

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

SPECIAL MEETING - APRIL 16, 2019

The St. Martin Parish Council met in Special Session pursuant to the following Notice of Special Meeting:

NOTICE OF SPECIAL MEETING

Chairwoman Lisa Nelson has called a **Special Meeting** of the St. Martin Parish Council for 4:00 P.M., Tuesday, April 16, 2019, Cecilia Branch Library, 2460 Cecilia Sr. High School Highway, Cecilia, Louisiana, in accordance with the Provisions of the St. Martin Parish Home Rule Charter, Section 2.07, Council Meetings and Rules, Paragraph C, to consider the following items:

- 1) CALL TO ORDER
- 2) INVOCATION
- 3) PLEDGE OF ALLEGIANCE
- 4) ROLL CALL
- 5) SPECIAL BUSINESS:
None.
- 6) ORDINANCE INTRODUCED FOR PUBLIC HEARING:

SUMMARY NO. 1259-OR (Introduced by Chris Tauzin, District 5)

An Ordinance awarding an exclusive franchise to the successful respondent to formal Request for Proposals for St. Martin Parish's mandated waste disposal program, setting a franchise fee in connection with the aforesaid franchise, and otherwise providing with respect thereto.

- 7) RESOLUTION:

SUMMARY NO. 030-RS (Introduced by Daniel Richard, Jr., District 9)

A Resolution awarding the contract for the collection, transportation and customer billing of residential and commercial solid waste and recyclable material pursuant to formal Request for Proposals issued on February 8, 2019.

8) ORDINANCE INTRODUCED FOR PUBLICATION:

SUMMARY NO. 1264-OR (Introduced by Lisa Nelson, District 2)

An Ordinance providing for the adoption of Millage Rate(s) for the Tax Year 2019.

9) ADJOURNMENT

NOTE: According to the Home Rule Charter, Section 2.07, Paragraph C, "the power of the Council to act at a special or emergency meeting shall be limited, under penalty of nullity, to the objects specifically enumerated in the call."

Laci Laperouse, Clerk of the Council
St. Martin Parish Council
301 West Port Street
St. Martinville, Louisiana 70582
337-394-2200

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Laci Laperouse, Clerk of the Council at 337-394-2200 describing the assistance that is necessary.

The meeting was called to order by Chairwoman Lisa Nelson.

The Invocation was read by Laci Laperouse and the Pledge of Allegiance was led by Dean LeBlanc.

The following members were present: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr. Members absent: Jason Willis (excused). Also present: Parish President Chester Cedars, Director of Administration Calder Hebert, Director of Finance Sean Hundley, Director of Public Works Martin Poirrier (arrived at 4:45 P.M.) and Parish Attorney Allan Durand.

Chairwoman Lisa Nelson requested moving to Item 7. Resolution at this time.

A motion was made by Daniel Richard, Jr. and seconded by Dean LeBlanc to adopt Resolution Summary No. 030-RS.

After handing out a Response Requirement Checklist (*on-file*) provided by Sellers & Associates, Inc., Parish Attorney Allan Durand made a recommendation to the Council regarding Resolution Summary No. 030-RS. Parish Attorney Allan Durand recommended rejecting and/or disqualifying all five (5) of the proposals. A discussion ensued amongst Council Members, Parish President Chester Cedars and Legal Counsel Allan Durand. Republic Services representative Beth Guidry commented on this matter, stating none of the companies' submitted comparable proposals.

Parish President Chester Cedars gave a detailed timeline of events relative to the waste disposal program, beginning from 2001 to present. Parish President Chester Cedars explained that there were major deficits with the current program and felt the only way to resolve this problem would be to have the provider directly bill the customer. Parish President Chester Cedars recommended the Council award the new contract for services to the highest-scored respondent, Waste Management, L.L.C. If the Council accepted the recommendation of Parish Attorney Allan Durand, the Council should allow him to negotiate with the five (5) respondents based upon the conferences he had with the Council Members and Sellers & Associates, Inc. Parish President Chester Cedars stated Sellers & Associates, Inc. would solicit from each respondent a cost for the program without curbside recycling and present a proposed contract for consideration at the St. Martin Parish Council Regular Meeting of May 7, 2019. Parish President Chester Cedars also stated he and Sellers & Associates, Inc. had approached the issue with the five (5) respondents on the three (3) objectives: quality service, reasonable cost to citizens, and elimination of significant deficits that the Parish has had over the years.

A substitute motion was made by Chris Tauzin and seconded by Albert Menard that the following resolution be adopted, as amended:

AMENDED RESOLUTION NO. 19-030-RS

A RESOLUTION BY THE ST. MARTIN PARISH COUNCIL WITH REGARD TO THE REQUEST FOR PROPOSALS FOR A CONTRACT AND EXCLUSIVE FRANCHISE FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND RECYCLABLE MATERIALS IN ST. MARTIN PARISH.

WHEREAS, the St. Martin Parish Government was desirous of securing a contract for the collection and disposal of commercial and residential wastes and recycling materials throughout St. Martin Parish; and

WHEREAS, the St. Martin Parish Government issued a Request for Proposals (“RFP”), receiving a total of five (5) proposals on March 20, 2019; and

WHEREAS, the Council has made certain findings with respect to those proposals, and has received advice from the Parish Attorney with respect thereto.

NOW, THEREFORE, BE IT RESOLVED that the following Resolution is adopted:

BE IT RESOLVED that the St. Martin Parish Council finds that the proposals for a new waste collection and disposal contract submitted by Waste Management, Arrow Disposal Service, Inc. (ADSI), and Pelican Waste & Debris are all fatally defective because of their failure to respond as required in the RFP, and that therefore those proposals are rejected for that reason.

BE IT FURTHER RESOLVED that the St. Martin Parish Council finds that the proposals received from Republic Services and Waste Pro USA likewise contain deficiencies, and further, the St. Martin Parish Council finds that the proposals by those two (2) companies are too expensive and are rejected for those reasons, the bids being unacceptable on price alone even if they had been without any other defects.

BE IT FURTHER RESOLVED that St. Martin Parish Government is no longer desirous of executing its next contract for waste collection and disposal on an exclusive basis.

BE IT FURTHER RESOLVED that the St. Martin Parish Council acknowledges that the Parish President will proceed with negotiations with the respondents for waste disposal services.

BE IT FURTHER RESOLVED that all prior resolutions or parts of resolutions in conflict herewith are hereby repealed.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon approval of the St. Martin Parish Council.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Chris Tauzin,
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: Chris Tauzin and Albert Menard.
ABSTAIN: None.
ABSENT: Jason Willis (excused).

And the Resolution was declared adopted this 16th day of April, 2019.

A motion was made by Albert Menard and seconded by Jill Hebert to open the Public Hearing to obtain public comments regarding the ordinance being considered for final adoption.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Chris Tausin,
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Jason Willis (excused).

And the motion was declared adopted this 16th day of April, 2019.

Chairwoman Lisa Nelson asked for public comments regarding the proposed ordinance being considered for final adoption.

Clerk of the Council Laci Laperouse read the ordinance summary.

Upon requesting and hearing no comments from the audience regarding the proposed ordinance being considered for final adoption, the Chairwoman requested a motion to close the Public Hearing.

A motion was made by Albert Menard and seconded by Jill Hebert that the Public Hearing be closed.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Chris Tausin,
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Jason Willis (excused).

And the motion was declared adopted this 16th day of April, 2019.

A motion was made by Albert Menard and seconded by Jill Hebert that the following ordinance be deferred until May 7, 2019:

ORDINANCE SUMMARY NO. 1259-OR

An Ordinance awarding an exclusive franchise to the successful respondent to formal Request for Proposals for St. Martin Parish's mandated waste disposal program, setting a franchise fee in connection with the aforesaid franchise, and otherwise providing with respect thereto.

WHEREAS, the St. Martin Parish Government has solicited formal Request for Proposals relative to mandated waste disposal services of St. Martin Parish, Louisiana; and

WHEREAS, La. R.S. 33:4169.1 authorizes parish governments to award exclusive franchises to waste disposal providers so long as said award is in accordance with the public bid laws of the State of Louisiana; and

WHEREAS, by virtue of a competitive bid process initiated through the aforementioned formal Request for Proposals, a respondent has submitted what has been deemed to be the most acceptable response to the said Request for Proposals, all pursuant to the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the response of the aforesaid respondent received the highest evaluation by independent analysis of all responses to St. Martin Parish Government's Request for Proposals; and

WHEREAS, the franchise fee provided for in the response of the aforesaid successful respondent is in accordance with the dictates of the aforementioned Request for Proposals:

BE IT, THEREFORE, ORDAINED that the aforementioned respondent be declared the successful respondent to the Request for Proposals issued by the St. Martin Parish Government relative to the Parish's mandated waste disposal program.

BE IT FURTHER ORDAINED that the aforesaid successful respondent be awarded an exclusive contract for a period of five (5) years for residential and commercial waste disposal services for the unincorporated areas of St. Martin Parish, Louisiana.

BE IT FURTHER ORDAINED that St. Martin Parish Government be entitled to a monthly franchise fee of seventy-five cents (\$0.75) per residential and commercial unit per month during the term of the said exclusive franchise agreement.

BE IT FURTHER ORDAINED that the Parish President, Chester R. Cedars, be and is hereby authorized, empowered, and directed to negotiate a contract for the Parish's mandated waste disposal services under the terms and conditions set forth herein and under such additional terms and conditions as he may deem necessary and fit in his uncontrolled discretion.

BE IT FURTHER ORDAINED that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President, all in accordance with the dictates of the Home Rule Charter of St. Martin Parish, Louisiana.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Chris Tazuin,
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Jason Willis (excused).

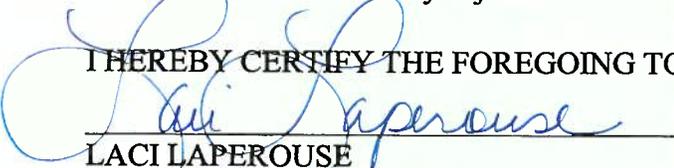
And the Ordinance was declared deferred this 16th day of April, 2019.

Clerk of the Council Laci Laperouse read the ordinance introduced for publication, as follows:

SUMMARY NO. 1264-OR (Introduced by Lisa Nelson, District 2)
An Ordinance providing for the adoption of Millage Rate(s) for the Tax Year 2019.

A motion was made by Byron Fuselier and seconded by Albert Menard that the St. Martin Parish Council does hereby adjourn. Motion was unanimously approved.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



LACI LAPEROUSE
CLERK OF THE COUNCIL