

December 14, 2015

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on December 14, 2015 at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
DENNIS BERGERON, Council Representative of District 2
VERONICA ALLISON, Council Representative of District 3
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Harry Montgomery, followed by the reciting of the Pledge of Allegiance led by Mr. Favre.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Moss seconded by Mr. Favre that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Favre seconded by Mr. Moss that item #27 be added as follows:

Resolution approving liquor license for Sulphur Truck Stop & Casino, 2510 South Cities Service Hwy.

Mayor Duncan stated that this item was being added due to the agenda already being published. There was no comment from the public.
Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Moss that item #28 be added as follows:

Resolution accepting Substantial Completion for Reconstruction of First Avenue.

Mayor Duncan stated that this item was being added due to the agenda already being published. There was no comment from the public.

Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Moss that item #9 be removed from the agenda. The applicant requested that it be put on January 11, 2016 agenda.

Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Favre that the agenda stand as changed. Motion carried.

The first item on the agenda is a Presentation by Armed Forces Committee. The committee presented a certificate to William Covington and thanked him for his years of service.

The next item on the agenda is an introduction of the Mayor's Youth Advisory Committee. Kaitlyn Gallegos, Public Relations, introduced the committee.

The next item on the agenda is a public hearing on ordinance (*Executive EDD*) providing for the levy and collection of a two percent (2%) sales and use tax and a two percent (2%) hotel occupancy tax (collectively, the "*tax*") by the Executive Economic Development District (the "*District*") for a period of thirty (30) years beginning April 1, 2016, in accordance with the provisions and terms of Chapter 2D of Subtitle II, Section 47 of the Louisiana Revised Statutes of 1950, as amended (the "*uniform local sales tax code*"); and providing for other matters with respect thereto. (Sulphur Group). Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1354, M-C SERIES

ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF A TWO PERCENT (2%) SALES AND USE TAX AND A TWO PERCENT (2%) HOTEL OCCUPANCY TAX (COLLECTIVELY, THE “*TAX*”) BY THE EXECUTIVE ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”) FOR A PERIOD OF THIRTY (30) YEARS BEGINNING APRIL 1, 2016, IN ACCORDANCE WITH THE PROVISIONS AND TERMS OF CHAPTER 2D OF SUBTITLE II, SECTION 47 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (THE “*UNIFORM LOCAL SALES TAX CODE*”); AND PROVIDING FOR OTHER MATTERS WITH RESPECT THERETO.

WHEREAS, the Executive Economic Development District (the “*District*”) was created by the City of Sulphur (the “*City*”) pursuant to an ordinance adopted by the City Council of the City of Sulphur, acting as the governing authority of the City, on November 9, 2015, as an economic development district pursuant to the provisions of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 33:9038.42, inclusive), and other constitutional and statutory authority (the “*Act*”);

WHEREAS, the Act authorizes the District to levy up to two percent (2%) of sales and use taxes and up to two percent (2%) hotel occupancy taxes, or any combination thereof, within the boundaries of the District, above and in addition to any other sales taxes or hotel occupancy taxes, or combination of such taxes, then in existence or permitted to be in existence in the District and to pledge the collections of such taxes to assist in financing a project creating economic development;

WHEREAS, on November 9, 2015, in accordance with the provisions of the Act, the Board of Directors of the District, acting as the governing authority of the District (the “*Board*”) adopted a resolution giving notice of its intention (the “*Notice of Intent Resolution*”) to levy and collect a sales tax of two percent (2%) and a hotel occupancy tax of two percent (2%) (collectively, the “*Tax*”), such Tax to be levied and collected for a duration of thirty (30) years from the year of first assessment;

WHEREAS, the Notice of Intent Resolution authorized the publication of an “Official Public Notice of the Intent to Levy Sales Taxes and Hotel Occupancy Taxes Within the Executive Economic Development District as Described Herein” (the “*Public Notice*”), which Public Notice included the date, time, and place of a public hearing on the intent to levy said taxes and was published in the *Southwest Daily News*, the official journal of the District, once a week for two consecutive weeks on November 13, 2015, and November 18, 2015, with the first publication occurring no more than sixty (60) days nor less than thirty (30) days before such public hearing prior to the consideration of this Ordinance by the District, all as required by the Act and other applicable statutory authority;

WHEREAS, the Public Notice was transmitted by email to each state senator and representative in whose district all or a portion of the District is located no more than sixty (60)

days nor less than thirty (30) days before such public hearing prior to the consideration of this Ordinance by the District in accordance with Section 19.1(A)(1)(a) of Title 42 of the Louisiana Revised Statutes of 1950, as amended;

WHEREAS, Sulphur Group, L.L.C. (the “*Company*”), owns property within the boundaries of the District and desires to develop the property through the construction of a development that will include hotels, retail, and general commercial developments but shall not include any residential development, and to thereby stimulate the local economy and facilitate the continuing effort to develop and revitalize the City (the “*Project*”);

WHEREAS, the District has determined that the Project constitutes an economic development project under the Act and serves a public purpose;

WHEREAS, the City, the District, and the Company have entered into that certain Cooperative Endeavor Agreement dated as of December 1, 2015 (the “*Agreement*”) whereby the District agreed to levy a new two percent (2%) sales and use tax and a new two percent (2%) hotel occupancy tax within the District and pledge the revenues from the net avails and proceeds of such taxes for the benefit of the Company in completing and operating the Project;

WHEREAS, the Registrar of Voters of the Parish of Calcasieu has certified that no qualified electors reside within the boundaries of the District;

WHEREAS, the public hearing on the intent to levy the Tax was held on December 14, 2015 prior to the consideration of this Ordinance by the District in accordance with the Act;

WHEREAS, the District has all the powers of a political subdivision and special taxing district necessary or convenient for the carrying out of its objects and purposes; and

WHEREAS, pursuant to the provisions of the Act, the Board of Directors of the District, acting as governing authority for the District, now desires to levy of the Tax and to pledge the revenues from the net avails and proceeds of the Tax for the benefit of the Company in completing and operating the Project.

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the Executive Economic Development District, City of Sulphur, State of Louisiana (the “*District*”), acting as the governing authority of the District that:

SECTION 1. District Tax. The levy of the Tax in favor of the District upon the sale at retail, the use, the lease or rental, the consumption, the distribution and storage for use or consumption, of tangible personal property, and upon the sale of services in the District, and upon the rent or fee of occupancy for any establishment engaged in the business of furnishing sleeping rooms, cottages or cabins to transient guests, where such establishment consists of six (6) or more sleeping rooms, cottages or cabins at a single business location, shall be assessed, imposed, collected, paid, and enforced, in the manner and subject to the terms and provisions of the Uniform Local Sales Tax Code, the provisions of which are incorporated by reference herein.

Proceeds of the Tax described in this section, after payment of all reasonable and necessary costs and expenses of administering and collecting the Tax described herein and payment of all administrative costs of the City or the District in connection with the Project, shall be allocated, distributed, and used by the District in the manner and for the following purposes: (i) first, to pay the principal of and interest on the bonds issued by the District in connection with the Project, if any; (ii) second, to the Company solely to pay cost and obligations or to reimburse itself for such costs and obligations incurred in connection with the Project; and (iii) finally, for any lawful purpose of the District.

SECTION 2. Integrated Bracket Schedule Applicable to Collection. The Tax described in Section 1 shall be collected on the basis of the applicable integrated bracket schedule prescribed by the Collector of Revenue, State of Louisiana, pursuant to Section 304 of Title 47 of the Louisiana Revised Statutes of 1950, as amended (R.S. 47:304). The dealers shall remit to the sales tax collector of the District, the Sales and Use Tax Department of the Calcasieu Parish School Board (the “Collector”) and comply with the Uniform Local Sales Tax Code, particularly La. R.S. 42:337.29., the proportionate part of the sales and use taxes collected in the District in accordance with said integrated bracket schedule.

SECTION 3. Vendor’s Compensation. For the purpose of compensating the dealer in accounting for and remitting the Tax described in this Ordinance, each dealer shall be allowed one percent (1%) of the amount of the Tax due and accounted for and remitted to the Collector in the form of a deduction in submitting his report and/or reports and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 4. Exclusions and Exemptions. The Tax imposed under this Ordinance is subject to specific provisions under La. R.S. 47:305 of the Louisiana State sales and use tax laws and La. R.S. 47:337.9 of the Uniform Local Sales Tax Code. The District has not adopted the optional exclusions or exemptions allowed by Louisiana State sales and use tax law and codified under R.S. 47:337.10, nor shall it adopt any exclusions or exemptions which are not allowed as an exclusion or exemption from Louisiana State sales and use tax. Included within the tax base is every transaction, whether sales, use, lease or rental, or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana.

SECTION 5. Interest. The interest on the unpaid Tax provided for by La. R.S. 47:337.69 shall be at the rate of one and one-fourth percent (1.25%) per month.

SECTION 6. Delinquency Penalty. Penalty on the unpaid Tax as provided by La. R.S. 47:337.70 shall be five percent (5%) of the total tax due if delinquency is for not more than thirty (30) days, with an additional five percent (5%) for each additional thirty (30) days or fraction thereof during which delinquency continues, not to exceed twenty-five percent (25%) in the aggregate.

SECTION 7. Penalty for False or Fraudulent Return. Penalty as provided by La. R.S. 47:337.72 shall be fifty percent (50%) of the Tax found to be due.

SECTION 8. Negligence Penalty. The penalty provided by La. R.S. 47:337.73 shall be five percent (5%) of the Tax or deficiencies found to be due, or ten dollars (\$10.00), whichever is greater.

SECTION 9. Penalty for Insufficient Funds Check. The penalty provided in La. R.S. 47:337.74 shall be an amount equal to or greater of one percent (1%) of the check or twenty dollars (\$20.00).

SECTION 10. Attorney Fees. The Collector is authorized to employ private counsel to assist in the collection of any Tax, penalties or interest due under this Ordinance, or to represent him in any proceeding under this Ordinance. If any Tax, penalties or interest due under this Ordinance are referred to an attorney at law for collection, an additional charge of attorney fees, in the amount of ten percent (10%) of the Tax penalties and interest due, shall be paid by the tax debtor. Additional provisions applicable to attorney fees, inclusive of prevailing party and waiver of such fees, are included under La. R.S. 47:337.13.1 the Uniform Local Sales Tax Code.

SECTION 11. Limits on Interest, Penalty and Attorney Fees. Should the interest, penalties, or attorney fees herein, or the combined interest, penalties, and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

SECTION 12. Collector. All sales and use taxes described in this Ordinance shall be collected by a "Collector" as provided by La. R.S. 47:301(2)(b) shall mean and include the Calcasieu Parish School Board Sales and Use Tax Department, the entity presently collecting sales and use taxes on behalf of the District.

SECTION 13. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this Ordinance, to appoint deputies, assistants or agents to assist in the performance of his duties, and in pursuance thereof to make and enforce such rules as he may deem necessary.

SECTION 14. Disposition of Revenues. All Tax revenues, funds, assessments, monies, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this Ordinance relating to the Tax described herein shall be promptly deposited by the Collector for the account of the District, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

Out of the funds on deposit in such special funds, the Collector shall first pay all reasonable and necessary costs and expenses of administering and collecting the Tax described herein and administering the provisions of this Ordinance, as well as the various administrative and

enforcement procedures. Such costs and expenses shall be reported by the Collector monthly to the District.

In compliance with the levy and collection of the Tax described herein, after all reasonable and necessary costs and expenses of collecting and administration of the Tax have been paid as provided for above, the remaining balance in such special funds shall be available for appropriation and expenditure by the District, solely for the purposes designated herein.

SECTION 15. Accounting for Funds. All funds or accounts described herein may be separate funds or accounts or may be a separate accounting with a general or “sweep” fund or account containing monies from multiple sources so long as separate accounting of such monies is sustained.

SECTION 16. Severability. If any one or more of the provisions of this Ordinance shall for any reason 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 17. Uniform Local Sales Tax Code is Controlling. If any provision of this Ordinance shall be in conflict with the provisions of the Uniform Local Sales Tax Code, the provisions of the Uniform Local Sales Tax Code shall be controlling.

SECTION 18. Effective Date. The levy of the Tax shall be effective on April 1, 2016.

SECTION 19. Term. The Tax shall remain in effect for thirty (30) years (April 1, 2016 through March 31, 2046).

SECTION 20. Publication and Recordation. A copy of this Ordinance shall be duly published in the Southwest Daily News, the official journal of the District, as soon as is reasonably possible. A certified copy of this Ordinance shall be recorded in the mortgage records of Calcasieu Parish, Louisiana.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance creating the Opelram Economic Development District within the City of Sulphur, Louisiana (THE “DISTRICT”); defining the boundaries thereof from which sales tax increments and hotel occupancy tax increments will be determined and used to fund a portion of the costs of an Economic Development Project as described herein, all in accordance with and as authorized by Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; designating the governing authority of the District; requiring the baseline sales tax and hotel occupancy tax collection rate in the District to be certified; and providing for other matters in connection with the foregoing. (property located on north side of West Cal Boulevard). Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1355, M-C SERIES

AN ORDINANCE CREATING THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”) WITHIN THE CITY OF SULPHUR, LOUISIANA; DEFINING THE BOUNDARIES THEREOF FROM WHICH SALES TAX INCREMENTS AND HOTEL OCCUPANCY TAX INCREMENTS WILL BE DETERMINED AND USED TO FUND A PORTION OF THE COSTS OF AN ECONOMIC DEVELOPMENT PROJECT AS DESCRIBED HEREIN, ALL IN ACCORDANCE WITH AND AS AUTHORIZED BY CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DESIGNATING THE GOVERNING AUTHORITY OF THE DISTRICT; REQUIRING THE BASELINE SALES TAX AND HOTEL OCCUPANCY TAX COLLECTION RATE IN THE DISTRICT TO BE CERTIFIED; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

WHEREAS, Opelram, Inc. (the “*Developer*”), has purchased land (the “*Property*”) and plans to construct improvements thereon in the City of Sulphur, State of Louisiana (the “*City*”);

WHEREAS, the Developer intends to develop the Property, through the construction of a development that will include hotels, retail, and general commercial developments but shall not include any residential development, and to thereby stimulate the local economy and facilitate the continuing effort to develop the City (the “*Project*”);

WHEREAS, additional sources of funds are needed in order to complete the Project;

WHEREAS, the Project is expected to create construction jobs during the development phases of the Project and permanent jobs following construction related to the operation of the Project, the majority of which jobs will be entry-level jobs in the retail and commercial market created for lower-income workers, and will thereby be a driving force behind economic development, job creation and growth in the City, and a direct benefit to currently unemployed and low-income residents of the City;

WHEREAS, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, specifically La R.S. 33:9038.31 through 9038.42, inclusive (the “*Act*”), allows local governmental subdivisions to create economic development districts (the “*Economic Development Districts*”) and also allows them and other tax recipient entities to use certain of their incremental sales tax receipts, hotel occupancy tax receipts, and *ad valorem* tax receipts attributable to a new retail development within the boundaries of the Economic Development Districts in excess of the receipts received from within such Economic Development Districts over a base year’s tax collections (collectively, the “*Tax Increments*”) for the development of economic development projects (as defined in the Act), which includes projects that assist commercial, retail and other related industries, as well as any and all projects suitable to any industry determined by the City or an Economic Development District created by the City to create economic development;

WHEREAS, the Act also authorizes Economic Development Districts to levy up to two percent (2%) of sales and use taxes and up to two percent (2%) hotel occupancy taxes, or any combination thereof, within the boundaries of the Economic Development District to assist in financing a project creating economic development;

WHEREAS, the Property currently produces no sales tax or hotel occupancy tax for the City;

WHEREAS, the Developer intends to use tax increment financing in accordance with the Act to provide a portion of the additional funds needed to complete the Project;

WHEREAS, in order to help accomplish the financing of the Project, it is necessary for the City to create an Economic Development District and define its boundaries as hereinafter provided from which the Tax Increments are determined;

WHEREAS, this Council proposes to create an Economic Development District within the City to be known as the “Opelram Economic Development District” (the “*District*”), which District shall levy a new sales and use tax in an amount not to exceed two percent (2%) and levy a new hotel occupancy tax in an amount not to exceed two percent (2%) pursuant to the Act, the proceeds of which shall be made available to finance a portion of the Project;

WHEREAS, in accordance with the Act, prior to the adoption of this Ordinance, a notice describing the boundaries of the District has been published two (2) times in the *Southwest Daily News*, the official journal of the City;

WHEREAS, pursuant to the Act, the City desires to designate the City Council of the City of Sulphur, Louisiana (the “*Council*”), as the governing authority of the District;

WHEREAS, the Council desires to direct the Calcasieu Parish School Board Sales and Use Tax Department, as the collector of the sales and use taxes and hotel taxes levied within the City, to certify the baseline sales tax collection rate, the monthly baseline sales tax collection rate, the baseline hotel occupancy tax collection rate, and the monthly baseline hotel occupancy tax collection rate within the District’s boundaries by executing the Opelram Economic Development District Baseline Sales Tax and Hotel Occupancy Tax Collection Rate Certificate, and, pursuant to the requirements of Section 33:9038.34(C) of the Act, publish the certification in the *Southwest Daily News*, a newspaper of general circulation in the City and the official journal of the City (the “*Official Journal*”), the form of said certificate being attached hereto and made a part hereof as Exhibit C (the “*Baseline Tax Certificate*”).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that:

SECTION 1. The development of the Property through the construction of the Project by the Developer to stimulate the continuing effort to develop the City, to provide a significant number of jobs to unemployed and low-income residents of the City and to increase the sales tax and hotel occupancy tax revenues to be collected from retail and commercial development on the Property is declared to be an economic development project as set forth in the Act.

SECTION 2. Pursuant to the Act, this Council does hereby create an economic development district within the City, known as the “Opelram Economic Development District,” having the geographical boundaries set forth in Exhibit A attached hereto and hereby incorporated in and made a part of this Ordinance, and as thus created and established, said District shall constitute a political subdivision of the State of Louisiana and shall have all the powers granted by the Constitution, the Act, and all other laws of the State of Louisiana.

SECTION 3. The Council is hereby designated, pursuant to the Act, as the governing authority of the District.

SECTION 4. In accordance with the requirements of the Act, there has been published two (2) times in the *Southwest Daily News*, the official journal of the City, a notice describing the boundaries of the District, as well as a notice of introduction of this Ordinance, in the form attached hereto as Exhibit B.

SECTION 5. The Calcasieu Parish School Board Sales and Use Tax Department is hereby requested to take any and all further action and to sign any and all documents and instruments as may be necessary to carry out the purposes of this Ordinance, including the execution of the Opelram Economic Development District Baseline Sales Tax and Hotel Occupancy Tax Collection Rate Certificate in the form attached hereto as Exhibit C.

SECTION 6. The Opelram Economic Development District Baseline Sales Tax and Hotel Occupancy Tax Collection Rate Certificate shall be published once in the *Southwest Daily News*, the official journal of the City.

SECTION 7. The Mayor and his staff are hereby authorized to do any and all things necessary and incidental to carry out the provisions of this Ordinance.

SECTION 8. This Ordinance shall become effective April 1, 2016.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution (*Opelram EDD*) giving Notice of Intention of the Opelram Economic Development District (the “District”) to levy and collect a two percent (2%) Sales and Use Tax and a two percent (2%) Hotel Occupancy Tax within the boundaries of the District; and otherwise providing with respect thereto. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2911, M-C SERIES

A RESOLUTION GIVING NOTICE OF THE INTENTION OF THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”) TO LEVY AND COLLECT A TWO PERCENT (2%) SALES AND USE TAX AND A TWO PERCENT (2%) HOTEL

OCCUPANCY TAX WITHIN THE BOUNDARIES OF THE DISTRICT;
AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Council (the “*Council*”) of the City of Sulphur, State of Louisiana (the “*State*”), the governing authority of the City of Sulphur (the “*City*”), adopted an ordinance on December 14, 2015 creating the Opelram Economic Development District (the “*District*”) as an economic development district pursuant to the provisions of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 33:9038.42, inclusive) (the “*Act*”), and other constitutional and statutory authority;

WHEREAS, the Act empowers the District to levy up to two percent (2%) of sales and use taxes and up to two percent (2%) hotel occupancy taxes, or any combination thereof, above and in addition to any other sales taxes, or hotel occupancy taxes, or combination of such taxes, then in existence or permitted to be in existence in the District;

WHEREAS, in accordance with the Act, the District desires to give notice of its intention to levy and collect a sales and use tax of two percent (2%) and a hotel occupancy tax of two percent (2%) within the boundaries of the District (collectively, the “*District Taxes*”), to be used by the District or Opelram, Inc. (the “*Company*”), in order to finance a portion of the costs of the construction of a development that will include hotels, retail, and general commercial developments but shall not include any residential development, and to thereby stimulate the local economy and facilitate the continuing effort to develop the City (the “*Project*”), including paying the principal of and interest on the bonds issued by the District, if any, to finance the Project;

WHEREAS, there are no qualified electors residing in the District and therefore no election under La. R.S. 33:9038.39 is required prior to the levy of the District Taxes;

WHEREAS, it is in the public interest and within the power and authority vested in the District under the Act to levy and collect the District Taxes.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Opelram Economic Development District, that:

SECTION 1. Pursuant to the Act, the District hereby gives notice of its intention to levy the District Taxes within the boundaries of the District set forth in Exhibit A attached hereto and hereby incorporated in and made a part of this Resolution.

SECTION 2. Prior to the levy and collection of the District Taxes, the Registrar of Voters for Calcasieu Parish, Louisiana will certify on the certificate attached hereto and incorporated herein as Exhibit B, that there are no qualified electors in the District and therefore no election under La. R.S. 33:9038.39 is required.

SECTION 3. The District hereby calls for a public hearing in the course of the District’s meeting on February 8, 2016 at City Hall, 500 N. Huntington Street, Sulphur, Louisiana, beginning at 5:30 p.m., at which hearing the District will hear any objections to the proposed levy of the

District Taxes. A notice of the intent of the District to levy the District Taxes and of the public hearing, in substantially the form attached hereto as Exhibit C, shall be published twice in *Southwest Daily News*, the official journal for the District in accordance with La. R.S. 33:9038.39.

SECTION 4. The Chairman of the District is authorized and empowered to take any and all further action and to sign any and all documents, instruments and writings as may be necessary to carry out the purposes of this resolution and to file, on behalf of the District, with any governmental board or entity having jurisdiction over the Project, such applications or requests for approval thereof as may be required by law.

SECTION 5. This Resolution does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance (*Opelram EDD*) providing for the levy and collection of a two percent (2%) sales and use tax and a two percent (2%) hotel occupancy tax (collectively, the “tax”) by the Executive Economic Development District (the “District”) for a period of thirty (30) years beginning April 1, 2016, in accordance with the provisions and terms of Chapter 2D of Subtitle II, Section 47 of the Louisiana Revised Statutes of 1950, as amended (the “Uniform Local Sales Tax Code”); and providing for other matters with respect thereto. (*public hearing February 8, 2016*). Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be introduced:

ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF A TWO PERCENT (2%) SALES AND USE TAX (THE “*SALES TAX*”) AND A TWO PERCENT (2%) HOTEL OCCUPANCY TAX (THE “*HOTEL TAX*”) BY THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”) FOR A PERIOD OF THIRTY (30) YEARS BEGINNING APRIL 1, 2016, IN ACCORDANCE WITH THE PROVISIONS AND TERMS OF CHAPTER 2D OF SUBTITLE II, SECTION 47 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (THE “*UNIFORM LOCAL SALES TAX CODE*”); AND PROVIDING FOR OTHER MATTERS WITH RESPECT THERETO.

Motion was then made by Mr. Moss seconded by Mr. Favre that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF A TWO PERCENT (2%) SALES AND USE TAX (THE “*SALES TAX*”) AND A TWO PERCENT (2%) HOTEL OCCUPANCY TAX (THE “*HOTEL TAX*”) BY THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”) FOR A PERIOD OF THIRTY (30) YEARS BEGINNING APRIL 1, 2016, IN ACCORDANCE WITH THE PROVISIONS AND TERMS OF CHAPTER 2D OF SUBTITLE II, SECTION 47 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (THE “*UNIFORM LOCAL SALES TAX CODE*”); AND PROVIDING FOR OTHER MATTERS WITH RESPECT THERETO.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of February, 2016, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a resolution (*Opelram EDD*) approving bylaws and designating the officers of the Opelram Economic Development District (the “District”); approving the form of and authorizing the District to enter into a Cooperative Endeavor Agreement by and between the District, the City of Sulphur (the “City”), Louisiana and Opelram, Inc., approving the form of a local services agreement for the collection of Sales and Use and Hotel Occupancy taxes by and between the District, the City, and the Calcasieu Parish School Board; and otherwise providing with respect thereto. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2912, M-C SERIES

OPELRAM ECONOMIC DEVELOPMENT DISTRICT

A RESOLUTION APPROVING BYLAWS AND DESIGNATING THE OFFICERS OF THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”); APPROVING THE FORM OF AND AUTHORIZING THE DISTRICT TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT BY AND BETWEEN THE DISTRICT, THE CITY OF SULPHUR (THE “*CITY*”), LOUISIANA AND OPELRAM, INC.; APPROVING THE FORM OF A LOCAL SERVICES AGREEMENT FOR THE COLLECTION OF SALES AND USE AND HOTEL OCCUPANCY TAXES BY AND BETWEEN THE DISTRICT, THE CITY, AND THE CALCASIEU PARISH SCHOOL BOARD; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Opelram Economic Development District (the “*District*”) is an Economic Development District established by the City Council of the City of Sulphur, Louisiana (the “*Council*”), the governing authority of the City of Sulphur, Louisiana (the “*City*”) by an ordinance adopted by the Council on December 14, 2015 (the “*Creation Ordinance*”) as an economic development district pursuant to the provisions of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9020 through 33:9038.42, inclusive) (the “*Act*”), and other constitutional and statutory authority;

WHEREAS, pursuant to the Act, the Council is the governing authority for the District (the “*District Board*”);

WHEREAS, Opelram, Inc., (the “*Company*”), purchased land and intends to construct

improvements thereon (the “*Property*”) in the City;

WHEREAS, the Company intends to develop the Property, through the construction of a development that will include hotels, retail, and general commercial developments but shall not include any residential development, and to thereby stimulate the local economy and facilitate the continuing effort to develop and revitalize the City (the “*Project*”);

WHEREAS, additional sources of funds are needed in order to complete the Project;

WHEREAS, the Act authorizes the District to levy up to two percent (2%) of sales and use taxes and up to two percent (2%) hotel occupancy taxes, or any combination thereof, within the boundaries of the District to assist in financing a project creating economic development;

WHEREAS, the District intends to levy a two percent (2%) sales and use tax (the “*Sales Tax*”) and two percent (2%) hotel occupancy tax (the “*Hotel Tax*” and, together with the Sales Tax, the “*District Taxes*”) within the boundaries of the District to assist in financing the Project;

WHEREAS, this District hereby finds that (i) the use of the District Taxes by the Company will comport with a governmental purpose (economic development) that the District has legal authority to pursue, (ii) the use of the District Taxes by the Company is not a gratuitous transfer, and (iii) the City, as a result of increased tax receipts and utility revenues, greater employment opportunities and enhanced quality of life in the City, reasonably expects to receive more than equivalent value in exchange for the use of the District Taxes by the Company;

WHEREAS, to effect tax increment financing for the Project, the District desires to enter into a cooperative endeavor agreement (the “*Cooperative Endeavor Agreement*”) by and among the District, the City and the Company to provide for the collection of the District Taxes and the distribution of the District Taxes to the Company in order to provide partial financing of the construction, development and operation of the Project in accordance with Section 14(C) of Article VII of the Louisiana Constitution of 1974, as amended, and the Act;

WHEREAS, the Council adopted a resolution December 14, 2015, approving the form of and authorizing the execution of the Cooperative Endeavor Agreement by the City, and the District desires to approve the form of and authorize the execution of the same;

WHEREAS, to effectuate the most efficient and effective collection of the Sales Tax and the Hotel Tax the District desires to enter into a Local Services Agreement providing for the collection of sales and use and hotel occupancy taxes by and between the District, the City and the Calcasieu Parish School Board, the sole designated sales and use tax and hotel occupancy tax collector for the Parish of Calcasieu (the “*Collection Agreement*”);

WHEREAS, the District Board now desires to adopt By-Laws in the form attached hereto as Exhibit A (the “*By-Laws*”) and to designate the Chairman of the Council as the Chairman of the District Board and to designate the City Clerk of the Council as Secretary-Treasurer of the District Board, in accordance with the By-Laws;

NOW THEREFORE, BE IT RESOLVED by the District Board of the Opelram Economic Development District, that:

SECTION 1. The By-Laws of the Opelram Economic Development District, attached hereto as Exhibit A, are approved. The Chairman of the Council is hereby designated as the Chairman of the District Board and the City Clerk of the Council is hereby designated as Secretary-Treasurer of the District Board, all in accordance with the By-Laws.

SECTION 2. Pursuant to the authority of the Act, the Project as described and defined in the preamble hereto is hereby approved and deemed to be an economic development project and serves a public purpose.

SECTION 3. The District Board hereby approves the form of and authorizes the execution and delivery of the Cooperative Endeavor Agreement by and between the City, the District and the Company (the “*Cooperative Endeavor Agreement*”), the form of which is attached hereto as Exhibit B, with such additions, omissions, or changes as may be recommended by legal counsel to the District.

SECTION 4. The District Board hereby approves the form of and authorizes the execution and delivery of the Local Services Agreement (the “*Collection Agreement*”), the form of which is attached hereto as Exhibit C, with such additions, omissions or changes as may be recommended by legal counsel to the District.

SECTION 5. The Chairman is hereby authorized to execute the Cooperative Endeavor Agreement, the Collection Agreement any and all documents, certificates, instruments and writings as may be necessary to carry out the purposes of this resolution.

SECTION 6. This Resolution does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

SECTION 7. This Resolution shall become effective immediately upon its adoption.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving the form of and authorizing the execution and delivery of a Cooperative Endeavor Agreement by and between the City of Sulphur, Louisiana (the “City”), the Opelram Economic Development District (the “District”),

and Opelram, Inc.; approving the form of and authorizing the execution of a Local Services Agreement for the collection of sales and use and hotel occupancy taxes by and between the City, the District, and the Calcasieu Parish School Board; and otherwise providing with respect thereto. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2913, M-C SERIES

A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A COOPERATIVE ENDEAVOR AGREEMENT BY AND BETWEEN THE CITY OF SULPHUR, LOUISIANA (THE “*CITY*”), THE OPELRAM ECONOMIC DEVELOPMENT DISTRICT (THE “*DISTRICT*”), AND OPELRAM, INC.; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A LOCAL SERVICES AGREEMENT FOR THE COLLECTION OF SALES AND USE AND HOTEL OCCUPANCY TAXES BY AND BETWEEN THE CITY, THE DISTRICT, AND THE CALCASIEU PARISH SCHOOL BOARD; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Council (the “*Council*”) of the City of Sulphur, the governing authority of the City of Sulphur (the “*City*”), adopted an ordinance on December 14, 2015 (the “*Creation Ordinance*”), creating the Opelram Economic Development District (the “*District*”) as an economic development district pursuant to the provisions of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 33:9038.42, inclusive) (the “*Act*”), and other constitutional and statutory authority;

WHEREAS, Opelram, Inc. (the “*Company*”), purchased land located within the District (the “*Property*”) and intends to construct improvements thereon in the City;

WHEREAS, the Company intends to develop the Property, through the construction of a development that will include hotels, retail, and general commercial developments but shall not include any residential development, and to thereby stimulate the local economy and facilitate the continuing effort to develop and revitalize the City (the “*Project*”);

WHEREAS, additional sources of funds are needed in order to complete the Project;

WHEREAS, the Act authorizes the District to levy up to two percent (2%) of sales and use taxes and up to two percent (2%) hotel occupancy taxes, or any combination thereof, within the boundaries of the District to assist in financing a project creating economic development;

WHEREAS, the District intends to levy a two percent (2%) sales and use tax (the “*Sales Tax*”) and two percent (2%) hotel occupancy tax (the “*Hotel Tax*” and, together with the Sales Tax, the “*District Taxes*”) within the boundaries of the District to assist in financing the Project;

WHEREAS, the City desires to enter into a cooperative endeavor agreement (the “*Cooperative Endeavor Agreement*”) by and among the City, the District and the Company to provide for the collection of the District Taxes and the distribution of the District Taxes to the Company in order to provide partial financing of the construction, development and operation of the Project in accordance with Section 14(C) of Article VII of the Louisiana Constitution of 1974, as amended, and the Act; and

WHEREAS, to effectuate the most efficient and effective collection of the Sales Tax and the Hotel Tax the City desires to enter into a Local Services Agreement for the collection of sales and use and hotel occupancy taxes by and between the City, the District and the Calcasieu Parish School Board, the sole designated sales and use tax and hotel occupancy tax collector for the Parish of Calcasieu (the “*Local Services Agreement*”).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sulphur that:

SECTION 1. The foregoing preamble clauses are hereby adopted as set forth in the preamble to this Resolution.

SECTION 2. The Council hereby approves the form of and authorizes the execution and delivery of the Cooperative Endeavor Agreement, the form of which is attached hereto as Exhibit A, with such additions, omissions or changes as may be recommended by legal counsel to the City.

SECTION 3. The Council hereby approves the form of and authorizes the execution and delivery of the Local Services Agreement, the form of which is attached hereto as Exhibit B, with such additions, omissions or changes as may be recommended by legal counsel to the City.

SECTION 4. The Council hereby authorizes the Mayor and the Council Clerk to execute the Cooperative Endeavor Agreement, the Collection Agreement any and all documents, certificates, instruments and writings as may be necessary to carry out the purposes of this resolution.

SECTION 5. This Resolution does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting an Exception to KLEAT, LLC, property located on the northwest corner of Kim Street and Hwy. 90, to allow for a single family dwelling in a Commercial District. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1356, M-C SERIES

ORDINANCE GRANTING AN EXCEPTION TO KLEAT, LLC, PROPERTY LOCATED ON THE NORTHWEST CORNER OF KIM STREET AND HWY. 90, TO ALLOW FOR A SINGLE FAMILY DWELLING IN A COMMERCIAL DISTRICT.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, for an Exception is owned by KLEAT, LLC, to-wit:

COMMENCING AT A POINT WHERE THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, INTERSECTS THE NORTH RIGHT OF WAY LINE OF HIGHWAY 90; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST 1,421.81 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89 DEGREES 31 MINUTES 03 SECONDS EAST 793.62 FEET TO THE WESTERLY RIGHT OF WAY OF A PARISH ROAD; THENCE SOUTH 25 DEGREES 54 MINUTES 51 SECONDS EAST 1,205.27 FEET TO THE NORTHERN RIGHT OF WAY OF HIGHWAY 90; THENCE SOUTH 75 DEGREES 15 MINUTES 24 SECONDS WEST 1,353.13 FEET TO THE POINT OF COMMENCEMENT.

WHEREAS, improvements on the property will include a single family dwelling in a Commercial District in accordance with Article IV, Part III, Section 5 of the Land Use Ordinance of the City of Sulphur, Louisiana.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant an Exception to KLEAT LLC, for the following described property to wit:

COMMENCING AT A POINT WHERE THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, INTERSECTS THE NORTH RIGHT OF WAY LINE OF HIGHWAY 90; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST 1,421.81 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89 DEGREES 31 MINUTES 03 SECONDS EAST 793.62 FEET TO THE WESTERLY RIGHT OF WAY OF A PARISH ROAD; THENCE SOUTH 25 DEGREES 54 MINUTES 51 SECONDS EAST 1,205.27 FEET TO THE NORTHERN RIGHT OF WAY OF HIGHWAY 90; THENCE SOUTH 75 DEGREES 15 MINUTES 24 SECONDS WEST 1,353.13 FEET TO THE POINT OF COMMENCEMENT.

This Exception is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Exception interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Exception, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

That the owner of this Exception shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this ordinance shall be withdrawn and considered null and void.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance zoning property to Bel Commercial, LLC, property south of I-10, east of Hwy. 1256 to Commercial. Motion was made by Mr. Moss seconded by Mr. Favre that the following amendment be made:

An 8 foot tall privacy fence of wood or brick shall be located on all boundaries that abut Residential and Mixed Residential District.

Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1357, M-C SERIES

ORDINANCE ZONING PROPERTY TO COMMERCIAL FOR BEL COMMERCIAL LLC, PROPERTY LOCATED SOUTH OF I-10, EAST OF HWY. 1256.

WHEREAS, Bel Commercial, LLC submitted application to zone the following description property to Commercial since it was not zoned at time of annexation:

(North tract at McNair and 1256)

TRACT #1

That certain tract of land situated in Section 10, Township 10 South, Range 10 West, Calcasieu Parish Louisiana being more particular described as follows:

Beginning at the intersection of roadway centerlines for McNair and LA Hwy. 1256, Calcasieu Parish, Louisiana, Thence S89°06'02"E a distance of 200.33 feet to a point 25 feet more or less North of the Northwest corner of Belle Savanne Phase 1A, Thence S0°53'58"W along the West line of Belle Savanne Phase 1A a distance of 551.57 feet to a point on the North right of way line of Long Hill Drive, Thence N89°06'02"E a distance of 125.0 feet a PC of a curve, Thence Northwestward along a curve to the left having an arc length of 39.27 feet, a radius of 25 feet and a chord bearing N44°06'02"W with a chord distance of 35.36 feet to the West right of way line of LA Hwy 1256, Thence N89°06'01"E a distance of 49.97 feet to the centerline of La Hwy 1256, Thence N0°53'59"E along said centerline a distance of 424.2 feet to the Point of Beginning.

(Middle Tract)

TRACT #2

That certain tract of land situated in Section 10, Township 10 South, Range 10 West,

Calcasieu Parish Louisiana being more particular described as follows:

Commencing at the intersection of roadway centerlines for McNair and LA Hwy. 1256, Calcasieu Parish, Louisiana, Thence S00°53'58"W a distance of 615.87 feet to the Point of Beginning; Thence S89°06'02"E a distance of 199.81 feet, Thence S0°53'58"W a distance of 416.65 feet, Thence S89°06'02"E a distance of 150.0 feet, Thence S0°53'58"W a distance of 374.11 feet to the proposed North right of way line of Carlyss Drive Extension, Thence N89°06'02"W along said proposed North right of way line distance of 138.14 feet, Thence N19°58'15"W a distance of 37.5 feet, Thence N89°06'02"W distance of 48.86 feet to the West line of said Northwest Quarter of the Southeast Quarter, Thence N0°53'58"E a distance of 755.52 feet to the Point of Beginning.

(South Tract, Largest)

TRACT #3

That certain tract of land situated in Section 10, Township 10 South, Range 10 West, Calcasieu Parish Louisiana being more particular described as follows:

Commencing at the intersection of roadway centerlines for Carlyss Drive and La Hwy 1266 (Ruth Street), Calcasieu Parish, Louisiana, Thence S00°53'59"W a distance of 88.68 feet to the Point of Beginning, Thence S89°06'01"E a distance of 48.86 feet, Thence N22°05'06"E a distance of 35.57 feet to the proposed North right of way line of Carlyss Drive Extension, Thence S89°06'02"E along said proposed right of way line a distance of 786.42 feet to the Northwest corner of proposed Belle Savanne Apartment Homes, Thence S0°53'58"W along said west line a distance of 649.05 feet to Southwest corner of proposed Belle Savanne Apartment Homes, Thence N89°06'02"W parallel to the proposed South right of way line of Carlyss Drive Extension a distance of 870.48 feet to the centerline of LA Hwy 1256 (Ruth Street), thence N0°53'58"E along said centerline a distance of 614.1 feet to the Point of Beginning.

WHEREAS, the Land Use Commission granted said zoning on Monday, November 16, 2015 with the following stipulations:

1. Develop a drainage plan and have it approved as part of the Permit process.
2. An 8 foot tall privacy fence of wood or brick shall be located on all boundaries that abut Residential and Mixed Residential District.

BE IT ORDAINED that this ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1340, M-C Series, which rezoned 2641 East Napoleon Street from Business to Commercial. Motion was made by Mrs. Allison seconded by Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1358, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1340, M-C SERIES, WHICH
REZONED 2641 EAST NAPOLEON STREET FROM BUSINESS TO
COMMERCIAL.

WHEREAS, when applicant submitted the property description to rezone 2631-2641 East Napoleon Street, the property description for 2641 East Napoleon was erroneously not submitted.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Ordinance No. 1340, M-C Series, which rezoned 2631-2641 East Napoleon Street from Business to Commercial to include the following property description for 2641 East Napoleon Street:

COM ON N SIDE HWY 90, 325 FT OF W LINE SE NW 36.9.10 E ALONG
HWY 175 FT N TO R/W OF SPRR 165 FT M/L ETC IMPS/03 CB OFFICE
IMPS/00/03 CE DELI/TIRE SHOP IMPS/03/CE WASHATERIA IMPS/RFB 5
UNIT AP IPS/RFB 2 UNIT APT IMPS/RFA 2 UNIT APT IMPS/RFB 7 UNIT
APT BATCHELOR APARTMENTS REF1-JOE PALERMO JR B 1545 P 470 B
1518 P 370 B 1524 P 610 B 1526 P 28-79 REF2-WILBE ROBERT WILDER
AND BEATRICE B 2245 P 257, B 2254 P 400-9 REF3-WILDER, BEATRICE
DUPREE B 2979 P 460-2002

BE IT FURTHER ORDAINED that this ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance accepting Final Plat from Belle Savanne Partners, LLC for Carlyss Place Subdivision Phase I for property located on west side of Wright Road. Mrs. Ellender stated that she would recuse from voting since she sells real estate and may have a potential sell. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1359, M-C SERIES

ORDINANCE ACCEPTING FINAL PLAT FROM BELLE SAVANNE PARTNERS, LLC, FOR CARLYSS PLACE PHASE I FOR PROPERTY LOCATED ON THE WEST SIDE OF WRIGHT ROAD.

WHEREAS, final plat has been submitted by Belle Savanne Partners, LLC; and

WHEREAS, preliminary plat was adopted by the City Council on April 14, 2014; and

WHEREAS, said plat does meet all requirements in accordance with Chapter 18 of the Code of Ordinances of the City of Sulphur, Louisiana; and

WHEREAS, variances listed on attached plat map were approved with adoption of Cooperative Endeavor Agreement between the City of Sulphur, Parish of Calcasieu and Bel Commercial Limited Liability Company and Belle Savanne Development, LLC, on March 18, 2014.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept final plat from Belle Savanne Partners, LLC, for the following described property:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10,
TOWNSHIP 10 SOUTH, RANGE 10 WEST, CITY OF SULPHUR,

CALCASIEU PARISH, LOUISIANA, CONTAINING 18.383 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES FOR CARLYSS DRIVE AND LA 1256 SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED NORTH 00°53'59" EAST A DISTANCE OF 81.39 FEET; THENCE SOUTH 89°06'01" EAST A DISTANCE OF 48.86 FEET; THENCE PROCEED SOUTH 00°53'59" WEST A DISTANCE OF 170.07 FEET; THENCE PROCEED NORTH 22°05'06" EAST A DISTANCE OF 37.57 FEET; THENCE PROCEED SOUTH 89°06'02" EAST A DISTANCE OF 1,699.19 FEET TO THE POINT OF BEGINNING (P.O.B.).

THENCE SOUTH 89°06'02" EAST A DISTANCE OF 847.09 FEET;
THENCE SOUTH 43°33'38" EAST A DISTANCE OF 48.90 FEET;
THENCE SOUTH 00°58'12" WEST A DISTANCE OF 844.15 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 166.99 FEET;
THENCE SOUTH 00°58'10" WEST A DISTANCE OF 40.00 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 700.00 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 110.00 FEET;
THENCE NORTH 89°06'02" WEST A DISTANCE OF 13.26 FEET;
THENCE NORTH 00°53'58" EAST A DISTANCE OF 809.05 FEET;
TO THE POINT OF BEGINNING (P.O.B.).

BE IT FURTHER ORDAINED that this ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

RECUSE: Mrs. Ellender

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 12, Section 52 of the Code of Ordinances of the City of Sulphur – Transportation routes for hazardous materials and trucks passing through city. Motion was made by Mr. Moss seconded by

Mr. Bergeron that the following ordinance be adopted to-wit:

ORDINANCE NO. 1360, M-C SERIES

ORDINANCE AMENDING CHAPTER 12, SECTION 52 OF THE CODE OF
ORDINANCES OF THE CITY OF SULPHUR – TRANSPORTATION ROUTES FOR
HAZARDOUS MATERIALS AND TRUCKS PASSING THOROUGH CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 12, Section 52 of the Code of Ordinances of the City of Sulphur to read as follows:

- **Sec. 12-52. - Transportation routes for hazardous materials and trucks passing through city.**
 - (a) Vehicles transporting hazardous material and through trucks, as defined in this article, shall be restricted to the use of the following routes through the city:
 - (1) *Interstate 10 for its entire length through the city.* Vehicles exiting from Interstate 10 are restricted to Beglis Parkway and Cities Service Highway.
 - (2) *U.S. Highway 90 for its length through the city.* Vehicles exiting from U.S. Highway 90 are restricted to Cities Service Highway, Beglis Parkway, and North on Beglis Parkway to Louisiana Highway 27.
 - (3) *Cities Service Hwy. from Interstate 10 to U.S. Highway 90.* Vehicles exiting from Cities Service are restricted to U.S. Highway 90 and Interstate 10.
 - (4) *Beglis Parkway from Interstate 10 to U.S. Highway 90.* Vehicles exiting from Beglis Parkway are restricted to Interstate 10 and U.S. Highway 90 and North on Beglis Parkway to Louisiana Highway 27.

This ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a variance to Chapter 8, Section 5 and 6 of the Code of Ordinances of the City of Sulphur to KLEAT, LLC, to allow for paintball and similar entertainment activities on the northwest corner of Kim Street and Hwy. 90. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1361, M-C SERIES

ORDINANCE GRANTING A VARIANCE TO CHAPTER 8, SECTION 5 AND 6 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO KLEAT, LLC, TO ALLOW FOR PAINTBALL AND SIMILAR ENTERTAINMENT ACTIVITIES ON THE NORTHWEST CORNER OF KIM STREET AND HWY. 90.

WHEREAS, in accordance with Chapter 8, Section 5 of the Code of Ordinances of the City of Sulphur, the use, firing, shooting and explosion of air guns, air rifles or blowguns within the city is prohibited; and

WHEREAS, in accordance with Chapter 8, Section 6 of the Code of Ordinances of the City of Sulphur, it is unlawful for any person to intentionally discharge any firearm or air gun within the city, unless such discharge of firearms is reasonably required for the protection of life and property; and

WHEREAS, applicant is requesting a variance to allow for paintball and similar entertainment activities on said property; and

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by KLEAT, LLC, northwest corner of Kim Street and Hwy. 90, Sulphur, Louisiana 70663, to-wit:

COMMENCING AT A POINT WHERE THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, INTERSECTS THE NORTH RIGHT OF WAY LINE OF HIGHWAY 90; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST 1,421.81 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89 DEGREES 31 MINUTES 03 SECONDS EAST 793.62 FEET TO THE

WESTERLY RIGHT OF WAY OF A PARISH ROAD; THENCE SOUTH 25 DEGREES 54 MINUTES 51 SECONDS EAST 1,205.27 FEET TO THE NORTHERN RIGHT OF WAY OF HIGHWAY 90; THENCE SOUTH 75 DEGREES 15 MINUTES 24 SECONDS WEST 1,353.13 FEET TO THE POINT OF COMMENCEMENT.

WHEREAS, improvements on the property will include paintball and similar entertainment activities on said property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Code of Ordinances of the City of Sulphur is hereby amended to grant a variance to KLEAT, LLC, northwest corner of Kim Street and Hwy. 90, for the following described property to-wit:

COMMENCING AT A POINT WHERE THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, INTERSECTS THE NORTH RIGHT OF WAY LINE OF HIGHWAY 90; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST 1,421.81 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89 DEGREES 31 MINUTES 03 SECONDS EAST 793.62 FEET TO THE WESTERLY RIGHT OF WAY OF A PARISH ROAD; THENCE SOUTH 25 DEGREES 54 MINUTES 51 SECONDS EAST 1,205.27 FEET TO THE NORTHERN RIGHT OF WAY OF HIGHWAY 90; THENCE SOUTH 75 DEGREES 15 MINUTES 24 SECONDS WEST 1,353.13 FEET TO THE POINT OF COMMENCEMENT.

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

That the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 5 of the Code of Ordinances of the City of Sulphur to provide for Article XI – Work Force Temporary Housing. Motion was made by Mr. Favre seconded by Mr. Moss that amendments to the following ordinance be made:

ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF
THE CITY OF SULPHUR TO PROVIDE FOR ARTICLE XI – WORK FORCE
TEMPORARY HOUSING.

Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1362, M-C SERIES

ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF
THE CITY OF SULPHUR TO PROVIDE FOR ARTICLE XI – WORK FORCE
TEMPORARY HOUSING.

WHEREAS, the City of Sulphur is undergoing economic growth and development; and

WHEREAS, the development requires construction which brings temporary workers to the area who require temporary housing; and

WHEREAS, some employers provide temporary housing for the temporary workers; and

WHEREAS, the City Council of the City of Sulphur desire to put provisions into place to address any work force temporary housing that may be located in the City of Sulphur due to the economic growth and development and the construction for the new developments.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sulphur, that Chapter 5 of the Code of Ordinances of the City of Sulphur be amended to provide for Article XI – Work Force Temporary Housing as follows:

ARTICLE XI. WORK FORCE TEMPORARY HOUSING

Sec. 5-305. Definitions.

For purposes of this Article, the following words shall have the following meanings:

- (a) “Applicant” is the individual, corporation, or other business association, that is applying for a Work Force Temporary Housing permit.
- (b) “Conditional Use Permit” means those uses which are generally compatible with the uses permitted in a zoning district, but require individual review of their location, design and intensity in order to ensure their appropriateness on any particular parcel of land and the compatibility of the use with adjacent uses.
- (c) “Work Force Temporary Housing” means a conglomerate of portable modular quarters (PMQ) and their appurtenances; erected, co-located, and/or assembled for a business for its employees, either by the business or a work force temporary housing owner or operator at the request of the business, offered to the employees for purchase or at a fee as temporary sleeping rooms, regardless of whether meals are provided on site. The temporary housing is not a conventional hotel, motel, recreational vehicle park, mobile home park, or campground. The temporary housing is not a facility that provides parking and hookups for individually owned recreational vehicles, fifth wheels, camper trailers, pop-up campers, pickup trucks with on-board campers or similar units. Work Force Temporary Housing may only be occupied by employees of a requesting business and is not for long-term or permanent habitation.
- (d) A “Work Force Temporary Housing Permit” is a revocable Conditional Use Permit authorized by the City Council of the City of Sulphur to the permit holder allowing construction and/or operation of a Work Force Temporary Housing.
- (e) “Occupied structure” means a structure in which people live on a semi-permanent basis. It includes but is not limited to a residence, dwelling, apartment house, condominium, or a residential subdivision platted and recorded. It includes a lot that is being developed for use as a structure in which people will live on a semi-permanent basis that is under construction, e.g. the surface has been improved in preparation for construction, at the time the application for the Work Force Temporary Housing permit is submitted to City Council.
- (f) “Permit Holder” is the individual, corporation, or other business association, which has been awarded a Work Force Temporary Housing permit.
- (g) “Portable modular quarters” (PMQ) means a structure that is Louisiana State Fire Marshal

approved that is used as a sleeping room, that can stand alone or be integrated into a series, which, when prefabricated, is towed to or carried to the site, or when not prefabricated is assembled on site, but regardless of where it is manufactured or assembled, it is not designed as a permanent single or multiple family dwelling and such structure shall be placed upon a stand or other acceptable anchoring system, which shall not heave, shift or settle unevenly under the weight of the structure as a result of any poor drainage, vibration, or other similar forces, which provides an adequate base for anchoring the structure to secure it against any movement. All PMQ's shall be consistent in nature in design.

- (h) "Portable building" may be allowed as an accessory use to the PMQs that can stand alone or be integrated into a series, which, when prefabricated, is towed to or carried to the site, or when not prefabricated is assembled on site, but regardless of where it is manufactured or assembled, it is not designed as a permanent on-site structure and such structure shall be placed upon a stand or other acceptable anchoring system, which shall not heave, shift or settle unevenly under the weight of the structure as a result of any poor drainage, vibration, or other similar forces, which provides an adequate base for anchoring the structure to secure it against any movement.
- (i) "Site Restoration" Upon expiration of the conditional use permit, or termination of use of the work force temporary housing facility, if earlier, the applicant shall restore the site to pre-development condition or a more pristine state in accordance with an approved site closure and restoration plan. Site Restoration shall include removal of all PMQs, buildings, utility services, fences, and roads unless otherwise granted Exception from City Council. The site will require re-grading (as applicable), waste clean-up, weed control, and planting and fertilization necessary to restore the site to pre-development or more pristine condition. In the event the property owner desires to retain the improvements, said improvements shall comply with current ordinances and the procedures in this Code must be followed prior to the end of any permit term or renewal period thereof. The Permit Holder is responsible for satisfying all obligations imposed by the Sulphur City Code on an owner of Temporary Work Force Housing, including but not limited to the obligations of site restoration.
- (j) "Utility service" means supply of water, sewage, electric or other power, that is located externally to the structure and is capable of serving more than one structure or a conglomerate of structures.

Sec. 5-306. Work Force Temporary Housing permit required.

No person shall operate or allow the operation of a Work Force Temporary Housing on land owned or controlled by him within the city without first obtaining a Work Force Temporary Housing permit, "Conditional Use Permit" and complying with the terms and provisions of this Article. Work Force Temporary Housing permits may be revoked or suspended pursuant to this Article.

Sec. 5-307. Location of Work Force Temporary Housing.

Work Force Temporary Housing are prohibited in all areas with the exception of those zoned Commercial with Exception under the Zoning Code of the City of Sulphur with the approval of a Conditional Use permit.

Sec. 5-308. Work Force Temporary Housing Permit application.

Any person desiring the “Work Force Temporary Housing Permit required by this Article shall submit a written application for a “Conditional Use Permit” to the Director of Public Works, Chief Building Official and City Council Clerk for review and processing. The application must contain:

- (a) The applicant’s name, address, telephone number, and email address;
- (b) The name of the Work Force Temporary Housing, which must contain the phrase “Work Force Temporary Housing” or word “camp”, that will be used on signs to identify the Work Force Temporary Housing and a description of any logo, drawing, or diagram that will be used on the signs;
- (c) The names, addresses, work telephone numbers, cellphone numbers and email addresses for the Work Force Temporary Housing’s on-site manager and alternate emergency point of contact;
- (d) The legal description of the property on which the Work Force Temporary Housing will be located;
- (e) A copy of the title/deed, buy-sell agreement or lease agreement for any real property involved, if applicable;
- (f) Signatures of the land owner and/or the lessor of the property, if applicable;
- (g) A professional site plan, drawn to scale, by a Louisiana licensed architect or engineer which includes the requirements of this Article set forth in Sec. 5-318;
- (h) A description of how the PMQs, portable building/ structures, and common areas will be manufactured or constructed, and how the PMQ, buildings/structure, or common area will be anchored or affixed to the earth, if applicable;
- (i) The floor plan and square footage for each different style of PMQ, portable building/structure, and the common area,
- (j) A summary of square footage of the entire facility’s PMQs, portable building/structures, and common areas;

- (k) A statement indicating the total number of beds the facility will contain;
- (l) A statement indicating the total number of projected employees;
- (m) The date the Work Force Temporary Housing will be operational;
- (n) An estimate for the duration of use of the Work Force Temporary Housing;
- (o) A site security plan, which includes the requirements of this Article;
- (p) Approved plans for fire protection and emergency response measures;
- (q) A list of Work Force Temporary Housing rules and regulations, including the requirements in this Article;
- (r) A statement describing adequate methods for providing the following utilities and services:
 - a. Water supply requirements to the facility, sewage and grey water handling
 - b. Power supply
 - c. Private “Refuse” disposal amounts
 - d. Fire and emergency evacuation
- (s) A list stating the applicant’s previous Work Force Temporary Housing experience and list of references, including any other cities where Work Force Temporary Housing have been established; and a minimum of 1,000 land based beds in current use.
- (t) Plans for site restoration;
 - a. Site Restoration Plan shall include the procedural timeline (within 12 months) on removal of all PMQs, buildings, utility services, fences, roads, any improved surfaces, required re-grading (as applicable), waste clean-up, weed control and planting and fertilization necessary to restore the site to pre-development or more pristine condition, an estimated cost of site restoration.
 - b. Such other information as requested by the Director of Public Works, Chief Building Official, City Council Clerk or City Council.
- (u) Traffic and drainage study
- (v) Attach any variances requested.

Sec. 5-309. Approval of application.

- (a) The City Council shall review the proposed application and the recommendations of the Director of Public Work, Chief Building Official and City Council Clerk and any additional information which may be submitted. The City Council shall grant, grant subject to conditions, or deny the proposed permit application within thirty (30) days of receipt of the recommendation of the Director of Public Work, Chief Building Official and City Council Clerk.
- (b) The City Council reserves the right to request any additional information or require any additional items upon its review of the application.
- (c) In addition to the other provisions of this Ordinance pertaining to restoration of sites utilized for work force housing, the developer of any work force housing site shall also obtain and deliver to the City an original of both a payment and performance bond in favor of the City in an amount of not less than Three Million and No/100 (\$3,000,000.00) Dollars each, which bonds shall secure and insure prompt and adequate performance of restoration to the original condition of any site utilized by the developer for work force housing within the City. No payment and performance bond may be cancelled without providing to the City advance written notice of cancellation of same not less than thirty (30) days prior to cancellation. The notice of cancellation herein provided for must be delivered to the Mayor of the City by means of Certified Mail Return Receipt Requested. Upon receipt of such notice, the Mayor shall immediately notify the developer of the work force housing site, and thereupon require the developer to replace the payment and performance bond provided for herein, so that there will be no lapse in time where a valid and enforceable payment and performance bond will not be held by the City. The failure of the developer to provide the initial and all renewals of the required payment and performance bond shall entitle the City to (i) refuse to issue a development permit for construction of the work force housing, (ii) compel by means of a writ of mandamus, or other legal enforcement proceedings, the developer to provide the required payment and performance bond, and/or (iii) seek damages against the developer for failure to provide the required payment and performance bond, and/or (iv) seek legal action to close the work force housing development.

Sec. 5-310. Permit, Construction, and Yearly Fees

- 1. Conditional Use Application \$500
- 2. Construction Permit Plan Review
 - ≥ 50,000 ft² \$500
 - 10,000 -50,000 ft² \$375
 - 1,000-9,999 ft² \$250
 - <1,000 ft² \$125
- 3. Construction Permit Fees - In accordance with City of Sulphur permit fee schedule

- | | |
|--|---|
| <p>4. Yearly Bed Fees</p> <p>(rate charged per bed per year that covers government agency's support for the facility such as; police, fire, inspectors, increased usage of utilities, traffic, etc...)</p> | <p>\$300 (submission of alternative payment method equaling but not less than the yearly bed fee rate may be evaluated on a yearly basis with approval by City Council)</p> |
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Sec. 5-311. Term of permit, renewal of permit.

An initial Work Force Temporary Housing Permit will require a Conditional Use Permit that is recommended by the Director of Public Works, Chief Building Official and City Council Clerk with final approval by the City Council. The revocable Conditional Use Permit will be issued for a term of 60 months. A City Occupation License will be required yearly for the operation of the facility.

The City Council may, in addition to any other considerations permitted by this Article may deny the request for renewal or immediately revoke permit if the Permit Holder is failing or has failed to satisfy any obligation imposed by this Article or other law, or has violated any prohibition in this Article or other law.

Sec. 5-312. Transfer of permits.

Work Force Temporary Housing Permits may not be transferred unless approval by the Director of Public Works, Chief Building Official, City Council Clerk and the City Council. The Permit Holder must exhibit to the City Council that the Permit Holder or the permit transferee has satisfied all of the obligations and requirements of this Article. The permit transferee must comply with the application requirements in Sec. 5-309 of this Article.

Should a permit transfer be approved with the understanding that any outstanding obligations will be satisfied within a timeframe set forth by the Director of Public Works, Chief Building Official and City Council Clerk. Failure of the Permit Holder or permit transferee to comply with all the obligations of this Article or other applicable law is grounds for revocation or suspension of the permit.

Prior to transfer of permit the Permit Holder will contact City for following inspections:

1. Building
2. Law Enforcement
3. Fire

Sec. 5-313. Building permits required; prohibition against increasing bed capacity.

- (a) A Work Force Temporary Housing Permit authorizes construction and operation of a Work Force Temporary Housing, which shall not exceed the design approved. A Work Force Temporary Housing Permit does not exempt the holder from constructing, maintaining, and

operating the Work Force Temporary Housing in accordance with applicable law, rules, codes, and/or regulations; nor from obtaining building permits or regulatory inspections. After the Permit is issued, any modification of the Work Force Temporary Housing that would increase the bed capacity must be approved and ratified by the City Council of the City of Sulphur. Failure to gain prior approval is a violation of this Article.

- (b) Building density shall be reviewed and approved/denied by Director of Public Works, Chief Building Official, City Council Clerk and the City Council.

Sec. 5-314. Buildings with utilities or services.

Any building or other facility which uses or houses any potable water supply, power supply, effluent management, or refuse disposal, including but not limited to laundry, kitchen, or other dining facilities, showers, bathrooms, or other sanitary facilities, or fire and emergency storage or shelter, shall be placed upon an acceptable foundation or anchored using an acceptable anchoring system in accordance with the International Building Codes.

Sec. 5-315. Work Force Temporary Housing numbering system.

- (a) All PMQs, structures, common areas shall be identified in accordance with the City of Sulphur policy.
- (b) The Permit Holder shall ensure the numbers are clearly and easily identified from the street or emergency service road, using reflective lettering and/or numbering affixed to each PMQ structure, and common area and shall be kept clean and free from obstructions.

Sec. 5-316. Site Restoration of Work Force Temporary Housing site.

The report of inspection, made by the City Building Inspector or his designees, or the City Engineer or his designees, documenting the preconstruction condition of the Work Force Temporary Housing site, adjoining properties, and the roads servicing the proposed Work Force Temporary Housing shall be used by the permit holder or landowner as a base for restoring the property to the appropriate condition prior to the end of any permit term or renewal period thereof.

Sec. 5-317. Site plan.

The professional site plan, drawn to scale, by a Louisiana licensed architect or engineer, shall include, at a minimum, the following:

- (a) The location of all PMQs, structures, and common areas with the occupancy capacity of each;
- (b) All building setbacks to property line;
- (c) Ingress and egress to property and proposed structures;

- (d) Utilities, with reference to location, availability and compatibility;
- (e) Drainage;
- (f) The location of improved surface parking areas. “Improved Surface Parking Area” is defined as an all-weather surface, such as concrete, asphalt and gravel (gravel surface must be maintained at a minimum of 75,000 lb. weight limit which is clearly delineated by curbs, landscaping, or similar features to distinguish the parking area from the remainder of the yard;
- (g) The location of street lamps and/or lighting equipment for all PMQs, structures, common areas, appurtenances, and roads within the Work Force Temporary Housing;
- (h) Refuse areas;
- (i) The location of emergency service roads;
- (j) The location of fire protection and medical or first aid facilities;
- (k) The names of streets – if required;
- (l) The identifying number assigned to each PMQ, structure, or common area for identification and emergency response purposes; and
- (m) The location of any proposed signs;
- (n) Signs with a 24-hour emergency phone number for a person who can respond to site shall be posted at the main entrance.
- (o) Such other information as requested by the Director of Public Works, Chief Building Official, City Council Clerk or City Council.

Sec. 5-318. Site security plan and rules.

- (a) A minimum licensed and bonded security company on site 24 hours a day.
- (b) Video surveillance (minimum requirement)
 - 1. All entrances and exits
 - 2. Perimeter of property
- (c) Vehicle and pedestrian gates and openings shall have gates secured 24 hours a day.
- (d) Provide plan for the establishment of access to site for but not limited to personnel, tenants, visitors, maintenance and emergency response.

Sec. 5-319. City's permission to enter.

The City of Sulphur Police Department, Fire Department, Inspection Department and City Council, shall be allowed to enter and inspect the Work Force Temporary Housing and its facilities at reasonable times for purposes of determining the total number of beds and compliance with this Article and any other law;

Sec. 5-320. Work Force Temporary Housing Requirements

The Work Force Temporary Housing requirements shall include, at a minimum, the following provisions to comply with the City of Sulphur Ordinances:

- (a) That vehicle parking shall have one 9 ½' x 18' parking space per occupant/bed. Additional parking can be established within a dedicated area of the facility for additional vehicles, small trailers, or oversized vehicles;
- (b) That no garbage, junk, litter, debris, unused construction materials, or refuse shall be allowed to accumulate or remain on the Work Force Temporary Housing premises as per Chapter 12 Hazards and Nuisance.
- (c) Storage of equipment or materials that are not directly related to the purposes of housing or maintenance of the Work Force Temporary Housing is prohibited.
- (d) That no "Home Business" or "Home Occupation" as defined in Article IV, Part 2, Section 6 of the Land Use Ordinance of the City of Sulphur, shall be conducted or allowed to be conducted on the Work Force Temporary Housing Premises.
- (e) All PMQs and common areas will comply with current International Fire Codes (IFC) and the Louisiana State Uniform Construction Codes as set out by the adoption of section 5-21 of the City of Sulphur, Code of Ordinances.
- (f) A minimum of 40 acre tract which has no separation.

Sec. 5-321. Prohibited housing types.

Recreational vehicles, motor homes, or any other similar type, are prohibited and shall not be used as PMQs, portable building/structures, or common areas in a Work Force Temporary Housing. All housing types shall comply with the Louisiana State Uniform Construction Code, Section 5-21 of the City of Sulphur, Code of Ordinances.

Sec. 5-322. Permit holder's responsibilities.

The Permit Holder shall:

- (a) Not falsify any statement or portion of the application or fail to provide any material information required in the application. Failing to provide required information is deemed an omission and may be grounds for denial of the application.
- (b) Not violate any law, statute, code, rule, or regulation, including but not limited to those related to crime, health, sanitation, taxes, labor, and employment.
- (c) Not allow business to be conducted on the Work Force Temporary Housing premises which is not related to normal operations or associated with the Work Force Temporary Housing.
- (d) Remain solvent. Filing for bankruptcy by the Permit Holder, or lessor if applicable, is deemed a violation of this permit.
- (e) Not transfer responsibility for the operation of the Work Force Temporary Housing, the Work Force Temporary Housing PMQs, structures, or common areas, or transfer the Work Force Temporary Housing permit without prior authorization of the Director of Public Works, Chief Building Official, City Council Clerk and City Council.
- (f) Keep in effect the Performance Bond or the insurance policy in the full amount, as required by this Article, even if all or part of the bond has been assessed, seized, or otherwise collected by action of the City of Sulphur to return site to pre-housing condition.
- (g) Pay all taxes, fees, Workforce Safety and Insurance premiums, and employees on time.
- (h) Maintain the premises and conduct the operation of the Work Force Temporary Housing in accordance with the assertions, indications, and limits set out in the application, the requirements of this Code, and state law, including but not limited to:
 - 1. Maintaining ownership or a leasehold interest in the property;
 - 2. Complying with all applicable federal, state, and local laws, rules, regulations, and codes;
 - 3. Constructing the premises and buildings as indicated in the plans and maintaining such buildings in a clean and orderly manner;
 - 4. Allow inspection of the Work Force Temporary Housing premises and all PMQs, structures, common areas, and appurtenant facilities by the City of Sulphur Police Department, Fire Department and Inspections Department;
 - 5. Operate the camp in accordance with the site security plan, camp rules, and regulations, and the description of methods of providing services and utilities; and
 - 6. Recover the site to pre-construction and pre-operation condition unless approved by Sulphur City Council.

Sec. 5-323. Perimeter fences.

- (a) A Work Force Temporary Housing must have a perimeter fence that is at least six (6) feet high or buffered area if perimeter fence is other than privacy. All PMQs, structures, common areas, and appurtenant facilities, including but not limited to resident parking, recreational areas, laundry, food preparation, dining, maintenance, and storage facilities must be contained within the perimeter fence.
- (b) A sign with the name of the Work Force Temporary Housing which shall be easily read and clearly visible from a distance of twenty-five (25) feet to identify the Work Force Temporary Housing shall be located at main entrance to facility.

Sec. 5-324. Revocation, suspension, and administrative sanctions.

In addition to any other legal options provided by law, any permit issued pursuant to this Article may be revoked or suspended by the City Council for any violation of any provision of this Article, city ordinance, state law, or for any reason the City may deem necessary. Upon notification of violation, the permit holder shall have 5 days to take corrective action. If corrective action is not complete after the 5 day period, the City has the power to administer administrative sanctions against the permit holder. The administrative sanction fee shall be (one thousand dollars) \$1,000.00 per day.

Prior to a permit being revoked or suspended, or the issuance of administrative sanctions, the following procedure will be followed:

- (a) The City shall send written notification by certified mail, return receipt request, to the Permit Holder.

The notice shall state:

1. The grounds and/or reasons for revocation or suspension, or administrative sanctions;
 2. The date the revocation or suspension is effective; and
 3. That the Permit Holder has a right to a hearing either before the City Council and that such hearing must be requested within ten (10) days of receipt of the letter.
- (b) If the hearing is requested before the City Council it will be set no earlier than ten (10) days and no later than thirty (30) days after the City receives the Permit Holder's request for a hearing. The Permit Holder shall have at least five (5) days advance notice of the date, time, and place for the hearing.
 - (c) If after the hearing the City Council concludes the violation charged has been proved or determines that revocation, suspension, or administrative sanction is in the best interest of the public, the City Council may either permanently revoke the license or temporarily suspend the permit for a period not exceeding sixty (60) days, or issue an administrative sanction not

to exceed one thousand dollars (\$1,000.00) for each violation or offense per day until said violation or offense is corrected.

- (d) When a permit is revoked or suspended, or an administrative sanction is issued, regardless of the reason, no portion of the permit fee shall be returned to the applicant.
- (e) The surety bond must remain in place until the site is recovered, even if the permit is revoked, suspended, expires, or is not renewed.

Sec. 5-325. Criminal Penalties.

Any person, whether as an owner, lessor, agent, manager, employee, lessee, or occupant, who violates, causes a violation, or with knowledge permits a violation of any provisions of these regulations shall be guilty of a misdemeanor and, upon conviction, may be subject to a fine not to exceed five hundred dollars (\$500.00) per violation or subject to imprisonment not to exceed thirty (30) days, or both fine and imprisonment. Any person shall be deemed to have committed a separate violation for each and every day during any portion of which any violation of any provision of these regulations is committed, permitted, or continued by such person and shall be subject to the remedies provided in this section.

Sec. 5-326. Applicable law.

If this Article establishes a higher standard of care for the Permit Holder than required by state statute or other applicable law, code, or regulation, the Permit Holder shall be required to comply with the higher standard.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1095, M-C Series adopted September 10, 2012, which granted a right of way to Denbury Gulf Coast Pipelines, LLC. Motion was made by Mr. Favre seconded by Mr. Bergeron that the

following ordinance be adopted to-wit:

ORDINANCE NO. 1363, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1095, M-C SERIES ADOPTED SEPTEMBER 10, 2012, WHICH GRANTED A RIGHT OF WAY TO DENBURY GULF COAST PIPELINES, LLC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, THE GOVERNING AUTHORITY THEREOF, THAT:

WHEREAS, the City of Sulphur desires to amend Ordinance No. 1095, M-C Series adopted September 10, 2012, which granted a right of way to Denbury Gulf Coast Pipelines, LLC to provide for an extension of the pipeline construction period until January 13, 2020; and

WHEREAS, the property to be subjected to the right of way is described as set forth and shown on Exhibit A, attached hereto.

NOW, THEREFORE, BE IT ORDAINED that Mayor Christopher L. Duncan is hereby authorized and empowered, in accordance with the Home Rule Charter, to execute the Amendment of Pipeline Right-Of-Way Grant described above for the consideration of the payment of Ten Dollars (\$10.00), plus other good and valuable consideration.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution promulgating the results of a special election held in the City of Sulphur, Louisiana on November 21, 2015 (Sunday sales of alcohol). After Mr. Delafield read aloud the election results, motion was made by Mr. Moss seconded by Mr. Favre

that the following ordinance be adopted to-wit:

RESOLUTION NO. 2914, M-C SERIES

A RESOLUTION PROMULGATING THE RESULTS OF A
SPECIAL ELECTION HELD IN THE CITY OF SULPHUR,
LOUISIANA ON NOVEMBER 21, 2015.

WHEREAS, on November 21, 2015, an election was held in the City of Sulphur, Louisiana, to determine the proposition hereinafter set out;

WHEREAS, the returns of said election were canvassed by the Council according to law and notice duly given as provided by law, and the result of said election was declared to be in favor of the proposition;

NOW, THEREFORE, BE IT RESOLVED by the City Council, the governing authority of the City of Sulphur, Louisiana, as follows:

SECTION 1. An election was held in the City of Sulphur, Louisiana, on November 21, 2015, to determine the proposition hereinafter set out; that said election was duly and properly called by the Board by a resolution adopted on July 13, 2015, and recorded in the records of said Council, that notice of said election embracing all matters required by law to be contained therein was given by publication in the *Southwest Daily News*, a newspaper published in Sulphur, Louisiana, and of general circulation in the City, on September 9, September 16, September 23, and September 30, 2015, the first of said publications being not less than 45 days nor more than 90 days prior to the date set for said election; that this Council did in said resolution designate the polling places for said election and did provide for the use of voting machines in the conduct of said election; that election officials were duly selected; that each election official received the certificate of instruction of the use of the voting machines and his duties in connection therewith as required by law; that the State Custodian of Voting Machines and the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Calcasieu Parish made available on the day of the election at the polling places designated for the conduct of said election the necessary voting machines and all necessary equipment and paraphernalia required by law in connection with the use of voting machines at elections; that the Registrar of Voters and the Clerk of Court of Calcasieu Parish furnished to the election Commissioners and Commissioners-in-Charge copies of the precinct registers for each precinct or ward entitled to vote at such polling places; that the Louisiana Secretary of State prepared and certified the ballot used in the voting machines as required by law; that the proposition voted on in said election and as it appeared in said voting machine was in due form provided by law and the resolution adopted by this Council on July 13, 2015, calling said special election; that the results of said election were written on a large sheet of paper at said polling places, which sheet of paper was signed by each of the election officials designated to conduct such election at said polling places and which sheet was thereupon posted in public view at the polling places in accordance with law; that only qualified electors under the Constitution and laws of the State of Louisiana voted at said election; that the officials who served at said election were duly and properly appointed; that the places of all absent election officials

were properly filled in accordance with law; that before opening the polls all election officials were properly sworn in accordance with law; that the polls at the voting places were opened at 7:00 a.m. and remained open and until not later than 8:00 p.m.; that after the closing of the polls the votes for and against the proposition were properly counted and tallied and the necessary tabulation blanks, certificates and statements were made by the election officials in accordance with law and the voting machines delivered to the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for Calcasieu Parish, Louisiana, and a copy of the results of said election delivered to the Clerk of the District Court of Calcasieu Parish as required by Louisiana Revised Statutes 18:1190 E; that on November 24, 2015, that being the third day after said election the Clerk of Court and Ex-Officio Custodian of Voting Machines, after breaking the seals and opening the voting machines used in said election did transcript the totals for the proposition voted upon at said election; and that all things whatsoever required by law to be done in connection with the holding of said election were properly and duly performed in manner and form as required by the general election laws of the State of Louisiana.

SECTION 2. In said election the following proposition was approved by a majority of the electors qualified to vote and voting in said election in the City of Sulphur, Louisiana:

PROPOSITION

Shall the City of Sulphur, Louisiana (the “City”) permit retail sales, serving and dispensing of alcoholic beverages, by holders of any permitted class for alcohol sales, on Sundays beginning at 12:00 noon, within the City, by amending Article I, Chapter 3, Section 3-2(a and b) of the Code of Ordinances of the City, to provide therefor?

SECTION 3. The results of said election shall be promulgated by publication of this resolution of promulgation one time in the *Southwest Daily News*, a newspaper published in Sulphur, Louisiana, the official journal of the Council and of general circulation in the City.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance amending Chapter 3, Section 2 of the Code of Ordinances of the City of Sulphur – Sale on Sunday (alcohol). Mayor Duncan stated that the public hearing will be held on Monday, December 28, 2015 at 5:00 p.m. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following ordinance be introduced:

**ORDINANCE AMENDING CHAPTER 3, SECTION 2 OF THE CODE OF
ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – SALE ON SUNDAY.**

Motion was then made by Mr. Moss seconded by Mr. Bergeron that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

**ORDINANCE AMENDING CHAPTER 3, SECTION 2 OF THE CODE OF
ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – SALE ON SUNDAY.**

A public hearing on said ordinance will be held at 5:00 p.m. on the 28th day of December, 2015, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance repealing Ordinance No. 1114, M-C Series, adopted April 8, 2013, which authorized the lease of property of the City of

Sulphur to Tag Ford Properties, LLC. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following ordinance be introduced:

ORDINANCE REPEALING ORDINANCE NO. 1114, M-C SERIES,
ADOPTED APRIL 8, 2013, WHICH AUTHORIZED THE LEASE OF
PROPERTY OF THE CITY OF SULPHUR TO TAG FORD PROPERTIES,
LLC.

Motion was then made by Mr. Favre seconded by Mr. Bergeron that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE REPEALING ORDINANCE NO. 1114, M-C SERIES,
ADOPTED APRIL 8, 2013, WHICH AUTHORIZED THE LEASE OF
PROPERTY OF THE CITY OF SULPHUR TO TAG FORD PROPERTIES,
LLC.

A public hearing on said ordinance will be held at 5:00 p.m. on the 11th day of January, 2016, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a resolution awarding low bid received for six month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City.

Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted

to-wit:

RESOLUTION NO. 2915, M-C SERIES

Resolution awarding of low bid received for six month supply of pipe and fittings, gas, oil and diesel, chemicals, limestone and asphalt mix.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby award bids for six month supply of pipe and fittings, diesel, chemicals and limestone and asphalt mix that were opened and read aloud in an open and public bid session on Wednesday, December 2, 2015 at 10:00 a.m. Said bids shall become effective July 1, 2016:

**TABULATION FOR
SIX MONTH SUPPLY ON CHEMICALS
DECEMBER 2, 2015**

POTASSIUM PERMANGANATE

C & L AQUA PROFESSIONALS INC

\$907.50****

D X I INDUSTRIES

NO BID

UNIVAR

NO BID

PENNCO

NO BID

CHLORINE

C & L AQUA PROFESSIONALS INC

NO BID

D X I INDUSTRIES

\$667.00****

UNIVAR

NO BID

PENNCO

NO BID

HYDROFLUORSILIC ACID

C & L AQUA PROFESSIONALS INC

NO BID

D X I INDUSTRIES

NO BID

UNIVAR

\$515.00****

PENNCO

\$1,124.80

****** AWARDED BIDDER******

**TABULATION FOR SIX MONTH SUPPLY ON LIMESTONE AND ASPHALT
DECEMBER 2, 2015**

LIMESTONE (3/4-1") (GRAY ONLY)

R E HEIDT CONSTRUCTION CO LLC	NO BID
D P AGGREGATES LLC	\$34.50****
PRAIRIE CONSTRUCTION	\$42.00

ROADBASE LIMESTONE (GRAY ONLY)

R E HEIDT CONSTRUCTION CO LLC	NO BID
D P AGGREGATES LLC	\$34.00****
PRAIRIE CONSTRUCTION	\$40.00

HOT ASPHALT MIX

R E HEIDT CONSTRUCTION CO LLC	\$87.50
D P AGGREGATES LLC	NO BID
PRAIRIE CONSTRUCTION	\$85.00****

EMULSIFIED CRS-2

R E HEIDT CONSTRUCTION CO LLC	NO BID
D P AGGREGATES LLC	NO BID
PRAIRIE CONSTRUCTION	NO BID

****AWARDED BIDDER****

**TABULATION FOR GAS AND OIL
DECEMBER 2, 2015**

**DIESEL FUEL (OFF ROAD)
(PER GALLON)**

RELADYNE	DAILY RACK
+\$0.11	
LM DAIGLE OIL DIST LLC	DAILY RACK
+\$0.1095	
SUNCOAST RESOURCES	DAILY RACK
+\$0.84	
MARTIN ENERGY SERVICES	DAILY RACK
+\$0.09****	

**TRACTOR HYDRAULIC FLUID
(55 GAL. DRUM)**

RELADYNE	\$459.90****
LM DAIGLE OIL DIST LLC	\$475.95

SUNCOAST RESOURCES	\$457.60
MARTIN ENERGY SERVICES	\$521.18

**DEXTRAN III TRANSMISSION FLUID
(55 GAL. DRUM)**

RELADYNE	\$429.90****
LM DAIGLE OIL DIST LLC	\$507.95
SUNCOAST RESOURCES	\$432.85
MARTIN ENERGY SERVICES	\$504.74

**ROTELLA 15W 40
(PER 55 GALLON DRUM)**

RELADYNE	\$549.90****
LM DAIGLE OIL DIST LLC	\$649.95
SUNCOAST RESOURCES	\$619.30
MARTIN ENERGY SERVICES	\$727.98

**10W 30 MOTOR OIL
(PER 55 GALLON DRUM)**

RELADYNE	\$438.90****
LM DAIGLE OIL DIST LLC	\$514.95
SUNCOAST RESOURCES	\$393.25
MARTIN ENERGY SERVICES	\$460.46

**5W 30 MOTOR OIL DEXOS FULL SYNETHIC
(PER 55 GALLON DRUM)**

RELADYNE	\$603.90
LM DAIGLE OIL DIST LLC	\$729.95
SUNCOAST RESOURCES	\$611.05
MARTIN ENERGY SERVICES	\$490.96****

****AWARDED BIDDER****

**TABULATION FOR PIPE AND FITTINGS
DECEMBER 2, 2015**

SECTION I:

LOUISIANA UTILITIES SUPPLY CO	\$ 4,438.46
LAFAYETTE WINWATER WORKS	\$23,970.25
COBURN'S	\$ 4,053.85****

SECTION II:

LOUISIANA UTILITIES SUPPLY CO	\$ 7,216.25
LAFAYETTE WINWATER WORKS	\$ 6,889.75****
COBURN'S	NO BID

SECTION III:

LOUISIANA UTILITIES SUPPLY CO

\$13,512.48

LAFAYETTE WINWATER WORKS
COBURN'S\$11,117.55****
NO BID**SECTION IV:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 6,112.96
\$ 5,750.00****
\$ 5,819.20**SECTION V:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 1,396.06
\$ 1,860.50
\$ 1,132.00******SECTION VI:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$10,622.28
\$ 9,567.00****
\$10,632.19**SECTION VII:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 1,363.88****
\$ 1,616.88
\$ 1,484.71**SECTION VIII:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$12,860.00****
\$14,023.00
NO BID**SECTION IX:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 3,984.00****
\$ 4,930.00
NO BID**SECTION X:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 3,773.60****
\$ 4,143.00
\$ 3,835.00**SECTION XI:**LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S\$ 2,467.95
\$ 2,305.20****
\$ 3,164.32

SECTION XII:

LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S

\$ 2,163.89****
\$ 2,340.00
NO BID

SECTION XIII:

LOUISIANA UTILITIES SUPPLY CO
LAFAYETTE WINWATER WORKS
COBURN'S

\$ 758.40
\$ 691.20****
NO BID

*******AWARDED BIDDER*******

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to settle the Jason Droddy lawsuit. Mayor Duncan stated that the City's deductible is \$50,000 and \$25,000 will be out of pocket. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2916, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to settle the Jason Droddy lawsuit.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to settle the Jason Droddy lawsuit.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.
ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving liquor license for Casa Manana Tu, 106 South Cities Service Hwy. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2917, M-C SERIES

Resolution approving liquor license for Casa Manana Tu, 106 South Cities Service Hwy.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Casa Manana Tu, 106 South Cities Service Hwy.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving the Calcasieu Parish Multi-Hazard Mitigation Plan as revised. Motion was made by Mr. Moss seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2918, M-C SERIES

Resolution approving the Calcasieu Parish Multi-Hazard Mitigation Plan as revised.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve the Calcasieu Parish Multi-Hazard Mitigation Plan as revised.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to submit grant application for FY2015-2016 Local Government Assistance Program. Motion was made by Mr. Moss seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2919, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to submit grant application for FY2015-2016 Local Government Assistance Program.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to submit grant application for FY2015-2016 Local Government Assistance Program.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving liquor license for Sulphur Truck Stop & Casino, 2510 South Cities Service Hwy. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2920, M-C SERIES

Resolution approving liquor license for Sulphur Truck Stop & Casino located at 2510 South Cities Service Hwy.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Sulphur Truck Stop & Casino located at 2510 South Cities Service Hwy.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting Substantial Completion for Reconstruction of First Avenue. Motion was made by Mr. Bergeron seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2921, M-C SERIES

Resolution accepting Substantial Completion for Reconstruction of First Avenue.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the

governing authority thereof, that they do hereby accept the Certificate of Substantial Completion for the Reconstruction of First Avenue.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Ms. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 14th day of December, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

There being no further business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

12/14/15
6:30 P.M.