

**REGULAR MEETING
FEBRUARY 9, 2022
6:30 P.M.**

The Mayor and Councilmen of the Town of Jean Lafitte met in a Regular Meeting with the following members present: Mayor Kerner. Councilman Bartholomew, Councilman Creppel, Councilman Darda, Councilman Guillie and Councilman Smith. Mayor Kerner presided calling the meeting to order at 6:30 p.m. asking everyone to rise and pledge allegiance to the flag of the United States of America.

On a motion by Councilman Bartholomew and seconded by Councilman Smith the following was offered:

A motion to accept the minutes of the Regular Meeting of January 12, 2022, 2022.

YEAS: 5

NAYS: 0

ABSENT: 0

On a motion by Councilman Smith and seconded by Councilman Guillie the following was offered:

A motion to table Summary Ordinance #512.

YEAS: 5

NAYS: 0

ABSENT: 0

Mayor Kerner presented a progress report on the Hurricane Ida recovery and upcoming projects.

SUMMARY RESUBDIVISION ORDINANCE #411

On a motion by Councilman Smith the following resubdivision ordinance was offered:

An ordinance resubdividing lots B and C-1, Town of Jean Lafitte, Jefferson Parish, Berthoud Plantation into Lot B-1 Berthoud Plantation, Town of Jean Lafitte, Jefferson Parish, Louisiana,

WHEREAS, Warren Lavalley is the owner of Lots A & B of Lot 43 Rosethorne Subdivision and Lot CF-1 of Berthoud Plantation,

WHEREAS, said owner desires to resubdivide Lots A & B of Lot 43 Rosethorne Subdivision and Lot CF-1 of Berthoud Plantation, into Lot 43AB Rosethorne Subdivision and Lots CF1-A and CF-2B Berthoud Plantation, Town of Jean Lafitte, all in accordance with a plan of survey and resubdivision by Dufrene Surveying and Engineering Inc., dated June 14, 2021.

RESOLUTION NO. 2238

On a motion by Councilman Guillie and seconded by Councilman Darda the following resolution was adopted:

A resolution to authorize the Mayor of the Town of Jean Lafitte, Louisiana to request a loan under the Community Disaster Loan Program of the Federal Emergency Management Agency (FEMA) for a maximum amount of \$364,750, to receive and manage these funds and for other purposes.

WHEREAS, due to the effects of Hurricane Ida (DR4611-LA), the Town of Jean Lafitte is projecting substantial revenue losses necessary for the continued operations of essential government services including, but not limited to general government, public safety, culture and recreation and garbage collection services; and

WHEREAS, the Federal Emergency Management Administration (FEMA), through its Community Disaster Loan Program (CDL Program), makes available low interest loans to help bridge substantial revenue losses until such time as recovery efforts lead to restored revenues sources; and

WHEREAS, the Town of Jean Lafitte, Louisiana is interested in submitting to FEMA a consideration request for a Community Disaster Loan in the amount of \$364,750, that must be repaid no later than 5 years after the execution of the note, and will be used as revenue in support of annual budgets as permitted by Law; and

WHEREAS, the described laws permits local governments to accept such loan proceeds and anticipate same in support of their annual budgets; and

WHEREAS, (1) The interest rate of the loan will be equal to the 5-year maturities based on the United States Treasury obligations in effect on the date the Promissory Note is executed by FEMA; (2) The loan may be forgiven under certain circumstances; and (3) Whatever portion of the loan not forgiven will be repaid at a time when economic recovery has broadened the base of revenues in support of the budget; and

WHEREAS, refraining to accept such a loan would irresponsibly forgo relief available to the residents of the Town of Jean Lafitte, at a time when relief is critically needed;

THEREFORE, BE IT RESOLVED, by the Town of Jean Lafitte, that the following actions are hereby approved by the Town Council:

- SECTION 1:** The Town Council authorizes the Mayor or his/her authorized representative to begin all the necessary steps to present to FEMA the formal Request for a Loan of the CDL Program for an amount not to exceed \$364,750;
- SECTION 2:** If FEMA approves the loan, the Town Council authorizes the Mayor to receive and administer these funds, as provided by the Community Disaster Loan (CDL) Program;
- SECTION 3:** That the Mayor is hereby authorized and designated as representative of the Town of Jean Lafitte, Louisiana and as such, may and will provide any additional information, as required, including all the guarantees contained in the request.
- SECTION 4:** With respect to such request and receipt of funds, the Town of Jean Lafitte, in accordance with the requirements of the Community Disaster Loan Program of FEMA, shall comply with the following:
- A. A contract with FEMA, in a manner and manner acceptable to the Director of the Agency, for payment of the amount requested and compliance with any other obligation required or acquired, as a condition of receiving the loan proceeds.
 - B. Commit re-payment with funds/revenues that the Town of Jean Lafitte may be receiving in the future.
 - C. Request an amount of funds not to exceed \$364,750.
 - D. Authorize the Town Treasurer to create a sinking fund account that will be used to amortize the CDL debt service.
 - E. Establish a payment period that does not exceed a term of five (5) years.
 - F. Provide, at the discretion of the Director of FEMA, any other type of guarantee that it deems appropriate.

SECTION 5: That the Mayor is hereby authorized to sign any contract and/or agreement with the Director of FEMA in relation to said request and is also authorized to review and obligate such funds requested pursuant to said contract and/or agreement.

SECTION 6: To the extent that any or all of the actions authorized by this means have been carried out and/or executed by the Mayor, all are ratified and confirmed.

SECTION 7: Any ordinance, resolution or any of its parts that may be in conflict with this, are hereby repealed.

SECTION 8: We pledge the following listed collateral security to the Federal Emergency Management Agency (FEMA) on the Promissory Note for a Community Disaster Loan for \$364,750 executed on this date pursuant to Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and the FEMA Regulation, 44 CFR 206, Subpart K.

We further understand that failure to repay any outstanding principal and related interest on those portions of the loan which do not qualify for loan cancellation as determined by FEMA or any successor agency will result in forfeiture of as much as the listed collateral security as is necessary to collect such outstanding principal and interest (Collateral security listed below).

The promissory note is payable from and secured by a pledge of the applicant's revenues for each fiscal year while any of the loan is outstanding, after a provision has been made for the payments required in connection with any outstanding indebtedness of the application.

SECTION 9: A Copy of this Resolution duly approved by the Town Council will be sent to the Town Clerk, to the Town Treasurer, to the Town Attorney, and to the authorized officials of FEMA Community Disaster Loans Program and any other agency with interference in the process.

SECTION 10: This resolution will take effect immediately once signed by the Mayor.

THEREFORE, BE IT RESOLVED, The Town Council met on February 9, to approve the Mayor's signature on the CDL application, to sign the agreements and contracts noted above, and to make application to the State Bond Commission for approval for incurring debt, as required by Article VII, Section 8 of the 1974 Louisiana Constitution, Article VI, Section 33 of the 1974 Louisiana Constitution, and R.S. 39:1410.60-1410.65.

YEAS: 5 **NAYS: 0** **ABSENT: 0**

- Councilman Bartholomew
- Councilman Creppel
- Councilman Darda
- Councilman Guillie
- Councilman Smith

RESOLUTION #2239

On a motion by Councilman Smith and seconded by Councilman Guillie the following resolution was adopted:

A resolution approving Timothy Gautreaux Jr. and Chris Rodriguez as Reserve Police Officers for the Town of Jean Lafitte.

WHEREAS, Timothy Gautreaux Jr. and Chris Rodriguez are both post certified.

YEAS: 5

NAYS: 0

ABSENT: 0

Councilman Bartholomew
Councilman Creppel
Councilman Darda
Councilman Guillie
Councilman Smith

No further business was discussed on a motion by Councilman Smith and seconded by Councilman Creppel the meeting was adjourned at 7:15 p.m.

Town Clerk