Beginning at the intersection of the Intracoastal Canal and Bayou Terrebonne; thence northerly and southeasterly along the Intracoastal Canal to its intersection with Prospect Avenue (Louisiana Highway 3087); thence southwest along Prospect Avenue (Louisiana Highway 3087) to its intersection with East Park Avenue (Louisiana Highway 24); thence southeast along East Park Avenue (Louisiana Highway 24) to its intersection with Olympe Drive; thence southwest along the straight line extension of Olympe Drive to its intersection with Bayou Terrebonne; thence northeast and east along Bayou Terrebonne to its intersection with the Intracoastal Canal, the point of beginning.

Precinct 46

Polling Place Location: Municipal Auditorium, 880 Verret Street, Houma

Beginning at the intersection of Lafayette Street and Bayou Terrebonne; thence northeasterly along Bayou Terrebonne to its intersection with the Intracoastal Canal; thence southerly along the Intracoastal Canal to its intersection with the straight line extension of Country Club Drive; thence northerly along the straight line extension of Country Club Drive and Country Club Drive to its intersection with the straight line extension of Bayou Black Drive (Louisiana Highway 3197); thence northeasterly along Bayou Black Drive (Louisiana Highway 319) to its intersection with Little Bayou Black Drive (Louisiana Highway 311); thence continuing northeasterly along Little Bayou Black Drive (Louisiana Highway 311) to its intersection with Lafayette Street; thence northerly along Lafayette Street to its intersection with Crescent Boulevard; thence southeasterly along Crescent Boulevard to its intersection with Barrow Street (Louisiana Highway 182); thence northerly along Barrow Street (Louisiana Highway 182) to its intersection with Magnolia Street; thence northwesterly along Magnolia

Street to its intersection with Church Street; thence northerly along Church Street to its intersection with Margaret Street; thence westerly along Margaret Street to its intersection with Grinage Street; thence northerly along Grinage Street to its intersection with High Street; thence westerly on High Street to its intersection with Lafayette Street (Louisiana Highway 312); thence northerly along Lafayette Street (Louisiana Highway 312) to its intersection with Bayou Terrebonne, the point of beginning.

Precinct 58

Polling Place Location: Pointe-Aux Chenes Elementary School, 1236 Hwy 665, Montegut

Beginning at the intersection of the Parish Forced Drainage Canal in Section 34, T18S-R19E and Louisiana Highway 665; thence northeast along Louisiana Highway 665 and to its intersection an unnamed and unpaved access road just east of 581 Louisiana Highway 665; thence northeast a short distance along the unnamed access road to its intersection with the Lafourche / Terrebonne Parish boundary; thence south along the Lafourche / Terrebonne Parish boundary to its intersection with Timbalier Bay; thence west through Timbalier Bay and Lake Barre to its intersection with Bayou Barre; thence north along Bayou Barre to its intersection with the Humble Canal; thence northwest along the Humble Canal to its intersection with the pipeline canal; thence north along the pipeline canal to its intersection with the Terrebonne Parish levee; thence northerly along the Terrebonne Parish levee to its intersection with a power transmission line; thence northwest along power transmission line to its intersection with the Parish Forced Drainage Canal; thence north along the Parish Forced Drainage Canal to its intersection with the Louisiana Highway 665, the point of beginning.

Precinct 63

Polling Place Location: Little Caillou Vol. Fire Dept. Fitness Ctr, 5612 Hwy 56, Chauvin

Beginning at the intersection of Louisiana Highway 56 and an unnamed levee access road just south of Jane Street; thence southeasterly along the centerline extension of the unnamed levee access road to its intersection with Bayou Petit Caillou; thence southwesterly along the center of Bayou Petit Caillou to its intersection with an unnamed ditch between 5292 Bayouside Drive and 5298 Bayouside Drive; thence easterly along the unnamed ditch to its intersection with Bayouside Drive; thence southerly a short distance on Bayouside Drive to its intersection with an unnamed access road south of 5297 Bayouside Drive; thence easterly along the unnamed access road and its extension to its intersection with Bayou la Cache; thence southerly along Bayou la Cache to its intersection with the Bush Canal; thence easterly along the Bush Canal to its intersection with Bayou Terrebonne; thence southerly along Bayou Terrebonne and its extension through Lake Barre to its intersection with the Terrebonne/Lafourche Parish Boundary; thence southerly and westerly and northerly through the Gulf of Mexico along the Terrebonne/Lafourche Parish Boundary to its intersection with the Terrebonne Parish coastline in Caillou Bay; thence southeasterly and easterly and northeasterly along the Terrebonne Parish coastline through Caillou Bay and Bay Blanc to its intersection with Little Misale Bayou; thence northerly along Little Misale Bayou and Bayou Sale to its intersection with the straight line extension of the unnamed access canal in Section 14, T20S-R17E; thence east along the Section 14 unnamed access canal to its intersection with Grand Pass Chaland in Lake Quitman; thence north along the west shoreline of Grand Pass Chaland in Lake Quitman and Lake Gero and Lake Boudreaux to its intersection with New Canal; thence northerly along New Canal to its intersection with an unnamed pipeline canal; thence easterly

along the unnamed pipeline canal to its intersection with the Terrebonne Parish levee; thence northerly along the Terrebonne Parish levee to its intersection with the straight centerline extension of Pine Street; thence easterly along Pine Street to its intersection with Louisiana Highway 56; thence northerly along Louisiana Highway 56 to its intersection with an unnamed levee access road just south of Jane Street; thence easterly along the straight centerline extension of the unnamed levee access to its intersection with Bayou Chauvin, the point of beginning.

Precinct 72 (Formerly Precinct 70 and Precinct 72)

Polling Place Location: Dularge Recreation Center, 1330 Dr. Beatrous Rd., Theriot

Beginning at the intersection of the Intercoastal Canal and the terminus of unnamed drainage ditch that originates just west of Hillard Mire Drive; thence southeasterly, northeasterly and southeasterly along the unnamed drainage ditch to its intersection with the southern fence line of Crozier Drive; thence easterly along the Crozier Drive fence line to its intersection with Bayou Dularge; thence southwesterly along Bayou Dularge to its intersection with an unnamed access road just south of 487 Bayou Dularge Road; thence southeasterly a short distance on the unnamed access road to its intersection with Bayou Dularge Road (Louisiana Highway 315); thence southerly along Bayou Dularge Road (Louisiana Highway 315) to its intersection with Henry Clay Drive; thence southeasterly along the extension of Henry Clay Drive which is also the northwesterly extension of an unnamed drainage canal southeast of 589 Bayou Dularge Road to its intersection with said drainage canal; thence continuing southeasterly and southwesterly and southeasterly along the unnamed drainage canal to its intersection with an unnamed pipeline canal; thence continuing southeasterly along the unnamed pipeline canal to its intersection with the Houma Navigational Canal near Bayou Pelton and Forty Acre Bayou; thence south along the Houma Navigation Canal to its intersection with Bayou Guillaume; thence northwesterly along Bayou Guillaume and to its intersection with the straight centerline extension of an unnamed pond access road at 1487 Bayou Dularge Road; thence westerly along the pond access road and its extension to its intersection with Bayou Dularge Road; thence northerly along Bayou Dularge to its intersection with an unnamed drainage ditch in between 1373 and 1401 Doctor Beatrous Road; thence southwest along the unnamed drainage ditch and its extension to its intersection with the Thibodaux Canal; thence north along the Thibodaux Canal to its intersection with Marmande Canal; thence west along Marmande Canal to its intersection with Minors Canal; thence north along Minors Canal to its intersection with the Intracoastal Canal; thence east and northeast along the Intracoastal Canal to its intersection with the terminus of unnamed drainage ditch that originates just west of Hillard Mire Drive, the point of beginning.

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:
NAYS:
ABSTAINING:
ABSENT:
The Chairman declared the ordinance adopted on this, the 11th day of August 2021.

DARRIN W. GUIDRY, SR., CHAIRMAN
TERREBONNE PARISH COUNCIL

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL

* * * * *

Date and Time Delivered to Parish President:

Approved _____ Vetoed _____
Gordon E. Dove, Parish President or his authorized designee, Michael Toups, Parish Manager
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

* * * * *

I, **SUZETTE THOMAS**, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on August 11, 2021, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 12th DAY OF AUGUST 2021.

SUZETTE THOMAS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL



Monday, July 26, 2021

Item Title:

Amend and supplement Ordinance No. 9277

Item Summary:

Introduce an ordinance to amend and supplement Ordinance No. 9277 which authorized the issuance by the Parish of Terrebonne not to exceed six million dollar (\$6,000,000) of its Public Library Sales Tax Bonds, Series 2021, ratifying the sale of the bonds to Raymond James and Associates, Inc., and providing for other matter in connection therewith, and calling a public hearing on said matter on Wednesday, August 11, 2021 at 6:30 p.m.

ATTACHMENTS:

Description	Upload Date	Type
Executive Summary	7/23/2021	Executive Summary
Backup	7/23/2021	Backup Material



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
Amending and Supplemental Ordinance No. 9277

PROJECT SUMMARY (200 WORDS OR LESS)
Introduce an ordinance to amend and supplement Ordinance No. 9277 which authorized the issuance by the Parish of Terrebonne not to exceed six million dollar (\$6,000,000) of its Public Library Sales Tax Bonds, Series 2021, ratifying the sale of the bonds to Raymond James and Associates, Inc., and providing for other matter in connection therewith, and calling a public hearing on said matter on Wednesday, August 11, 2021, at 6:30 p.m.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
N/A

TOTAL EXPENDITURE				
N/A				
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)				
ACTUAL			ESTIMATED	
IS PROJECTALREADY BUDGETED: (CIRCLE ONE)				
N/A	NO	YES	IF YES AMOUNT BUDGETED:	

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)										
PARISHWIDE	1	2	3	4	5	6	7	8	9	

BOND COUNSEL

07/23/2021

Signature

Date

The following ordinance, having been introduced on August 9, 2021, Notice of Public Hearing having been published in official journal on August ___, 2021, and a public hearing thereon having been held on August 25, 2021, was offered for final adoption by _____ and seconded by _____:

**AMENDING AND SUPPLEMENTAL
ORDINANCE NO. _____**

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 9277 WHICH AUTHORIZED THE ISSUANCE BY THE PARISH OF TERREBONNE NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) OF ITS PUBLIC LIBRARY SALES TAX BONDS, SERIES 2021; RATIFYING THE SALE OF THE BONDS TO RAYMOND JAMESAND ASSOCIATES, INC.; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Parish of Terrebonne, State of Louisiana (the “**Issuer**”), through its governing authority, the Terrebonne Parish Council (the “**Governing Authority**”), adopted Ordinance No. 9277 on June 23, 2021 (the “**Bond Ordinance**”), authorizing the issuance of the Issuer’s Public Library Sales Tax Bonds, Series 2021, in an amount not to exceed Six Million Dollars (\$5,000,000) (the “**Bonds**”); and

WHEREAS, the Issuer seeks to amend the Bond Ordinance and delete that language in Section 7 of the Bond Ordinance titled “Pledge and Dedication of Net Revenues of the Tax” in order to clarify that the Bond shall be secured solely by a pledge and dedication of the Net Revenues of the Tax, as defined in the Bond Ordinance, and to make certain other necessary amendments and supplements to the Bond Ordinance; and

WHEREAS, the Issuer seeks to conform the Bond Ordinance accordingly with an effective date upon signature of the Mayor, and to provide that this Amending and Supplemental Ordinance shall take effect immediately upon signature of the Mayor, in accordance with La. R.S. 33:406(E);

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority of the Issuer, that Section 7 of the Bond Ordinance titled “Pledge and Dedication of Net Revenues of the Tax” shall be amended and supplemented to delete the Section 7 of the Bond Ordinance and replace it with the following:

“Section 7. Pledge and Dedication of Net Revenues of the Tax.”

The Issuer in the Bond Ordinance has pledged the Net Revenues of the Tax as security for the Bonds pursuant to La. R.S. 39:523 Subpart A, Part II, Chapter 4, Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950 (collectively, the “**Act**”), as amended, and the Net Revenues of the Tax so pledged and then or thereafter received by the Issuer or Paying Agent shall be subject to a first priority lien of such pledge. In accordance with La. R.S. 39:504, no filing with respect to such pledge and security interest is required for public entities (such as the Issuer) under Chapter 9 of the Uniform Commercial Code as enacted in the State of Louisiana (the “**State**”) for the perfection of such pledge and security interest.

The Bonds do not constitute an indebtedness or pledge of general credit of the Issuer within the meaning of any constitutional or statutory provisions relating to the incurring of indebtedness. Each Bond will contain a recital to this effect.

Until the Bonds shall have been paid in full in principal and interest, the Issuer is obligated to budget annually a sum of money from the Net Revenues of the Tax sufficient to pay the Bonds and the interest thereon as they respectively mature, including any principal and/or interest theretofore matured and then unpaid, and to levy and collect in each year the Tax, all within the limits prescribed by law, sufficient to pay the principal of and interest on the Bonds.”

BE IT FURTHER ORDAINED that the definition of "**Bond Ordinance**" in Section 1 of the Bond Ordinance shall be amended to read as follows:

“Bond Ordinance” means Ordinance No. 9722 adopted by the Governing Authority of the Issuer on June 23, 2021, as amended and supplemented by an amended and supplemental ordinance to be adopted by the Governing Authority of the Issuer on August 25, 2021.

Except as set forth herein, all other terms and conditions of the Bond Ordinance adopted on June 23, 2021 remain in full force and effect.

BE IT FURTHER ORDAINED that this Amending and Supplemental Ordinance shall become effective immediately upon the signature of the Chairman of the Issuer.

The foregoing Amending and Supplemental Ordinance having been submitted to a vote, the vote thereon was as follows:

Council Member	District	Yea	Nay	Absent	Abstaining
JOHN NAVY	1				
CARL “CARLEE” HARDING	2				
GERALD MICHEL	3				
JOHN AMEDÉE	4				
JESSICA DOMINGUE	5				
DARREN GUIDRY (CHAIRMAN)	6				
DANIEL “DANNY” BABIN (VICE-CHAIRMAN)	7				
DIRK GUIDRY	8				
STEVE TROSCLAIR	9				

WHEREUPON, the presiding officer declared the above Amending and Supplemental Ordinance duly adopted on **August 25, 2021**.

THUS DONE AND SIGNED at Houma, Louisiana, on this 25th day of August, 2021.

**TERREBONNE PARISH COUNCIL
PARISH OF TERREBONNE
STATE OF LOUISIANA**

DARRIN GUIDRY
CHAIRMAN

Attest:

By: _____
SUZETTE THOMAS,
CLERK

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

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



**\$6,000,000
PUBLIC LIBRARY SALES TAX BONDS, SERIES 2021**

Bond Number	Principal Amount	Dated Date	Maturity Date	Interest Rate	CUSIP Number
R-__	\$_____	July 29, 2021	August 1, ____	_____	881230__

Registered Owner

Cede & Co., Tax ID# 13-2555119

For value received, the Parish of Terrebonne, State of Louisiana (the “**Issuer**”), hereby promises to pay (but solely from the sources hereinafter described) to the Registered Owner set forth above, or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, together with interest thereon from the Dated Date set forth above or the most recent Interest Payment Date to which interest has been paid or duly provided for. Interest on this Bond shall be payable on February 1, 2022, and semi-annually thereafter on February 1 and August 1 of each year (each an “**Interest Payment Date**”), at the Interest Rate per annum set forth above (calculated using a year of 360 days comprised of twelve 30 day months) until said Principal Amount is paid, unless this Bond shall have been previously called for redemption and payment shall have been duly made or provided for.

The principal of this Bond, upon maturity or redemption, shall be payable in lawful money of the United States of America at the principal corporate trust office of Hancock Whitney Bank, in the City of Baton Rouge, Louisiana, or successor thereto (the “**Paying Agent**”), upon presentation and surrender hereof. Interest on this Bond is payable by check mailed by the Paying Agent to the registered owner (determined as of the 15th calendar day of the month next preceding each Interest Payment Date) at the address shown on the registration books of the Paying Agent. Notwithstanding the foregoing, so long as this Bond is held in book-entry form by DTC and registered in the name of Cede & Co, payment of principal and interest on this Bond shall be made in accordance with DTC’s operational procedures set forth in the Issuer’s Letter of Representations with DTC.

This Bond is one of an authorized issue aggregating in principal the sum of \$6,000,000 of Public Library Sales Tax Bonds, Series 2021, all of like tenor and effect except as to number, interest rate, denomination and maturity, said Bonds having been issued by the Issuer pursuant to the Bond Ordinance adopted on June 23, 2021, as supplemented by a supplemental ordinance to be adopted by the Terrebonne Parish Council, as the governing authority of the Issuer (the "Governing Authority") on August 25, 2021 (collectively, the "**Bond Ordinance**") Capitalized terms used herein but not defined shall have the meaning given in the Bond Ordinance. The Bonds are being issued pursuant to the Consolidated Local Government Public Finance Act being Subpart A., Part II, Chapter 4, Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 501, *et seq.*), particularly the provisions of Section 523 thereof relating to issuance of sales tax bonds and other constitutional and statutory authority (collectively, the "**Act**").

The Bond and the issue of which it forms a part are payable as to both principal and interest solely from and secured by an irrevocable pledge and dedication of the avails or proceeds of the net avails or proceeds of the Issuer's special parish-wide one-fourth (¼) of one percent (1%) sales and use tax authorized under the provisions Article VI Section 29 at special election held in the Parish on April 12, 1998 and levied and collected pursuant to a resolution adopted by the Terrebonne Parish Council, as the governing authority of the Issuer (the "Governing Authority") on April 13, 1998 to run in perpetuity subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax (the "**Net Revenues of the Tax**"), subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax, all as provided in the Bond Ordinance, and this Bond does not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory limitation of indebtedness. The Issuer is obligated under the Bond Ordinance to budget annually a sum of money from the Net Revenues of the Tax sufficient to pay the Bonds and the interest thereon as they respectively mature, including any principal and/or interest theretofore matured and then unpaid, and to levy and collect in each year the Tax, all within the limits prescribed by law, sufficient to pay the principal of and interest on the Bonds.

For a complete statement of the revenues from which and conditions under which the Bonds are issued, and provisions permitting the issuance of *pari passu* additional bonds under certain conditions, reference is hereby made to the Bond Ordinance.

THE BONDS AND THE INTEREST THEREON ARE LIMITED AND SPECIAL REVENUE OBLIGATIONS OF THE ISSUER, PAYABLE SOLELY FROM THE NET REVENUES OF THE TAX.. THE BONDS DO NOT CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE GENERAL CREDIT OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISIONS RELATING TO THE INCURRING OF INDEBTEDNESS.

The Issuer has obligated itself under the Bond Ordinance and is bound under the terms and provisions of law to levy, impose, enforce and collect the Tax and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Tax, until the Bond Ordinance has been discharged and all Bonds have been paid. The Issuer shall not amend, alter or repeal the Sales Tax Ordinance in any manner which would impair the rights and interests of the Owners of the Bonds, or which would in any way jeopardize the prompt payment of all amounts due under the Bond Ordinance.

The Issuer may issue other Additional Parity Bonds in the future on a parity basis with the Bonds, under the terms set forth in the Bond Ordinance. The Issuer may make certain amendments to the Bond Ordinance, with or without the consent of the Owners of the Bonds, as provided in the Bond Ordinance. For a more complete statement of the security provisions for this Bond, the Net Revenues of the Tax and the conditions and provisions under which this Bond is issued, reference is hereby made to the Bond Ordinance.

Section 1.1. Bonds Not Subject to Early Redemption

The Bonds are not subject to redemption prior to maturity.

The Bonds may be transferred, registered and assigned only on the registration books of the Paying Agent, and such registration shall be at the expense of the Issuer. A Bond may be assigned by the execution of an assignment form on the Bonds or by other instruments of transfer and assignment acceptable to the Paying Agent. A new Bond or Bonds will be delivered by the Paying Agent to the last assignee (the new registered owner) in exchange for such transferred and assigned Bonds after receipt of the Bonds to be transferred in proper form. Such new Bond or Bonds shall be in Authorized Denominations within a single maturity. Neither the Issuer nor the Paying Agent shall be required to issue, register the transfer of, or exchange (i) any Bond during a period beginning at the opening of business on the 15th calendar day of the month prior to an Interest Payment Date and ending at the close of business on the Interest Payment Date, or (ii) any Bond called for redemption prior to maturity, during a period beginning at the opening of business fifteen (15) days before the date of the mailing of a notice of redemption of such Bonds and ending on such redemption.

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

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

IN WITNESS WHEREOF, the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana, acting as the Governing Authority of the Issuer, has caused this Bond to be executed in the name of the Issuer by the signatures of the Parish President and Clerk of said Governing Authority, and a corporate seal of the Issuer to be imprinted hereon.

**TERREBONNE PARISH COUNCIL
PARISH OF TERREBONNE, STATE OF LOUISIANA**

**GORDON A. DOVE
PARISH PRESIDENT**

**SUZETTE THOMAS
CLERK**

CERTIFICATE OF AUTHENTICATION

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

Date of Authentication: July 29, 2021

**TERREBONNE PARISH COUNCIL
PARISH OF TERREBONNE, STATE OF LOUISIANA**

**SUZETTE THOMAS
CLERK**

* * * * *

CERTIFICATE OF REGISTRATION

This Bond has been registered as to principal and interest on the books of the Paying Agent, as Registrar, in the name of the registered owner listed below:

Registered Owner:
Cede & Co.
Tax ID# 13-2555119

Date of Registration: July 29, 2021

**HANCOCK WHITNEY BANK
As Paying Agent and Registrar**

**ELIZABETH H. ZEIGLER
SENIOR VICE PRESIDENT AND TRUST OFFICER**

ASSIGNMENT

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

(Insert Name, Address, Federal Tax Identification or Social Security Number of Assignee)

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

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

Date: _____ Signature: _____

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

LEGAL OPINION CERTIFICATE

I, the undersigned Clerk of the Terrebonne Parish Council, the governing authority of the Parish of Terrebonne, State of Louisiana, do hereby certify that the following is a true copy of the complete legal opinion of **MAHTOOK & LAFLEUR**, the original of which was manually executed, dated and issued as of the date of payment for and delivery of the original Bonds of the issue described therein and was delivered to a representative of the original purchaser thereof.

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

**TERREBONNE PARISH COUNCIL
PARISH OF TERREBONNE, STATE OF LOUISIANA**

**SUZETTE THOMAS
CLERK**

[INSERT FORM OF LEGAL OPINION]

**STATE OF LOUISIANA
PARISH OF EVANGELINE**

CERTIFICATE OF AUTHENTICITY

I, the undersigned Clerk to the Terrebonne Parish Council, Parish of Terrebonne, State of Louisiana (the “**Issuer**”), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority of the Issuer on **August __, 2021** entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 9277 WHICH AUTHORIZED THE ISSUANCE BY THE PARISH OF TERREBONNE NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) OF ITS PUBLIC LIBRARY SALES TAX BONDS, SERIES 2021; RATIFYING THE SALE OF THE BONDS TO RAYMOND JAMESAND ASSOCIATES, INC.; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Issuer on **August __, 2021**.

**TERREBONNE PARISH COUNCIL
STATE OF LOUISIANA**

SUZETTE, CLERK

Category Number:
Item Number: 8.



Monday, July 26, 2021

Item Title:

Recreation District No. 11 Oversight

Item Summary:

Discussion, revisit, and possible action relative to recreation oversight of the Recreation District No. 11 as per Section 21-92 (a) of Ordinance No. 8938.

ATTACHMENTS:

Description	Upload Date	Type
Executive Summary	7/22/2021	Executive Summary
Recreation Oversight Restructure	7/13/2021	Ordinance



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
Recreation District No. 11 Oversight

PROJECT SUMMARY (200 WORDS OR LESS)
Discussion, revisit, and possible action relative to recreation oversight of the Recreation District No. 11 as per Section 21-92 (a) of Ordinance No. 8938.

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
N/A

TOTAL EXPENDITURE	
N/A	
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)	
ACTUAL	ESTIMATED
IS PROJECTALREADY BUDGETED: (CIRCLE ONE)	
N/A	NO
YES	IF YES AMOUNT BUDGETED:

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)									
PARISHWIDE	1	2	3	4	5	6	7	8	9

COUNCILMAN MICHEL

07/13/2021

Signature

Date

STEVE TROSCLAIR, CHAIRMAN

DISTRICT 1

JOHN NAVY

DISTRICT 3

GERALD MICHEL

DISTRICT 5

CHRISTA M. DUPLANTIS-PRATHER, RN

DISTRICT 7

ALIDORE "AL" MARMANDE

DISTRICT 9

STEVE TROSCLAIR



ARLANDA WILLIAMS, VICE-CHAIR

DISTRICT 2

ARLANDA J. WILLIAMS

DISTRICT 4

SCOTTY DRYDEN

DISTRICT 6

DARRIN W. GUIDRY, Sr.

DISTRICT 8

DIRK J. GUIDRY

COUNCIL CLERK

VENITA H. CHAUVIN

Post Office Box 2768 • Houma, LA 70361
Government Tower Building • 8026 Main Street, Suite 600 • Houma, LA 70360
Telephone: (985) 873-6519 • FAX: (985) 873-6521
vchauvin@tpcg.org www.tpcg.org

April 5, 2018

MEMO TO: Gordon E. Dove
Parish President

FROM: Venita H. Chauvin *Vhc*
Council Clerk

**RE: Recreation Districts
Restructure of Regulations**

Please find attached a copy of Ordinance No. 8938 the Council adopted that amends Ordinance No. 8892 and restructures regulations over the Terrebonne Parish Recreation Districts.

By copy of this memo, the appropriate staff members are being advised of this action. If you have any questions regarding this ordinance, please contact the Parish's Legal Department.

Attachment:

cc: Council Members

Parish Attorney Julius Hebert

Assistant Parish Attorney Michelle Neil

Parish Manager Mike Toups

CFO Kandace Mauldin

Comptroller Kayla Dupre

Terrebonne Parish Recreation Districts

Municipal Code Corporation (via email)

/vhc

OFFERED BY: MR. D.W. GUIDRY, SR.
SECONDED BY: MR. A. MARMANDE

ORDINANCE NO. 8938

AN ORDINANCE TO AMEND THE TERREBONNE PARISH CODE OF ORDINANCES CHAPTER 21, ARTICLE V TO RESTRUCTURE REGULATIONS OVER THE TERREBONNE PARISH RECREATION DISTRICTS, AND TO PROVIDE FOR RELATED MATTERS.

Whereas, under the authority of Louisiana Revised Statute 33:1415(B), Terrebonne Parish Home Rule Charter Section 7-09, and Louisiana Constitution Article VI, Section 15, the Terrebonne Parish Council adopted Terrebonne Parish Ordinance 8892 which provided for fiscal and budgetary oversight of the recreation districts situated within Terrebonne Parish; and

Whereas, the Terrebonne Parish Council desires to amend Ordinance 8892, by amending certain portions of Chapter 21, Article V of the Terrebonne Parish Code of Ordinances, which will restructure the regulation of the Terrebonne Parish Recreation Districts, enact a sunset clause applicable to any Council action to invoke expenditure, payroll, project and board oversight, and to provide for related matters; and

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

SECTION I

Chapter 21, Article V of the Terrebonne Parish Code of Ordinances shall be and is hereby amended and reenacted using ~~striketrough~~ to indicate deletions and underlining to indicate additions, as follows:

Sec. 21-86. - Created; boundaries.

* * *

Sec. 21-87. - Powers.

The recreation districts shall constitute bodies corporate and political subdivisions of the state, and as such shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the state, including the authority to incur debt, issue bonds and levy taxes, subject to the management, budgetary and fiscal controls in this article, as applicable.

~~Sec. 21-88. — Appointment and removal of board members.~~

- ~~(a) The members of the boards of the recreation districts created by this article shall be appointed by the parish council.~~
- ~~(b) The parish council may remove, with or without cause, and replace any recreation district board member. Any member who has been removed by the Council or has resigned from the appointment shall not be eligible for reappointment until five (5) years from the date of the member's removal or resignation.~~

Sec. 21-88. — Definitions.

For the purposes of this Article, the following terms shall have the following meanings.

- (1) "Board" shall refer to the governing authority(ies) of the recreation district(s) in the Parish of Terrebonne, whether one (1) or more as applicable.
- (2) "CFO" shall mean the Chief Financial Officer of the Terrebonne Parish Consolidated Government.
- (3) "Council" shall mean the Terrebonne Parish Council, the governing authority of the Terrebonne Parish Consolidated Government.
- (4) "CPA" shall mean certified public accountant.

- (5) "District" shall mean the recreation district(s) of Terrebonne Parish, whether one (1) or more as applicable.
- (6) "Facility" or "facilities" shall mean any facility, land, or improvement to land, whether permanent or temporary, which is owned, leased, managed or acquired by a District.
- (7) "Parish president" shall mean the elected President of the Terrebonne Parish Consolidated Government.
- (8) "TPCG" or "Parish" shall mean the Terrebonne Parish Consolidated Government.

Sec. 21-89. - Compliance with laws.

- (a) Each recreation district shall comply with Louisiana Bid Laws, Public Works Laws, Public Records Laws, Open Meetings Laws, the Local Government Budget Act, Chapter 8 of Title 24 of the Louisiana Revised Statutes governing audit requirements applicable to political subdivisions, and any other federal, state, and local laws, ordinances and regulations applicable to the districts.
- (b) Contracts for public works and for services to be performed for or on behalf of the recreation districts shall be in writing, and each District shall maintain records of the transactions. No District shall destroy any records without prior approval by the Terrebonne Parish Consolidated Government.
- (c) Each recreation district shall maintain its records in an orderly fashion pursuant to the Louisiana Public Records Law and make its records available as soon as possible at the request of Terrebonne Parish administrators or the Terrebonne Parish Council.
- (d) Each recreation district board shall may seek technical assistance and advice for compliance herein from the parish president or the parish president's designee. The parish president may designate or appoint a parish official, director, or employee to be present at any recreation district facility for the purpose of assisting in managing the daily operations of the recreation district assessing the district's compliance with laws and local ordinances.

~~Sec. 21-90. — Approval of contracts obtained through state mandated bid or request for proposal laws.~~

- ~~(a) Notwithstanding section 21-91, and in addition to section 21-91, the board of any recreation district wishing to undertake any monetary spending shall have written contracts for any public works or supplies, or materials which Louisiana law requires be let out for bid or be awarded through a request for proposals process, and, prior to starting the works and/or purchasing the materials and/or supplies, shall be approved by resolution by the parish council.~~
- ~~(b) In the event Louisiana law does not require a written contract, all transactions by the districts shall be in writing and records of the transactions shall be maintained by the districts. No district shall destroy any records without prior approval by TPCG.~~

Sec. 21-91. - Budgetary and fiscal controls.

- ~~(a) Definitions. For the purposes of this section, the following terms shall have the following meanings.~~
 - ~~(1) "Board" shall refer to the governing authority of each recreation district in the Parish of Terrebonne.~~
 - ~~(2) "CFO" shall mean the Chief Financial Officer of the Terrebonne Parish Consolidated Government.~~
 - ~~(3) "Council" shall mean the Terrebonne Parish Council, the governing authority of the Terrebonne Parish Consolidated Government.~~
 - ~~(4) "CPA" shall mean certified public accountant.~~
 - ~~(5) "District" shall mean the recreation district(s) named in subsection (a) of this section, whether one (1) or more.~~

- (6) ~~"Facility" or "facilities" shall mean any facility, land, or improvement to land, whether permanent or temporary, which is owned, leased, or acquired by the district.~~
- (7) ~~"Parish president" shall mean the elected President of the Terrebonne Parish Consolidated Government.~~
- (8) ~~"TPCG" shall mean the Terrebonne Parish Consolidated Government.~~
- (b)(a) *Annual financial statements.* ~~The board~~ Each Board shall provide to the CFO and Council annual sworn financial statements of ~~the district~~ its District, showing the financial status of the district and the district's properties, facilities, funds, and indebtedness. Financial statements shall be prepared in accordance with standards set forth in R.S. 24:514, as may be amended. This requirement may be satisfied by submitting to the CFO and Council true copies of the annual sworn financial statements provided by the district to the legislative auditor, in accordance and compliance with R.S. 24:514.
- (e)(b) *Budget.* At least ~~seventy-five (75)~~ sixty (60) days prior to the beginning of the district's fiscal year, the board shall prepare and file with the CFO and the Council the district's proposed budget for the next fiscal year for review. ~~The Council shall include the district's proposed budget on the calendar for the next regularly scheduled meeting of the full council and shall take the necessary action to approve, amend, or reject the proposed budget.~~
- (1) If the Council takes no action within thirty (30) days of receipt of the District's proposed budget, the Board may adopt the budget as submitted.
 - (2) If the council rejects the proposed budget within thirty (30) days of receipt, at least thirty (30) days prior to the board's deadline to adopt the budget, the council shall send written notice with specific instruction to the board for amendments to the proposed budget. The board shall then submit the amended proposed budget to the CFO and Council for review, the next regularly scheduled meeting for approval.
 - (2)(3) If the Council takes no action within fifteen (15) days of receipt of the revised budget, the Board may adopt the budget as revised, only after council approval, subject to line item veto or reduction by the parish president.
 - (3)(4) This subpart (e) is intended to supplement the Local Government Budget Act, and district shall comply with the provisions of said Act in addition to this subpart.
- (c) *Audit by CFO.* The CFO, or any auditor designated by the Parish, may conduct a general audit and issue a financial statement of any District at any time the Council or Parish President considers appropriate. For the purpose of this subsection-(i), the auditor shall have the same access and assistance privileges afforded the legislative auditor in R.S. 24:513(E) and (I), as may be amended.
- (d) *Audit by others.* Each Board shall immediately provide copies to the CFO and Council of any audits of its District performed in house, by the legislative auditor, or by any other outside agency or CPA.

Section 21-91. Board agendas and minutes.

Each Board shall submit copies of its meeting agendas to the CFO and Council through the Terrebonne Parish Council Clerk at least 24 hours prior to each Board meeting. Each Board shall submit copies of the minutes of its meetings no later than five (5) days, not including legal holidays and weekends, following each Board meeting.

Section 21-92. – Council action to invoke expenditure, payroll, project and Board oversight.

- (d)(a) *Council action to invoke subsections (e) and (f) of this section.* ~~Subsections (e) and (f)~~ Any or all of the requirements contained in this Section of this section shall become effective upon motion of the council, and the requirements of each subsection so invoked shall remain in effect until a subsequent motion by the council is adopted for the purpose of terminating the obligations set forth by the motion. The Council shall revisit the requirements under this Section invoked against each District every six months following the effective date of the requirements until the District is released from these requirements by the Council. A council motion to invoke the effectiveness of

the ~~these~~ subsections may apply to one (1) or more districts, and may apply to one (1) or more of the following subsections, at the discretion of the mover.

(e)(b) *Expenditure oversight.* Prior to making any expenditure or entering into any contract to carry out the purposes and powers of the district, including a lease or other contract connected with, incident to, or affecting the acquisition, financing, construction, equipment, maintenance, renovation, repair, improvement, payroll or operation of facilities, programs or expenditure of any nature, district shall request and obtain written approval for such expenditure or contract from the CFO. The CFO may approve the expenditure or contract, provided district timely submits to CFO supporting documentation for the expenditure or contract, including, but not limited to, the proposed check, requisition order, purchase order, supporting purchasing or payment documents, and any information necessary for the CFO to determine whether the expenditure is appropriate and legal.

(f)(c) *Payroll and payment oversight.* Prior to issuing any employee paychecks, board per diem and reimbursements, and contractor/consultant payments, district shall request and obtain written approval for such items from the CFO, whose approval shall not be unreasonably withheld, provided district submits to CFO supporting documentation for the expenditure or contract, including, but not limited to, the proposed check, and any information necessary for the CFO to determine whether the expenditure is appropriate and legal. Considering that time is of the essence when issuing payment to employees and contractors, the district shall submit the necessary supporting documentation immediately upon its availability to ensure timely approval of such expenditures. No employee shall be paid by cash and all appropriate payroll deductions shall be made on each employee.

(d) *Project oversight.* District shall obtain written contracts for any public works, supplies, or materials which Louisiana law requires be let out for bid or be awarded through a request for proposals process, and, prior to starting the project or purchasing the materials and/or supplies, District shall seek approval by resolution of the Council.

(g)(e) *Board oversight.*

(1) *Monthly reports.* Subject to the exceptions listed in subparts b. through d., below, district shall submit to the CFO, no later than the second Wednesday of each month, copies of the following, reflecting current, to-date information:

- a. Its general ledger and financial statements itemizing any and all expenditures and income of the district, including, but not limited to, expenditures for payroll, employee benefits, commissioner per diem and reimbursements, projects, programs, bonds, facility insurance, facility improvements, facility and program operations, facility maintenance, consultants' and contractors' payments, auto and equipment expense and purchase reports, and payouts for claims and litigation; and including, but not limited to, income from millage, concessions, interest, donations, and facility rental;
- b. If different from the previous month, a list of current contractors, engineers, and consultants, under written contract with district, including statements the specific projects or general work being performed by them on behalf of the district, along with their EINs;
- c. If different from the previous month, a list of current district employees, including statements of their job titles, salary or hourly wage, area of work assignments, and whether they are part-time or full time;
- d. Upon request by the CFO or council, copies of district employee time cards and paychecks;
- e. Upon request by the CFO or council, reports of district employees' accrued and paid vacation leave, accrued and paid sick leave, paid overtime, accrued and paid comp time and instances of leave without pay;

(2) ~~Board agendas and minutes. Board shall submit copies of its meeting agendas to the CFO and council through the Terrebonne Parish Council Clerk at least 24 hours prior to each board meeting. Board shall submit copies of the minutes of its~~

~~meetings no later than five (5) days, not including legal holidays and weekends, following each board meeting.~~

- (3) — Executive sessions. Board shall not convene into executive session during its meetings without providing at least forty-eight (48) hours' prior written notice to CFO and council through the parish council clerk. The parish president or designee and any elected council member may attend any executive session of the board.

- (f) Reimbursement of fees and costs. The CFO may impose necessary fees or charge District for any necessary costs expended by the Terrebonne Parish Consolidated Government or Council in accordance with the authority granted to them under this section. The amount charged shall not exceed the maximum allowable fee as authorized by law.

Section 21-93. – Board Cooperation.

- (h)(a) Direction by the council. From time to time, council may reasonably advise the District a Board to take action with regard to District its Facilities, programs, employees, expenditures, and revenues for the purposes for which the District was created. Board shall make every effort to work towards the goal(s) directed by the Council.
- (i) ~~Audit by CFO.~~ The CFO, or any auditor designated by the parish, may conduct a general audit and issue a financial statement of the district at any time the council or parish president considers appropriate. For the purpose of this subsection (i), the auditor shall have the access and assistance privileges afforded the legislative auditor in R.S. 24:513(E) and (I), as may be amended.
- (j) ~~Audit by others.~~ District shall immediately provide copies to CFO and council of any audits of the district performed in house, by the legislative auditor, or by any other outside agency or CPA.
- (k)(b) Cooperation. Board shall fully cooperate with the council and parish president to ensure maximum feasible coordination of local government and recreation programs.
- (l) ~~Reimbursement of fees and costs.~~ The CFO may impose necessary fees or charge district for any necessary costs expended by the Terrebonne Parish Consolidated Government or Council in accordance with the authority granted to them under this section. The amount charged shall not exceed the maximum allowable fee as authorized by law.

SECTION II

Section 21-92 amended and reenacted herein shall be effective retroactively to the effective date of Terrebonne Parish Ordinance 8892, October 25, 2017. By giving Section 21-92 retroactive effect, it is the intent of this Council that any recreation district subject to the obligations under prior Section 21-91(d)-(f) shall now be subject to all obligations and provisions under Section 21-92 as amended and reenacted herein.

SECTION III

Any and all other provisions of the Code not amended herein, shall remain in full force and effect. 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 2-12 or 2-13(b) of the Home Rule Charter or as otherwise required by 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: S. Trosclair, J. Navy, A. Williams, G. Michel, S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, and D.J. Guidry.

NAYS: None.

NOT VOTING: None.

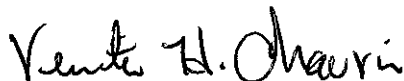
ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 28th day of March 2018.



STEVE TROSCLAIR, CHAIRMAN
TERREBONNE PARISH COUNCIL



VENITA H. CHAUVIN
COUNCIL CLERK
TERREBONNE PARISH COUNCIL

Date and Time Delivered to Parish President:

3/29/18 10:25 a.m. vhe

Approved



Vetoed

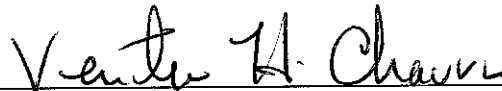
Gordon E. Dove, Parish President
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

4/5/18 12:57 p.m. vhe

I, VENITA H. CHAUVIN, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on March 28, 2018, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 5th DAY
OF April 2018.



VENITA H. CHAUVIN
COUNCIL CLERK
TERREBONNE PARISH COUNCIL

Category Number:
Item Number: 9.



Monday, July 26, 2021

Item Title:

Quality of Life

Item Summary:

Quality of Life- Review of draft highlighted sections of the Recreation Procedure Manual.

ATTACHMENTS:

Description

Executive Summary

Backup

Upload Date

7/19/2021

7/19/2021

Type

Executive Summary

Backup Material



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
Quality of Life

PROJECT SUMMARY (200 WORDS OR LESS)
Review of draft highlighted sections of the Recreation Procedure Manual. (Note: A complete copy of the draft manual is available for review in the Council Office.)

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
N/A

TOTAL EXPENDITURE				
N/A				
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)				
ACTUAL			ESTIMATED	
IS PROJECTALREADY BUDGETED: (CIRCLE ONE)				
N/A	NO	YES	IF YES AMOUNT BUDGETED:	

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)									
<u>PARISHWIDE</u>	1	2	3	4	5	6	7	8	9

COUNCILWOMAN DOMANGUE

07/19/2021

Signature

Date



TERREBONNE RECREATION DISTRICT POLICY AND PROCEDURE MANUAL

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INTRODUCTION

This Procedure Manual is being implemented for all Terrebonne Parish Recreation Districts to adopt, implement and follow. It supersedes all previous Policy and Procedure Manuals.

This manual provides policies and guidelines necessary for conducting recreation activities in each District. This manual has been designed to promote and encourage proper management and efficiencies in an effort to modernize recreation in Terrebonne Parish as it pertains to the current usage and millages of all recreation districts, the maintenance and usage of facilities, and TPCG operated recreation programs.

This manual recognizes the following roles and responsibilities to insure non-duplication of services and better communication:

- Terrebonne Parish Recreation Department (TPR) – responsible for parish owned recreation facilities, parks and playgrounds, recreational activities, cultural activities and facilities, other leisure time activities.
- Terrebonne Parish Recreation Districts (Districts) – to build, maintain and operate recreational facilities throughout their districts.

This manual will be revised, as required, to meet new needs and conditions. Revised pages will be prepared by TPCG Administration, approved by the Council and sent to each District for their adoption. Districts shall keep this Procedure Manual updated to the most current version and have easily available to the Public.

SECTION 1. OPEN MEETINGS LAW

All meetings of the District's Board of Directors are required to be open to the public according to State Law. The policy behind the law is that the citizens should be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy. The statutes that govern open meeting law for recreation districts are LA R.S. 42:12, 13, 14, 16, 17, 17.1, 19, 19.1, 20, and 23. Below is the District's policies/procedures and the full statutes can be found in **Appendix 1A**.

1.1 OPEN MEETINGS LAW

- A copy of the Open Meetings Law is posted at meeting location
- A meeting is defined as: the convening of a quorum of a public body
 - to deliberate or act on a matter over which the public body has supervision, control, jurisdiction, or advisory power.
 - to receive information regarding a matter over which the public body has supervision, control, jurisdiction or advisory power.
- A quorum is defined as: A simple majority of the **total** membership (including vacant positions)

1.2 PUBLIC MEETINGS

- Every meeting is open to the public unless the law specifically provides an exception
- All board members voting must be present, and vote must be made either orally or through an electronic voting machine. The use of proxy voting, secret balloting, straw polling is not allowed.
- All votes are recorded

1.3 PUBLIC PARTICIPATION/COMMENTING

- The public is to be provided an opportunity to comment in all meetings prior to any action being taken

1.4 MEETINGS VIA ELECTRONIC MEANS

- The board can hold public meetings via electronic means provided:
 - The Governor has declared a state of emergency or disaster that is of the nature to cause a meeting of the public body to be detrimental to the health, safety or welfare of the public
 - The presiding officer of the public body certifies on the notice of the meeting that the agenda of the meeting is limited to items provided in the statute

- No later than 24 hours before a meeting via electronic means:
 - Notice and agenda are posted on website, emailed to public or news media who request it as well as known news media outlets that broadcasts within the area
 - Detailed information regarding how members of the public may participate in the meeting and submit comments is posted on website, emailed to public or news media who request it as well as known news media outlets that broadcasts within the area
- Meetings held via electronic means will have to receive public comments electronically both prior and during meeting; all public comments will be properly identified and acknowledged

1.5 NOTICE

- Written public notice is provided for all meetings no later than 24 hours prior to the meeting.
- Notice is posted at the place of the meeting, published in the official journal, posted on website (if applicable) and to members of the news media who request it.
- The written notice includes the date, time, and location of the meeting and a copy of the agenda.

1.6 AGENDAS

- The agenda includes describing language, lists each item separately
- No changes are made within 24 hours.
- The agenda may be amended, and additional matters taken with a unanimous vote of the members present
- Each item on the agenda is read fully before action is taken

1.7 NOTICES – TAX ELECTION

- Additional notices when considering proposal or calling of certain tax proposition elections include:
 - No more than 60 days or less than 20 days prior to the meeting a written public notice is published in the official journal and announced during a public meeting.
 - The Notice provides the date, time and location

1.8 MINUTES

- Written minutes of all open meetings are kept. The minutes include
 - Date, time, and place of meeting;
 - Members of the public body recorded as present or absent;
 - The substance of all matters decided, and a record of any votes taken; and

- Minutes are a public record and provide enough description to a reader as to what matters were considered, the outcome of votes, and identify that all legal procedures were complied.
- Minutes are published in the official journal

1.9 RECORDING

- All meetings are tape recorded and kept as part of the public record.

SECTION 2. ETHICS REQUIREMENT

The term “Ethics” refers to the prohibitions as defined in LA. R.S. 42:1111-1121; action for violation of ethical infractions; system to monitor ethical violations; requirement for all employees, including elected officials, annually attest through signature verification that they have read the entity’s ethics policy.

All District Board Members and employees are required to follow ethics laws. The Director shall monitor employees for any ethical violations. Any potential violations will be properly documented and investigated immediately. All facts pertinent to the investigation will be kept confidential. Appropriate disciplinary action will be executed by the District Board of Directors regarding the findings of any ethical violation. Any ethical violation deemed serious shall be submitted to the proper authority for investigation by the District Board of Directors.

In accordance with LA R.S. 42:1170, as a public servant, all District Board Members and employees are required to take one hour of training on the Code of Governmental Ethics. The District requires this training to be complete by December 1st of each year, and the training is available at <https://laethics.net/EthicsTraining/login.aspx>.

Board Members and employees are required to show proof of the training by providing a certificate to the District office as well as annually attest through signature of verification that he or she has read and agrees to comply with the entity’s policies. **Appendix 2A.**

SECTION 3. BUDGETARY AND FISCAL CONTROLS

3.1 CHART OF ACCOUNTS

The District uses a 10 - digit account number as follows XXX-XXX-XXXX

The first three digits are used to identify the fund type. The fund codes are used to identify the specific fund to which a particular accounting charge is being made.

Funds:

100 – General Fund - Account for all financial resources except those required to be accounted for in another fund

200 – Special Revenue Fund - Account for the proceeds of specific revenue sources, other than those for major capital projects, that are restricted legally to expenditure for specified purposes

300 – Capital Projects Fund - Account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds and trust funds).

400 – Debt Service Fund - Account for the accumulation of resources for, and the retirement of, long-term debt principal and interest.

The next three digits are used to identify the location related to the charge.

Locations:

000 – Office/No specific location

100 – Location (Park A)

200 – Location (Park B)

300 – Location (Splashpad)

The last four digits are used to identify the type of account.

Accounts:

1XXX – Asset

2XXX – Liability

4XXX – Fund Balance

5XXX – Revenues

6XXX – Expenditures

The second digit in the last four digits further identifies the account.

Identifiers:

11XX – Cash

12XX – Investments

13XX – Receivables

14XX – Due from other Governments

15XX – Other Assets

21XX – Accounts Payables

22XX – Payroll Liabilities

23XX – Due to Other Governments

24XX – Other Liabilities

4000 – Fund Balance

51XX – Tax Revenue

52XX – Grant Revenue

53XX – Charges for Services

54XX – Interest Revenue

55XX – Miscellaneous Revenue

56XX – Other Revenue

61XX – Salaries and Wages

62XX – Supplies and Material

63XX – Other Services and Charges

64XX – Repairs and Maintenance

65XX – Capital Expenses

66XX – Other Expenses

Appendix 3A provides an example of a full chart of accounts for reference.

Some accounting software only allow for 7-digit accounts and don't allow for separate funds, so the following adjustments should be made:

- Instead of a 10-digit account number the first three digits (Fund indicators) will not be used
- When you have separate funds, you may need to create new companies within the District to account for the separate funds.

3.2 DISTRICT BUDGET

The District follows written budget standards and procedures for preparing, adopting, monitoring, and amending the budget that are in accordance with the articles of the TPCG Charter, La. R.S. 39:101 et seq., the Local Budget Act, and Legislative Auditors Best Practices.

3.2(a) Preparing the Budget

An annual proposed budget is prepared for the General Fund and each Special Revenue Fund of the District. The total proposed expenditures (including other financing sources) must NOT exceed the sum of the estimated revenues (including other financing sources) plus beginning fund balance. The following shall be included with the proposed budget:

- Adoption instrument (resolution);
- Signed budget message that contains a summary description of the proposed financial plan and discussion of important features;
- A statement for each fund showing:
 - Estimated fund balances at the beginning of the year;
 - Estimates of all receipts and revenues to be received;
 - Revenues itemized by source;
 - Recommended expenditures itemized by agency, department, function and character;
 - Other financing sources by source and use;
 - Estimated fund balance at the end of the year;
- A side-by-side detailed comparison of the following information for the current year:
 - Fund balance at the beginning of the year;
 - Year-to-date actual receipts and revenues received and estimates of all receipts and revenues to be received the remainder of the year;
 - Estimated and actual revenues itemized by source;
 - Year-to-date actual expenditures and estimates of all expenditures to be made the remainder of the year itemized by agency, department, function and character;
 - Other financing sources and uses by source and use, both year-to-date actual and estimates for the remainder of the year;
 - Year-to-date actual and estimated fund balances as of the end of the fiscal year;
 - The percentage change for each item of information
- **Appendix 3B** is the Louisiana Legislative Auditor's budget template that addresses all the above requirements.

If the District is proposing expenditures of \$500,000 or more from the General Fund and/or any Special Revenue Fund, the following will take place to afford the public an opportunity to participate in the budgetary process prior to the adoption of the budget.

- Publish a notice that states the proposed budget is available for the public inspection
- Publish a notice of Public Hearing (notice given at least ten (10) days prior to the hearing)
- Hold one (1) Public Hearing
- After Public Hearing - certify completion of public participation with a notice in the same manner as above

The proposed budget is submitted to the CFO and the Council no later than sixty (60) days prior to the District's fiscal year (November 1). When submitted it should include:

- Signed budget message
- Proposed budget for General Fund and all Special Revenue Funds using the budget template in **Appendix 3B**, or a similar format that meets all requirements.

3.2(b) Adopting the Budget

The Council needs to approve the proposed budget before the District can adopt it following the procedures below:

- If the Council takes no action within thirty (30) days of receipt of the District's proposed budget, the District may adopt the budget as submitted
- If the Council rejects the proposed budget within thirty (30) days of receipt, the Council will send written notice with specific instruction to the board for amendments to the proposed budget. The board shall then submit the amended proposed budget to the CFO and Council for review
- If the Council takes no action within fifteen (15) days of receipt of the revised budget, the board may adopt the budget as revised

Once the District receives approval from the Council it can move forward with its adoption process:

- A resolution is passed in an open meeting before the end of the fiscal year
- Certified copies of the budget and adoption must be kept at the District's office and available for review by the public

3.2(b) Monitoring the Budget

The board is provided with budget-to-actual comparison for the General Fund and each special revenue fund on a monthly basis to effectively monitor the budget.

The Board is notified by the accountant when in the General Fund and/or any special revenue fund have any of the following:

- Total revenue and other sources (including projections for the remainder of the year) are failing to meet total budgeted revenues and other sources by 5% or more

- Total actual expenditures and other uses (including projections for the remainder of the year) are exceeding the total budgeted expenditures and other uses by 5% or more
- Actual beginning fund balance, fails to meet estimated beginning fund balance by 5% or more and fund balance is being used to fund current expenditures

The adopted budget must be amended when anticipated revenues or expenditures vary by 5% or more.

3.2(c) Amending the Budget

Anytime there is a 5% variance or a change in operations upon which the original budget was adopted, the budget will be amended. The amendment will be adopted through a resolution in an open meeting and completed prior to the end of the fiscal year. The amendment will not conclude with expenditures exceeding the total of estimated funds available for the fiscal year (no deficit fund balance).

3.3. FUND BALANCE RESERVES

The District reserves fund balance in accordance with Legislative Auditor's suggestion of no less than two (2) months of operating expenditures. If the proposed ending fund balance presented to the CFO and Council is greater than this reserve, an explanation must be provided for the excess reserves. This will be considered by the CFO and Council during the budget approval process.

SECTION 6. LEGAL DEPARTMENT

The District utilizes TPCG's legal department when needed, which includes all TPCG appointed assistant attorneys. The District also uses all standardized agreements as prepared and amended by TPCG legal department. This includes, but is not limited to use, rental, concession and other agreements.

If at any time, the District determines it needs to engage an attorney who is not from TPCG legal department it must get the approval of the Council first.

SECTION 7. PURCHASING

The District utilizes the TPCG Purchasing Department to the greatest extent possible for their purchasing. The District always utilizes the TPCG Purchasing Department when making a purchase with Federal money to ensure the Federal guidelines are being followed. Prior to making any purchases greater than \$10,000 the District will receive TPCG CFO's approval.

The following guidelines are used by the District when not utilizing the TPCG Purchasing Department to ensure the District is receiving required goods and services at the time and place needed in the proper quantity and quality, assure compliance to all laws, regulations and procedures related to public purchasing, purchase materials and services for the District's use at the maximum end-use value per dollar spent and to dispose of, to the best advantage, all material and equipment declared to be surplus or obsolete.

7.1 GENERAL GUIDELINES

Local Buying: It is the desire of the District to secure materials, supplies, commodities and services from local vendors whenever possible. The District has a responsibility to its residents to ensure that the maximum value is obtained for each public dollar spent. It is assumed that local vendors wishing to do business with the District will offer the best value for the item(s) being purchased.

Planning: Planning for purchases should be done on both short- and long-term basis. Small orders and last-minute purchases should be minimal. Purchasing of goods and services in larger (bulk) quantities enables the District to receive maximum discounts. This is beneficial if storage and consumption indicates feasibility of bulk purchases.

Budgets: No purchase is authorized that would result in the District going over budget for that expense account. If a purchase will result in the District being over budget, the Accountant will be immediately notified so a budget amendment can be prepared accordingly.

Consolidation and Bulk Purchasing: The District will consider joining other Recreation Districts to consolidate purchases of like or common items (including but not limited to playground equipment, park amenities) to obtain the maximum economic benefits and costs savings, and to explore the possibility of buying in bulk to take advantage of possible quantity discounts.

Bribery: Vendors offering bribes and District employees accepting bribes is not acceptable and will result in immediate termination for the employee and immediate disbarment of the vendor doing business with the District currently and in the future. Bribery in any form represents malfeasance in office and that public funds are being mismanaged.

Sales Tax: The District is exempt from local and state sales tax and provides vendors with taxation information/certificates upon request.

Personal Purchases: Purchases for employees by the District are prohibited. District employees are also prohibited from using the District's name or the employee's position to obtain special consideration in personal purchases. Prohibited personal purchases include but are not limited to gifts; flowers; alcohol; membership dues for civic or charitable organizations; luncheons, banquets, parties and similar functions.

7.2 PURCHASING PROCEDURES

The District follows the Louisiana Public Bid Law (LA R.S. 38:2211-2296) which include the following:

Public Works

Public Bid Law applies to contracts for public works by public entities using public funds:

- a) Includes construction, remodeling, drainage structures, utilities and improvements
- b) The law becomes applicable when the total cost of a project, including labor and materials, exceeds \$250,000; The Office of Facility Planning and Control (OFPC) within the Division of Administration will resume adjusting the statutory contract limit in 2025 by an amount not to exceed the annual percentage increase in the CPI in the preceding year
- c) Jobs valued at less than \$250,000 may be done by force account, using regular employees
- d) Public entity may provide labor necessary for the maintenance of public works once constructed without seeking bids (R.S. 38:2212I1)
- e) Public works projects over \$50,000 require the use of state licensed contractors and subcontractors (R.S. 37:2150.1)

Materials and Supplies

Public Bid Law applies to purchases of materials and supplies:

- a) Includes equipment, vehicles, supplies and other moveable property (R.S. 38:2212.1A)
- b) It does not apply to services, professional or otherwise
- c) This law does not apply to pure leases, but does apply to leases where there is an option to obtain title at any time (lease purchase)
- d) There are no statutory procedures specified for purchases below \$10,000; refer to **Appendix 7A** for purchasing guidelines for these items
- e) Purchases between \$10,000 and \$30,000 require obtaining no less than three (3) telephone, facsimile or written quotations on the same specification and
- f) Purchases exceeding \$30,000 require advertisement and awarding to the low responsive and responsible bidder based on timely received bids

See **Appendix 7A** for purchasing guidelines and **Appendix 7B** for quote tabulation form.

Division of Purchases or Projects

Under no circumstances shall there be a division or separation of any purchase or public works project into smaller purchases or projects which said division or separation results in the avoidance of the bid process. The law explicitly prohibits the separation or division of purchases or projects to circumvent the public bid process (R.S. 38:2212H).

Advertising

Advertising of a bid solicitation is required once procurement meets the bid threshold.

- a) Advertisement must appear in the official journal (newspaper)
 - Complete plans and specifications must be available on the date of the first advertisement and until twenty-four (24) hours before the bid opening date.

- The advertisement must indicate where detailed specifications can be obtained and when and where bids will be received and opened.
 - Advertising for the purchase of materials and supplies must be published at least twice, beginning at least 15 days before bids are to be received.
 - Advertising for public works must be published once a week, for three different weeks, with the first ad appearing at least 25 days before the bid opening date and not on a Saturday, Sunday or other legal holiday.
- b) Contractors and/or vendors are provided the option to submit bids for public contracts through a uniform and secure electronic interactive system.
 - c) No addendum shall be issued within seventy-two (72) hours of the bid opening, excluding weekends and legal holidays, without the extension of the bid opening. Extension of at least seven (7) but no more than twenty-one (21) working days is required but re-advertising is not required. (R.S. 38:2212 C 2 b)
 - d) An addendum on a public works contract is issued within seven (7) days of the bid opening or any extension thereof then the public entity shall transmit a copy of the addendum within 24 hours to all prime bidders who have requested bid documents and may be transmitted by fax, e-mail or hand-delivery provided the prime bidders provided necessary information. If the addendum cannot be transmitted to all prime bidders, the bid opening shall be postponed at least seven (7) days. The addendums shall also be sent to all prime bidders by regular mail. (R.S. 38:2212 C 2 a)

Delivery of Bids (R.S. 38:2212 (B) (6))

Bids may be delivered one of three ways:

- a) Hand delivered by the bidder or his agent. A written receipt shall be handed to the deliverer
- b) Sent by registered or certified mail with a return receipt requested
- c) Submitted electronically

Bids shall not be accepted, including hand delivered, on days that are recognized as holidays by the United States Postal Service.

Electronic Bidding (R.S. 38:2212.1 (B) (4) (a))

- a) Contractors / Vendors shall be provided the option to submit bids for public contracts through a uniform and secure electronic interactive system. Political subdivisions shall follow the standards for the receipt of electronic bids by the Office of the Governor, Division of Administration, and the Office of Information Technology as provided for in LAC 4:XV.701, and shall make the appropriate provisions necessary for the acceptance of electronic bids for all purchases requiring competitive bidding. Any special condition or requirement for the submission shall be specified in the advertisement for bids.

Please note: Use of the electronic bidding option through services such as Central Bidding does not eliminate the newspaper advertisement requirements of R.S. 38:2212 (G) for public works or for material and supplies.

- b) The exemptions from requiring public entities to accept electronic bid submission for materials and supplies provided by R.S. 38:2212 (B) (4) include:
 - Public entities that are currently without available high-speed Internet access until high-speed Internet access becomes available.

- Any parish with a police jury form of government and a population of fewer than twenty thousand.
 - Any city or municipality with population of fewer than ten thousand.
 - Any special service district created by a police jury form of government that is unable to comply without securing and expending additional funding.
- c) Public entities shall have the option to require that all bids be submitted electronically for any competitive bid let out for public bid.

Opening of Bids (R.S. 38:2214 A)

- a) Bids must be opened at the time and place indicated in the advertisement.
- b) Bids that do not arrive at the designated place by the appointed time cannot be considered and should not be opened. They should be marked with the time received and returned unopened to the bidder.
- c) Sealed bids must be publicly opened and read aloud.
- d) The bidder's name bid amount(s), and/or the contractor's license number are generally the only information disclosed at the bid opening.
- e) Bids received are public records and are subject to inspection and copying but take precautions to avoid tampering.
- f) No comments should be made at bid opening about the bids or the award.

See **Appendix 7C** for Bid Opening Summary Form

Bid Evaluation

- a) Award should be made, and the purchase order and/or contract document should be issued only after careful review of the apparent low bidder's responsiveness and responsibility.
- b) Rejecting a bid because of unresponsiveness requires only that the bidder be informed why the bid was rejected.
- c) Bids rejected for lack of responsibility, requires notice to be given to the bidder and the opportunity for a hearing (R.S. 38:2212 J).

Waiver

Waiver of informalities is virtually impossible.

Preference

There is no preference for Louisiana vendors, only for Louisiana products.

- a) LA R.S. 38:2225 requires that if an out of state bidder is low, a Louisiana bidder may be given the job (public works) if the home state of the out-of-state bidder gives him a preference in his own state, and the Louisiana bidder is within the margin of that states preference for its own state bidders.
- b) LA R.S. 38:2251 relates to the preference for Louisiana products. Agricultural and forestry products grown, manufactured or processed in Louisiana are entitled to a mandatory 10% price preference over products produced elsewhere. For all other products purchased, TPCG may choose to allow a bidder offering a Louisiana product and whose price is within 10% of the low bid to receive the award if the bidder is willing to sell their product at the low bid price.

Withdrawal, Cancellation & Award

A bid may be withdrawn by the bidder if done by affidavit within 48 hours of bid opening, but only for patently obvious, unintentional and substantial mechanical, clerical or mathematical errors (R.S. 38:2214 C).

A bid solicitation may be cancelled for any reason before bid opening but after bids are opened only for just cause; Just cause includes, but is not limited, to unavailability of sufficient funds for the project or purchase; all bids come in over budget; substantial change in scope or design of project; or decision not to go forward with the project for at least 12 months (R.S. 38:2214 C).

Contract Award

LA R.S. 38:2215 provides that within 45 days of bid opening the political subdivision must:

- a) Award the contract to the lowest responsible bidder
- b) Reject all bids for just cause; or
- c) Extend deadline by mutual consent with lowest responsible bidder

Failure to do one of these can result in a mandamus by the court to grant a contract to the lowest responsible bidder, even though the political subdivision has other plans or problems.

Bonds and Recordation

There are three different places in the Public Bid Law where bonds are required:

- a) R.S. 38:2216 calls for a performance bond (not less than 50% of contract); 2218 deals with bid bonds and other forms of bid security (5% for public works); 2219 tells you who can write bonds; and 2241 deals with payment bonds (not less than 50% for contracts of \$25,000 or more).
- b) Public works contracts of \$5,000 or more must be reduced to writing.
- c) Public works contracts of \$25,000 or more must be recorded in the official mortgage records of the Clerk of Court.

Change Orders

Change orders must be authorized within the scope of the contract for all public works contracts. There is no dollar or percentage limit on the size of a change order, but it must be within the scope of the contract. A delete change order may be used under some circumstances to bring a low bid that is over budget within the budget or available funding.

Protest

This section applies to any person who is aggrieved in connection with the solicitation or award of a contract bid in accordance with the Louisiana Public Bid Law, at LA R.S. 32:2211 et seq.

- a) Types of Protest
 - Protest of Solicitation. For example, solicitation protests often stem from allegations of unduly restrictive specifications, which limit the source(s) that can comply with all the specifications as written.
 - Protest of an Award. Award protests generally arise where an aggrieved party alleges that the award was made to a bidder that did not meet or comply with all the specifications and the Louisiana Public Bid Law.
- b) Timelines

- Protest of Solicitation - Protests with respect to a solicitation shall be submitted in writing at least two (2) days prior to the opening of bids.
 - Protest of an Award - Protests with respect to the award of a contract shall be submitted in writing within fourteen (14) days of the contract award.
 - Procedure - Protests shall be submitted to the Board Chairman. The protest shall clearly set out the reason for protest. The District's legal department will be notified immediately of the all potential or pending protests.
- c) Effects of Protest.
- Protest of Solicitation - If a timely protest is received, the bids shall be impounded and cannot be opened until the protest has been resolved. Specifications cannot be protested after bids are opened.
 - Protest of an Award - If a timely protest is received, the award shall be stayed until the protest has been resolved, unless the bid is declared as an emergency.
- d) Authority to Resolve Protests.
- The Board Chairman or his designee shall have authority, prior to the commencement of an action in court concerning the controversy, to review a protest of an aggrieved bidder concerning the solicitation or award of a contract. This authority shall be exercised in a manner which is consistent with the Louisiana Public Bid Law.
- e) Decision
- If the protest is not resolved by mutual agreement, the Board Chairman or his designee shall, within fourteen days, issue a decision in writing. The decision shall:
 - State the reasons for the action taken; and
 - Inform the protestant of its right to judicial review as provided by law.
- f) Notice of Decision
- A copy of the decision shall be mailed or otherwise furnished immediately to the protestant and any other party intervening.
- g) Finality of Decision
- A decision under Subsection G of this section shall be final and conclusive.

Contracting Out Services

The District may contract out services to third parties (engineering, accounting, payroll, grass collection, cleaning services, etc.). The District considers the following when determining if the service should be contracted out

- Are contracted services necessary or needed, and is contracting out services the most cost-efficient manner for accomplishing the objectives?
- The public bid law does not require services (professional or otherwise) to be bid. However, a competitive atmosphere ensures that fees paid for services are cost-effective. The District should consider using Requests for Proposals (RFP) for contracting for services. An RFP has the advantage of allowing the use of evaluation factors, other than price, in making the award. The criteria and point value must be set forth in the RFP.
- The contract should provide for the specific service to be performed. Contracts providing services that are general in nature or open-ended should be avoided.
- All contracts should be reviewed by the District's legal counsel for legal form, legal sufficiency, and terms and conditions that are in the best interest of the parish.

- A centralized review and oversight of all contracts should be done to ensure that services received comply with the terms and conditions of the contracts.
- The District will consider joining other Districts for RFPs for similar contracted services in order to get the best price possible.

Public Lease Law

There are two (2) types of leases: operating and capital.

1. Capital leases are defined by FASB 13 (as amended), Paragraph 7; they are not defined in the statutes. According to FASB 13, if a lease meets any one (1) of the following criteria, it is a Capital lease from the perspective of the lessee (the one who leases):
 - a) The lease transfers ownership of the property to the lessee by the end of the lease term.
 - b) The lease contains an option to purchase the leased property at a bargain price.
 - c) The lease term is equal to or greater than 75 percent of the estimated economic life of the leased property.
 - d) The present value of the rental and other minimum lease payments equal or exceed 90 percent of the fair value of the leased property less any investment tax credit retained by the lessor.
2. Operating leases are defined by FASB 13, Paragraph 7; they are not defined in the statutes. According to FASB 13, a lease is an Operating lease if it does not fit the criteria of a Capital lease described in Section 1. A.G. Opinion No. 94- 452: An Operating lease expires at a point in time well before the end of the useful life of the leased assets.

Anytime the District believes they are entering into either of the two types of leases they will utilize TPCG's purchasing and finance department to ensure they are in compliance with state law.

Emergencies

Contracts can be awarded in emergency situations without advertising for bids as provided in R.S. 38:2212D1a. Notice of the emergency must be advertised in the official journal within ten (10) days after declaration. The declaration of an extreme public emergency must be published within ten (10) days of the declaration or as soon thereafter as practicable.

Illegal Purchasing Practices

LA R.S. 38:2220 provides that any contract subject to the Public Bid Law and entered into without complying with the Public Bid Law is null and void. Any citizen can file a complaint with the Attorney General's Office, who may investigate the complaint and/or file suit on behalf of the citizen. There is "whistle blower" protection for the complainant.

Other Purchasing Methods

- a) State Contracts – Purchases can be made from the State Purchasing Contracts, without the necessity of bidding.
- b) State Contracts through Local Dealer – Purchases can be made from State Purchasing Contracts, through a local vendor selling the exact same product without the necessity of bidding (R.S. 39:1710).

- c) Piggyback Purchases – Purchases can be made jointly with other political subdivisions or purchases can be made under a viable contract entered into by another Louisiana public entity and if the vendor consents (R.S. 33:1321).

7.3 SURPLUS SALE OF MOVABLE PROPERTY

The District follows the procedures outlined in LA R.S. 33:4712F and R.S. 49:125 to dispose of movable surplus property. The District may sell any movable property (R.S. 33:4712 F) having an appraised value of Five Thousand Dollars (\$5,000) or less at a private sale provided that:

- a) A resolution giving reason for action, fixing the minimum price and the terms of the sale are adopted by the Board.
- b) Notice of the resolution and proposed sale is published at least fifteen (15) days prior to the sale in the official journal.
- c) The sale is made to the person with the highest bid.

Surplus/Obsolete Computer Equipment

Prior to the sale of surplus electronic devices, any political subdivision of the state is authorized to transfer surplus electronic devices to a nonprofit entity that is certified by R2 Solutions or the e-Stewards Initiative. In exchange for the electronic device, the nonprofit entity shall perform services that are proportionate to at least the value of the electronic device. These services, at a minimum, include pick up from the location specified by the transferring political subdivision and erasure of the hard drives or memory of the electronic device to certified standards in order to ensure personal privacy protection. The nonprofit shall also ensure environmental protection of the electronic device by a responsible recycling process that guarantees the electronic device shall not be disposed of in a sanitary landfill or solid waste disposal facility, as defined in R.S. 30:2153.

When used in the above section, electronic device shall mean a device or a component thereof that contains one or more circuit boards and is used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to desktop and laptop computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders, compact disc players, digital video disc players, MP3 players, telephones, including cellular and portable telephones and stereos.

The District will ensure all data is removed for surplus/obsolete computers by removing all surplus/obsolete computer hard drives, labeling each with the serial number and assigned user, retain hard drives for a period of two (2) weeks for destroying/disposing of them. The District shall retain documentation regarding the destruction and disposal.

Auctions

The District may sell movable surplus property through an Internet computer auction (R.S. 33:4711.1). The District may also decide to sell surplus movable property at public auction and may employ qualified auctioneers, with all sales being made at a price which is not less than required by law, and all sales advertised with the right to reject any and all bids and remove any items from the sale (R.S. 49:125).

Lost and Found Items

For all District facilities all items left or “lost” on premise shall be held for retrieval for six (6) months; at the expiration of which time, the item shall be considered surrendered to TPCG and offered for sale as surplus property. Identification for retrieval of “lost” items shall be within the discretion of the district manager.

Donation or Exchange of Surplus Movable Property

The District may donate or exchange surplus movable property without bid or notice between or among political subdivisions whose functions include public safety (R.S. 38:2319.21). Any public procurement unit is allowed to sell or acquire, from any other public procurement unit, materials, supplies and equipment without the necessity of public bid and/or advertisement (R.S. 39:1703). This includes purchases at an auction that is conducted by another public entity.

See **Appendix 7D** for Surplus/Obsolete Form.

7.4 PURCHASE OF IMMOVABLE PROPERTY

Qualified appraisals are required. Notwithstanding any other provision of law to the contrary, no political subdivision shall purchase immovable property with a value greater than three thousand dollars unless the property has been appraised by a qualified appraiser prior to such purchase. No such appraisal shall include the value of improvements proposed to be made to the property after purchase by the political subdivision. (R. S. 33:4712.10)

SECTION 13. DEBT SERVICE

When the District is implementing their 5-year capital plan, it may be necessary to receive the funding through long-term borrowing to finance the projects. When the District determines this is necessary, they should hire Bond Counsel to help guide them through the process.

13.1 DEBT ISSUANCE APPROVAL

The District needs to receive Council approval before moving forward with any step when seeking to issue debt. Once the Council approval is achieved, the District must also receive the State Bond Commission (SBC) approval. In order to receive SBC approval, the District must submit an application requesting the authority to incur debt or levy related taxes. SBC staff will review the application for compliance with applicable laws and feasibility (including the ability to repay the debt). Once the application is reviewed and in order, it will be placed on the agenda for consideration by the SBC. At this meeting the SBC can approve, reject or defer action on the application.

If approved, the District's Board and Terrebonne Council will formally approve any external financings or refinancing arrangements (this includes the selection and use of legal, accounting and any other professional service providers that are needed)

13.2 DEBT RESERVE REQUIREMENT

The debt instrument will identify any and all debt reserve requirements the District must comply with. This includes establishing sinking fund accounts, reserve accounts and/or contingency accounts. If these debt reserve requirements are not met the SBC will be notified in writing and disclosure under the *Continuing Disclosure Requirements* would likely be required.

13.3 DEBT SERVICE REQUIREMENT

The District must meet all debt service requirements (principal, interest, premium or other payments). If the District doesn't meet its debt service requirements the SBC must be notified in writing. The Legislative Auditor must be notified in writing either on or before 120 days before the due date of such payment, or as soon as the District knows it will fail to meet debt service requirements. If these debt service requirements are not met, disclosure under the *Continuing Disclosure Requirements* would likely be required.

When the District funds debt service with a tax millage, the District should not collect more in taxes that is reasonable for debt service, which is one year of excess collections. When the related debt is paid off, the District must stop collecting the millage and the over collected amount may need to be refunded.

13.4 CONTINUING DISCLOSURE REQUIREMENT

For non-municipal securities, such as private placement bond issues (i.e., those sold in a private sale to one or a few investors, such as a bank) and other types of debt instruments, the District must comply with all continuing disclosure requirements included in the specific debt instrument (e.g., requirement for annual audit report to be submitted to the bank).

For municipal securities, defined as any securities issued by a public entity that are subject to continuing disclosure requirements under the Securities and Exchange Commission (SEC) Rule 15c2-12, the District must comply with both federal and state law. The requirements of the SEC Rule generally apply to all publicly offered bond issues (i.e. those sold to the public via an underwriter using an official statement), generally excluding issuers who offer municipal securities with an aggregate principal amount of \$1 million or less.

The continuing disclosure requirements apply to “obligated persons.” An obligated person is generally an entity which is responsible for the repayment of the bonds or has pledged its own revenues or assets to the repayment of the bonds. The obligated person may or may not be the issuer of the bonds. Therefore, the District will determine if they are the obligated person who is responsible for continuing disclosure requirements after issuing the debt. The official statement for a bond issue usually includes an appendix (“Form of Continuing Disclosure Agreement”) which sets forth the specific continuing disclosure reporting obligations for the particular bond issue.

LA R.S. 39:1438(C) requires the District to continuously maintain (1) a list of all Louisiana municipal securities for which the District is the issuer or an obligated person; (2) a copy of all continuing disclosure agreements to which the District is a party; and (3) if pursuant to a continuing disclosure agreement to which the District is a party, the District is responsible for filing notices of changes in bond ratings and a list of current ratings for such securities, if any.

All records required by LA R.S. 39:1438(C) are subject to inspection by District’s auditor, whether the Legislative Auditor or CPA.

SECTION 14. SUMMER CAMPS

The District may choose to hold a summer camp within their district that provides recreation and education programs and activities at their facilities, during the summer, for a certain period of time. This is based on a State of Louisiana Attorney General's Opinion from February 2018 which states, "It is the opinion of this office that the quoted excerpts of the recreation districts' millage calls are broad enough to encompass the operation of summer programs for needy youth at the districts' facilities." "As such, tax proceeds of a parish's recreation district may be spent to operate summer programs for needy youth in the district, so long as the activities of any such programs primarily take place at the recreation district's facilities." Programs and activities are assumed to be provided for by camp staff for participants on site.

If funding is available in the Parishwide Recreation Fund, TPCG Administration and Council may budget supplemental funding to Recreation Districts for summer camps. The amount each District is supplemented is factored by services the camp provides to the community and are not meant to reimburse any district for specific programs, activities, or offerings available to the participants.

Supplemental funding amounts made to Recreation Districts relative to summer camp funding is based on the following criteria:

1. Number of participants registered in each program/camp.
2. Hours per day of the program/camp is offered.
3. Available days of the week the program/camp is offered.
4. Number of weeks or days total the program/camp is offered.

Supplemental funding is not intended to reimburse recreational programs for travel, trips, rentals, or other paid services to support the offerings of a program.

The supplement will be calculated, divided, and distributed based on the actual structural components of the program outlined above and not on specific activities, outings, trips or any other aspect of the actual money spent or participant offerings that may take place at any individual camp. Due to each District setting up their own policies and procedures as well as hours of operation and services, some programs offer more availability of service to the public than others, the supplemental funding may not be an even split.

Recreation Districts hosting summer camp programs are responsible for each camps planning and funding through each Recreation Districts millage, donations, sponsorships or charged user

fees and should not pre-calculate any supplement monies as covering the cost of anything other than offsetting operational costs according to the above listed structure of the camp.

Appendix 14A provides Recreation District Responsibilities, TPCG Responsibilities as well as important dates, information and documents needed for the supplemental summer camp funds.