

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
APRIL 19, 2010**

The City Council of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Monday, April 19, 2010 at 10:00 o'clock A.M.

There were present: Councilmen Hebert, Richard, Taylor, Mire and Badeaux

There were also present: Mayor Charles Caillouet and Germaine Jackson.

Students from E.D. White High School and Thibodaux High School were also in attendance for Student Government Day.

The minutes of the April 6, 2010 Council Meeting were approved as written.

Councilman Hebert introduced an ordinance authorizing the Mayor to execute a Cooperative Endeavor Agreement with the Lafourche Parish Government (Portable Radios-2008). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 4, 2010.

Councilman Taylor introduced an ordinance authorizing the Mayor to execute a Cooperative Endeavor Agreement with the Lafourche Parish Government (Portable Radios-2009). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 4, 2010.

Councilman Richard introduced an ordinance authorizing the Mayor to execute a Cooperative Endeavor Agreement with Nicholls State University (Ardoyne Drive and Afton Drive Resurfacing). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 4, 2010.

Councilman Mire introduced an ordinance authorizing the Mayor to execute Amendment No. 1 to the Cooperative Endeavor Agreement with the State of Louisiana Facility Planning and Control. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 4, 2010.

The Finance Director informed the Council Administrator that in order for the City to comply with GASB 45, the City must obtain an updated actuarial evaluation of post employment benefits other than pension benefits in order to record the expense and liabilities in the financial statements. The proposed Professional Services Contract will provide the required evaluation for the years 2010 and 2011.

The cost for a full valuation for the Year 2010 is \$5,500. If another full valuation is required for the Year 2011 the cost will be \$5,750, but if there are no significant changes and the 2010 valuations are utilized for the year 2011, a fee of \$1,000 would be incurred for the preparation of the necessary disclosures and information required to be included in the financial statements.

On motion of Councilman Taylor, seconded by Councilman Mire, the Council voted to adopt a resolution authorizing the Mayor to sign a Professional Services Contract with L&E Actuaries and Consultants. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

RESOLUTION NO. 1543

**A RESOLUTION AUTHORIZING THE MAYOR TO
SIGN AN PROFESSIONAL SERVICES CONTRACT
WITH L & E ACTUARIES AND CONSULTANTS**

BE IT RESOLVED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, The Governmental Accounting Standards Board (GASB) has issued Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, which addresses how state and local governments should account for and report their costs and obligations related to postemployment healthcare and other non-pension benefits; and

WHEREAS, in order to comply, the City needs to obtain an actuarial evaluation of post employment benefits other than pension benefits, and based on the actuarial evaluation, the City will have to record expense and liabilities in the financial statements for the years 2010 and 2011; and

WHEREAS, the Mayor has selected L & E Actuaries and Consultants to prepare the GASB Statement No. 45 valuations; and

WHEREAS, it is necessary to execute a professional services contract with the said company for the services to be rendered.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a professional services contract with L & E Actuaries and Consultants for the services rendered to the City in conjunction with the GASB Statement No. 45.

BE IT FURTHER RESOLVED that a copy of the said agreement is attached hereto as "Exhibit A" and thereby made a part hereof.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAIN: None
ABSENT: None

And the above resolution was declared adopted this 19th day of April 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The Public Works Director advised the Council Administrator that the Senior Citizens Parking Lot Addition is substantially complete in accordance with all contract documents and specifications. The engineer for this project is Leonard Chauvin.

It is necessary for the Council to adopt a resolution of substantial completion which will commence the 45 day lien period on this contract.

On motion of Councilman Hebert, seconded by Councilman Taylor the Council voted to adopt a resolution of substantial completion for the Senior Citizens Center Parking Lot Addition. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire

NAYS: Councilman Badeaux

ABSTAINED: None

ABSENT: None

RESOLUTION NO. 1544

BE IT RESOLVED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the City of Thibodaux entered into a contract with Byron E. Talbot Contractors dated March 2, 2010 for construction of the Senior Citizens Center Parking lot Addition; and

WHEREAS, the work under the aforementioned contract was substantially complete in accordance with the plans and specifications by the contractor on April 9, 2010; and

WHEREAS, a final inspection was conducted by representatives of the City and the Project Engineer; and

WHEREAS, all work was found to be satisfactory for acceptance with respect to the application for payment by the contractor less and except any items included on a punch list.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux in regular session on April 19, 2010 that the work under the aforementioned project be and is hereby accepted as substantially complete on the date hereinbefore specified.

BE IT FURTHER RESOLVED that the Council Administrator is hereby authorized to file with the Clerk of Court of the Parish of Lafourche, a certified copy of this resolution in order to commence the 45 day lien period.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Leonard Chauvin, Project Engineer, 627 Jackson Street, Thibodaux, LA 70301, and to Byron E. Talbot Contractor, Inc., PO Box 5658, Thibodaux, LA 70302.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire

NAYS: Councilman Badeaux

ABSENT: None

ABSTAIN: None

And the above resolution was declared adopted this 19th day of April 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The City Attorney informed the Council Administrator that the owners of Advance Auto Parts are in the process of purchasing the store from their current landlord, and they would like to enter into an agreement with the City to solve a reciprocal access issue.

The Easement Agreement would allow the City to utilize the area on the side of its building for parking and access to parking spots from Advance Auto's parking lot. In return, the City will allow Advance Auto's delivery trucks to use a portion of the City's property for backing up.

On motion of Councilman Mire, seconded by Councilman Richard the Council voted to adopt an ordinance authorizing the Mayor to execute an Easement Agreement with Advance Stores Company. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2509

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT WITH ADVANCE STORES COMPANY

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the City has been approached by the owners of Advance Auto Parts on the Corner of Jackson Street and St. Mary Street concerning the adjoining parking areas of the store and the City property next door; and

WHEREAS, it has been determined that the parking area for the City of Thibodaux Offices encroaches on the property owned by Advance Stores Company and that the large delivery trucks to Advance Auto Parts utilize a portion of the City's property to negotiate the turn into the store parking area; and

WHEREAS, both parties are willing to enter into a reciprocal easement agreement that will stipulate the conditions under which each party may utilize each other's property for parking purposes and to accommodate the large delivery trucks to the store; and

WHEREAS, it is necessary to authorize the execution of the easement agreement by the adoption of an appropriate ordinance.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux that the Mayor is hereby authorized to execute an easement agreement with Advance Stores Company to solve a reciprocal access issue as outlined hereinabove.

BE IT FURTHER ORDAINED that a copy of the servitude agreement is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

And the above ordinance was declared adopted this 19th day of April 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The City Attorney informed the Council Administrator that the City wishes to enter into a Cooperative Endeavor Agreement with the State of Louisiana, Department of Social Services for the establishment of a Disaster Supplemental Nutrition Assistance Program (DSNAP) distribution site in the City of Thibodaux.

The Cooperative Endeavor Agreement provides for the City to provide the use of the Peltier Park Recreation Center to the Department of Social Services in the event that there is a need to distribute emergency food stamp relief in our area.

On motion of Councilman Hebert, seconded by Councilman Taylor the Council voted to adopt an ordinance authorizing the Mayor to execute a Cooperative Endeavor Agreement with the State of Louisiana, Department of Social Services. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

ORDINANCE NO. 2510

**AN ORDINANCE AUTHORIZING THE MAYOR TO
EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT
WITH THE STATE OF LOUISIANA, DEPARTMENT OF SOCIAL
SERVICES**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the City wishes to cooperate with the Louisiana Department of Social Services in the event of a disaster that would warrant the operation of a Disaster Supplemental Nutrition Assistance Program (DSNAP) site in the City of Thibodaux; and

WHEREAS, the City agrees to assist the Department of Social Services in the operation of a DSNAP site by providing the Peltier Park Recreation Center located at 151 Peltier Park Drive for use as a DSNAP Site; and

WHEREAS, the provisions of this Agreement shall be effective from June 1, 2010 through November 30, 2010; and

WHEREAS, in order to establish the responsibilities of both parties it is necessary to execute a cooperative endeavor agreement with the State of Louisiana, Department of Social Services outlining the terms and purpose of the cooperative effort between the two public agencies; and

WHEREAS, in order for the City to execute this proposed agreement it is necessary for the Council to authorize the Mayor to execute the said cooperative endeavor agreement.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor is hereby authorized to execute a Cooperative Endeavor Agreement with the State of Louisiana, Department of Social Services under the conditions mentioned hereinabove.

BE IT FURTHER ORDAINED that a copy of the said agreement is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 19th day of April 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Lloyd "Chip" Badeaux, President

