

## A G E N D A

REGULAR MEETING  
THURSDAY, FEBRUARY 19, 2009  
5:30 P.M.

1. Call to order by President McMillin.
2. Invocation. (Mr. Brame)
3. Pledge of Allegiance.
4. Roll Call.
5. Hold a Public Hearing at 5:30 p.m., as a result of a Notice of Intention published, in accordance with law, for the purpose of hearing comments, suggestions or protests concerning the proposed altering of the boundaries of Sewerage District No. Nine of Ward One, and take appropriate action thereon.
6. Presentation by the Office of Juvenile Justice Services (OJJS) on the OJJS-sponsored "Alcohol Free Zone" at the Krewe of Krewes Parade on February 24, 2009.
7. Presentation by Chief Judge Robert Wyatt with reference to Mental Health Court, and consideration of adopting a resolution approving the submittal of a grant application to the Department of Justice, Bureau of Justice Assistance Division, for the formation of a Mental Health Court, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.
8. Take appropriate action on applications for liquor and beer permits. (Mr. Vickers) (No action required due to the fact that no applications have been submitted.)
9. Consideration of approval of the minutes of the Regular Meeting of the Police Jury dated January 22, 2009.
10. Take appropriate action on RA03-002-09 which is a request by the Lake Charles Harbor and Terminal District to abandon Wittler Road. (Wittler Road in Ward Three, Police Jury District 8, Mr. Brame) (see attached)

[The Planning and Zoning Board met on Tuesday, February 17, 2009, and voted unanimously to recommend that the request be granted.]

11. Take appropriate action on a revision to RZ08-036-08 which is a request by Brandon Howard to amend Ordinance No. 5603 to remove Stipulation No. 2, Stipulation No. 5, and to amend the site plan to allow an additional commercial building. (1881 Claude Hebert Road in Ward Eight, Police Jury District 10, Mr. Stelly) (see attached)

[The Planning and Zoning Board met on Tuesday, February 17, 2009, and voted unanimously to recommend that the request be granted with the following stipulations: 1) that the development adhere to the revised site plan on file with the Division of Planning and Development; 2) that the new 40' x 60' building must have a brick façade as per the photos submitted; 3) that alcohol sales are prohibited; and 4) that the sign must be a low profile monument sign.]

*AGENDA NOTE: the petitioner would like to operate a used auto sales and trailer sales on the property with a portable building as the office, and further, to construct a 40' x 60' metal building with a brick façade to be used as future retail sales (three retail shops) and construct a metal/wood low profile monument sign on the property. On November 20, 2008, the Police Jury approved the recommendation of the Planning and Zoning Board which met on Tuesday, November 18, 2008, that the request of Brandon Howard be granted to rezone from C-1 (Light Commercial) to C-2 (General Commercial) to allow a commercial development (utility trailer sales) with the following stipulations: 1) that the development adhere to the site plan on file with the Division of Planning and Development; 2) that the use be limited to utility trailer sales; 3) that a landscape plan must be submitted and approved by the Division of Planning and Development. Landscaping must be installed prior to an occupational license being issued; 4) that the on-site sign must be a low profile*

*monument sign; and 5) should the business cease, the property will revert to A-1 (Agricultural).*

12. Take appropriate action on RZ04-003-09 which is a request by Sheldon McManus to rezone from I-2 (Heavy Industrial) to I-2R (Heavy Industrial-Restricted) to allow a solid waste site (construction and demolition debris landfill) classification-Type III (498 E. Dave Dugas Road in Ward Four, Police Jury District 12, Mr. Hassien) (see attached)

[The Planning and Zoning Board met on Tuesday, February 17, 2009, and voted unanimously to recommend that the request be granted with the following stipulations: 1) that the development adhere to the site plan on file with the Division of Planning and Development; 2) that the development adhere to the Department of Environmental Quality regulations; 3) that the use be limited to a Type III landfill only; 4) upon issuance of a development permit, the solid waste disposal site is for ten years or when the landfill is completely filled, whichever comes first; and 5) that the contractor will take necessary steps to maintain dust control and to prevent spillage from occurring on any public road.

13. Consideration of amending the Code of Ordinances of Calcasieu Parish, Louisiana, adding the following language with reference to development regulations on screening between business/industrial uses and residential uses as follows:

(p) Screening.

(1) There shall be provided along such abutting lines of business and industrial uses and residential uses a screen of not less than six (6) feet in height. The screen may be constructed of either wooden slats, metal hurricane-type with slats, plant material, earthen berms, walls, a combination thereof or other methods approved by the Director of Planning and Development or designee. If plant material is used, the plants must be no less than four (4) feet in height at the time of planting and capable of reaching the required screening height within three (3) years of planting. The plant material must be planted continuously along the lot-line at no less than three (3) feet on center. Plant material types must be chosen from Article V Nelson Road Overlay District, Division 2, Section 26-45 List of trees and Shrubs or approved by the Director of Planning and Development or designee. All screening material must be well constructed and properly maintained. Any portion of the screening that has fallen into disrepair or has perished shall be repaired or replaced immediately. Screening must be installed in the following:

(a) Where a lot for new business or industrial use abuts a lot(s) used for residential.

(b) Where nonconforming business or industrial uses are expanded or damaged by more than 50% of the on-site building square footage or fair market value.

14. Consideration of adopting a resolution indicating objection/no objection to the following proposed project in Calcasieu Parish, Louisiana, provided said work meets with the rules and regulations of the Corps of Engineers, Best Management Practices during the course of construction set forth by the Environmental Protection Agency guidelines, and approvals are received from all other appropriate state and federal agencies, and further, that any required permits are obtained from the Division of Planning and Development:

(14.1) Proposal of the Vinton Harbor and Terminal District to bucket dredge 38,600 linear feet of the Vinton Navigation Channel to a depth of -10.5 feet mean sea level and impact 88.6 acres of water of the U.S. 221,803 cubic yards of dredge material will be removed, bucket dressed, and placed on the crown of the existing berm to avoid the wetlands that have encroached to the down slope edge of the channel berm. The applicant is also requesting authorization to perform maintenance dredging for a period of ten years. The purpose of the proposed project is to allow the applicant the ability to maintain Vinton Navigation Channel at -10.5 feet below mean sea level. Over the years, the Vinton Navigation Channel has been dredged, segment by segment, to the depth of -10.5 feet below mean sea level. With the proposed permit, the applicant will be able to maintain a consistent depth on the Vinton Navigation Channel for vessels coming to the Vinton Port, Harbor, and Terminal District's facility. Said project is located in the Vinton Navigation Channel in Vinton. The Planning Staff recommends that the Police Jury indicate no objection to this project application.

*AGENDA NOTE: any resolution of no objection to any project, if adopted, will stipulate that such "no objection" is based solely on evaluation by the Parish Planning and*

*Development Staff relative to the project's compliance with current parish ordinances and provisions, and that no environmental assessment was made, and further, requesting the agencies and/or individuals with environmental expertise to make an evaluation and forward their findings to the U. S. Corps of Engineers.*

15. Consideration of adopting a resolution approving the Parish's Redevelopment and Disposition Plan for Louisiana Land Trust Properties, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

*AGENDA NOTE: on February 5, 2009, the Police Jury deferred action until February 19, 2009, after a report was given by the Planning Staff.*

16. Consideration of adopting a resolution acknowledging the Police Jury's commitment to spend any economic recovery plan funds received to buy materials, goods, and services for projects that are produced by companies within the United States, and further, committing to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program. (Mr. Syas) (see attached)
17. Consideration of the following with reference to the construction and operation of the Southwest Louisiana Entrepreneurial Economic Development (SEED) Center:

(17.1) adopt a resolution approving a Cooperative Endeavor Agreement between the Police Jury, McNeese State University, the City of Lake Charles, and the Southwest Louisiana Alliance Foundation providing for (1) development of an architectural selection process including criteria to be utilized in the selection of an architect for design of the SEED Center, (2) the advertisement of a Request-for-Qualifications for architectural services, and (3) construction and operation of said SEED Center, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

(17.2) adopt a resolution authorizing the Division of Planning and Development to submit a grant pre-application and an application to the Louisiana Office of Community Development, Disaster Recovery Unit, for funding from the Community Development Block Grant Program to construct the SEED Center, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

18. Consideration of adopting a resolution authorizing the submittal of two federal appropriations requests seeking funding for (a) development of a coastal restoration plan, and (b) implementation of Phase II of the Comprehensive Master Plan process, which is the redesign of the land-use zoning maps, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.
19. Take appropriate action with reference to a request from Cleco Power LLC to renew a non-exclusive franchise right and privilege between the Police Jury and Cleco Power LLC, for a 25-year period to erect, construct, maintain, and operate lines, poles, wires, structures, and other equipment and appurtenances and use of public streets, alleys, ways, and other public servitudes within the unincorporated areas said company serves in Calcasieu Parish.

*AGENDA NOTE: the current franchise was granted by the Police Jury on March 1, 1984, for a period of 25 years, and it expires on February 28, 2009. On January 22, 2009, the Police Jury authorized the staff to meet with representatives of Cleco and report back to the Police Jury with a recommendation.*

20. Consideration of adopting a resolution approving a Cooperative Endeavor Agreement between the Police Jury and the Southwest Louisiana Economic Development Alliance with reference to the Police Jury's platinum sponsorship in the amount of \$2,000.00 for the 2009 Gulf Coast Trade Alliance World Trade Conference on April 1-3, 2009, in Lake Charles, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

21. Consideration of adopting a resolution approving the renewal of a lease agreement with the Southwest Louisiana Economic Development Alliance for a one-year term beginning March 1, 2009, for certain portions of the fifth and sixth floors of the Magnolia Building being utilized for the Business Incubator of Southwest Louisiana, and further, authorizing the President of the Police Jury, or his designee, when appropriate to execute all documents related thereto.
22. Consideration of adopting a resolution authorizing the President of the Police Jury to submit an application for renewal of LPDES discharge permit to the Louisiana Department of Environmental Quality for Sewerage District No. Eleven of Ward Three Wastewater Treatment Plant to meet the submittal deadline of 180 days prior to the existing permit expiration date of September 1, 2009, and further, authorizing the President of the Police Jury, or his designee, when appropriate to execute all documents related thereto.
23. Consideration of adopting a resolution authorizing the Director of the Office of Juvenile Justice Services to negotiate a Memorandum of Agreement between the Police Jury, Office of Juvenile Justice Services, and the Calcasieu Parish School Board for a Safe Schools and Communities Grant Program, and further, authorizing the President of the Police Jury, or his designee, when appropriate to execute all documents related thereto.
24. Consideration of accepting Calcasieu Parish Project No. 2007-07 (Ward 4: Acorn Creek Trail, Davis Road, Gill Drive, Goos Road, Hudson Drive, Koonce Road, Majestic Oak Drive, Miller Avenue, Mims Road, North Claiborne Street, Roy Bunch Road, Trousdale Road, Kendrick Road Drainage Improvements; Ward 5: Starks Bigwoods Road; Ward 6: Anthony Ferry Road) as substantially complete.
25. Consideration of authorizing the Parish Purchasing Agent to advertise for solicitation of a Request-for-Proposals (RFP) for a comprehensive Classification and Compensation Plan Study.
26. Consideration of going into executive session to discuss Lawsuit No. LC 08 WC/LT 51385 (Daniel vs. Police Jury).

EMERGENCY ITEMS  
REGULAR MEETING – FEBRUARY 19, 2009

The following item(s) were received after the agenda was faxed out on February 13, 2009, and each will require a unanimous vote of those present to suspend the rules to allow for consideration by the Police Jury, said vote occurring after an opportunity is given for public comment on the question of suspension of the rules:

Item No. One:

Consideration of adopting a resolution supporting the Port of Lake Charles and our local industries in their efforts for Congress to appropriate the necessary funding to the U. S. Army Corps of Engineers for the dredging and maintenance of the Calcasieu Ship Channel, which is of vital interest to the economy of Southwest Louisiana.