

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON TUESDAY MAY 28, 2019, 8:00 A..M. AT CITY HALL, 120 S. IRMA BLVD.

MEMBERS PRESENT:

Mayor Barney Arceneaux
Councilman Tyler Turner
Councilman Neal Bourque

Councilman David Guitreau
Councilman Kirk Boudreaux
Councilman Harold Stewart

MEMBERS ABSENT: NONE

ALSO PRESENT:

Jackie Baumann, Acting City Clerk
Lisa Babin, Administrative Secretary

Brandon Bourque, Acting City Attorney

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to approve the Minutes of the City Council Meeting taken, May 13, 2019.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart,

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Neal Bourque to approve the request of Jeanette Cox with EDANB "Each Day a New Beginning" for a Special Event Permit to hold a "Spring in the Park" Fundraising Event at Jambalaya Park on Saturday June 22, 2019 from 10:00 a.m. to 4:00 p.m.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart,

NAYS: NONE

ABSENT: NONE

Motion by Councilman Tyler Turner to adopt Resolution No. 2880: A Resolution of the City of Gonzales, Louisiana Approving and Authorizing the purchase of 4 acres of real property located in the City of Gonzales and approving and authorizing the execution of associated documents to said sale.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart,

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4093:

AN ORDINANCE CREATING THE "PACE CENTER ECONOMIC DEVELOPMENT DISTRICT OF THE CITY OF GONZALES, STATE OF LOUISIANA" TO ENCOURAGE ECONOMIC DEVELOPMENT PROJECTS IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DEFINING THE BOUNDARIES THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

WHEREAS, the City of Gonzales, State of Louisiana (the "City"), acting through this Mayor and City Council as its governing authority, desires to avail itself of the Act to create an economic development district to be called the "PACE Center Economic Development District of the City of Gonzales, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

WHEREAS, in accordance with the Act, particularly La. R.S. 33:9038.32(B) and a resolution adopted by this governing authority on April 22, 2019, the City has given notice of its intention to create the District, and notice that it will hold a public hearing relative to the proposed creation of the District, including a description of the boundaries of the District and containing a map showing the boundaries of the District, which notice has been published two times in the City's official journal; and

WHEREAS, on this date, prior to the adoption of this ordinance, this governing authority did hold a public hearing pursuant to the aforesaid notice of intention, at which public hearing no objections were received with respect to the creation of the District.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Mayor and City Council, acting as the governing authority of the City of Gonzales, State of Louisiana, that:

SECTION 1. All of the above "Whereas" clauses are adopted as part of this ordinance.

SECTION 2. Creation of District. Under the authority of La. R.S. 33:9038.32 there is hereby created an economic development district within the City, to be named "PACE Center Economic Development District of the City of Gonzales, State of Louisiana" having the geographical boundaries set forth in Exhibit A attached hereto, which Exhibit A is hereby incorporated in and made a part of this Ordinance, all pursuant to the Act. As provided by the Act, the governing authority of the District shall be this Mayor and City Council. As provided by the Act, the District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided in the Act and other law.

SECTION 3. Authorization of Officers. The Mayor and the City Clerk are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 4. Severability. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 5. Repealer. All ordinances or resolution, or parts thereof, in conflict herewith are hereby repealed.

SECTION 6. Publication; Effective Date. This ordinance shall be published one time in the official journal of the City, and shall become effective immediately.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

ABSTAINING: NONE

Final vote on Ordinance No. 4094:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE
CHAPTER 10. FLOODPLAIN REGULATIONS ARTICLE III.
STANDARDS. SEC.10-52 SPECIFIC STANDARDS. (CHANGE)
(1), (3) b, AND (3) c. TO READ:

BE IT ORDAINED, By the Mayor and City Council of the City of Gonzales, Louisiana.
That section 10-52 of the City of Gonzales Code of Ordinance is hereby amended to read as follows:

CHAPTER 10. FLOODPLAIN REGULATIONS.

Sec. 10-52. Specific Standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 10-7, 10-32(7) or 10-54(b), the following provisions are required:

(CHANGE) (1) To read:

(1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, utilities, machinery, and ductwork elevated to one foot or more above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the local flood administrator that the standard of this subsection, as proposed in section 10-33(b) is satisfied.

(3) *Manufactured homes:*

(CHANGE) (3) b. To read:

b. Require that manufactured homes, including utilities, machinery, and ductwork, that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites: (i) outside of a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(CHANGE) (3) c. to read:

c. Require that manufactured homes, including utilities, machinery, and ductwork be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either: (i) The lowest floor of the manufactured home is at one foot or more above the base flood elevation; or (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance 4095:

AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF GONZALES TO ACQUIRE A 5% OWNERSHIP INTEREST OF A CERTAIN ADJUDICATED PROPERTY PURSUANT TO L.A.R.S. 47:2236, NAMELY LOT NUMBER FORTY-FIVE (45) OF VALENTINE WOODS SUBDIVISION, TO AUTHORIZE SUCH ACTIONS AS NECESSARY TO ACQUIRE SUCH OWNERSHIP, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Louisiana Revised Statute 47:2236 authorizes political subdivisions to acquire full ownership of adjudicated property;

WHEREAS, a 5% interest in and to Lot 45 of Valentine Woods Subdivision, said property being more fully described below, was adjudicated to the City of Gonzales for unpaid taxes in 2009 on May 28, 2009, said adjudication recorded in the records of Ascension Parish at Instrument No.: 723860;

WHEREAS, more than five years have elapsed from the filing of the tax sale certificate for said property;

WHEREAS, pursuant to Louisiana Revised Statute 47:2236 the City of Gonzales declares its intention to acquire a full ownership interest in the above-described property; and

WHEREAS, the City of Gonzales and Parish of Ascension shall enter into a Cooperative Endeavor Agreement wherein the Parish of Ascension shall waive or quitclaim any and all right, title and interest to Lot 45 of Valentine Woods Subdivision acquired by virtue of a prior 2009 adjudication to the City of Gonzales.

NOW, THEREFORE, BE IT ORDAINED by the Gonzales City Council that:

Section 1. In accordance with Louisiana Revised Statute 47:2236 *et seq.*, the City of Gonzales does hereby declare its intention to acquire a 5% ownership interest in the following property which has been adjudicated to it, namely:

One (1) certain lot or parcel of ground, together with all of the buildings and improvements thereon, situated in the Parish of Ascension, State of Louisiana, in that subdivision thereof known as VALENTINE WOODS, and being more particularly described in accordance with the official map of said subdivision, a copy of which is on file and of record in the office of the Clerk and Recorder for the said Parish and State at Map No. 217030, as LOT NUMBER FORTY-FIVE (45), said lot having such measurements and dimensions as shown on the map.

Section 2. In accordance with Louisiana Revised Statute 47:2236(B), a copy of this ordinance shall be filed with the recorder of mortgages of the Parish of Ascension and indexed in the name of the City and tax debtor as mortgages. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the ordinance shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the City Administrator.

Section 3. In accordance with Louisiana Revised Statute 47:2236(C) and (D), notice shall be given to all persons whose interests the City intends to terminate, and notice shall be published in the official journal. Both notices shall state that the tax sale parties shall have sixty days after the date of the notice to redeem the property or otherwise challenge the acquisition in a court of competent jurisdiction.

Section 4. In accordance with Louisiana Revised Statute 47:2236 (E), if the property is not redeemed within said time limits, this ordinance shall become operative and the City of Gonzales shall acquire full ownership of the properties, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth above

Section 5. The notice shall constitute a notice of sale. The sending of this notice shall constitute service of the notice of sale under Article VII, Section 25 of the Constitution of Louisiana. The notice required by this Ordinance shall be sufficient, and it shall not be necessary to determine whether notice of the tax sale or any other notice was given. The notice shall be sufficient if it conforms with Louisiana Revised Statute 47:2236(C)(2).

Section 6. If the property is not redeemed within the time limit set forth in this Ordinance, the ordinance shall become operative, and the City of Gonzales shall acquire a 5% ownership interest in the property, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth in this Ordinance. In accordance with Louisiana Revised Statute 47:2236 (E), notice shall be filed in the conveyance records of Ascension Parish indicating that the City of Gonzales has acquired a 5% ownership interest. The notice shall be sufficient if it conforms with Louisiana Revised Statute 47:2236(E).

Section 7. In accordance with Louisiana Revised Statute 47:2236 (F), the City of Gonzales shall cause to be filed an affidavit indicating how the tax sale parties whose interest the City of Gonzales intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication. Said notice shall be indexed under the names of the tax debtors and the City of Gonzales as mortgagors. The affidavit shall be sufficient if it is in the form set forth in La. R.S. 47:2236(F).

Section 8. The filing of the affidavit provided in this Ordinance with the recorder of mortgages of Ascension Parish shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

Section 9. BE IT FURTHER ORDAINED, that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to approve the only bid received from the Request for Proposal (RFP) for the City of Gonzales to purchase a used Medium Duty Ambulance. The Bid proposal was from Ledet's Auto Sales, LLC in the amount of \$46,000.00.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to approve fixing the cities index price for natural gas for the next 12 months at a range beginning at \$ 2.75 not to exceed \$ 2.85 per MCF.

YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman David Guitreau to adopt Resolution No. 2881: A Resolution authorizing Mayor Barney Arceneaux to sign the Loan Application for the SRF funds to be used for the improvements to relocate the existing 16" water mains on Roddy Road.

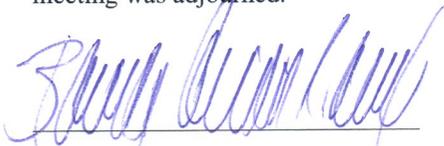
YEAS: Councilman Tyler Turner, Councilman Neal Bourque, Councilman David Guitreau,
Councilman Kirk Boudreaux, Councilman Harold Stewart

NAYS: NONE

ABSENT: NONE

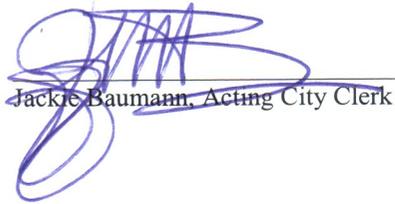
The Acting City Clerk stated the City Council Members have been provided with a copy of the revenue and expense compared to budget report in the City Council Members packets. The city is within budget. No discussion was required or requested by the City Council Members.

There being no further business to come before the City Council and upon a motion duly made and seconded, the meeting was adjourned.



Barney Arceneaux, Mayor

ATTEST:



Jackie Baumann, Acting City Clerk