

**Minutes
Public Hearing
Town of Iowa
115 N. Thomson
Iowa, LA 70647
December 13, 2021 6:30p.m.**

Mayor Hesse called the public hearing to order at 6:30 p.m. Present was Mayor Hesse; Council Members Joe Becnel, Julie Fontenot, Vernessa Guillory, Gerald Guidry, and Daniel Hennigan; Town Clerk Cynthia Mallett; Town Attorney Eugene Bouquet; Police Chief Keith Vincent; Fire Chief Lewis, about 13 citizens.

Mayor Hesse read the title of proposed Ordinance No. 2021-06, An Ordinance amending the code of ordinances, reapportioning single member voting districts for the Board of Council Members for the Town of Iowa, Louisiana, in accordance with the 2020 census. He asked if there were any comments or questions. Nobody came forward with questions or comments.

Mayor Hesse read the title of proposed Ordinance No. 2021-07, An Ordinance Fixing meeting place, days, and time for Mayor and Town Council. He asked if there were any comments or questions. Nobody came forward with questions or comments. Public Hearing was closed at 6:34 p.m.

**Minutes
Regular Meeting
Town of Iowa
115 N. Thomson
Iowa, La
December 13, 2021 6:34 p.m.**

Mayor and Town Council met in regular session this date in compliance with all requirements as to notice.

Present: Mayor Paul Hesse; Council Members: Vernessa Guillory, Daniel Hennigan, Joe Becnel, Gerald Guidry, and Julie Fontenot; [quorum present]; Chief of Police H. Keith Vincent; Town Attorney Eugene Bouquet; Fire Chief Lewis, and Town Clerk Cynthia Mallett; and about 13 citizens.

Invocation by Council Member Joe Becnel; followed by Pledge.

Mayor Hesse called the meeting to order at 6:34 pm.

It was **moved by** Julie Fontenot, **seconded by** Daniel Hennigan to amend agenda to add:

- a. Motion to approve Cooperative Endeavor Agreement by and between Calcasieu Parish Police Jury and Town of Iowa and to authorize Mayor to execute said agreement.
- b. Motion to go into executive session to discuss lawsuits filed against the Town of Iowa.

The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Vernessa Guillory to adopt amended agenda. The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve November 8, 2021 Regular Meeting Minutes as submitted. The motion passed unanimously.

Old Business:

Mr. Johnny Mouton came before the Mayor and Council to request a permit for a Mobile Home Park at the old Iowa Trailer Park located on Highway 90 and Stockwell Street. Mr. Bouquet said that in his opinion it was not grandfathered in as a mobile home park and it would need the vote of the Council Members to allow a mobile home park at the location. Mayor Hesse asked the Council if they wanted to grant approval as a trailer park. Mayor Hesse said if they wanted to grant a variance they could make certain requirements with the variance. Council Member Gerald Guidry said he would like to make a variance asking for an RV Park, not a camp ground. Council Member Daniel Hennigan said he was not opposed to granting a variance for an RV Park by Mr. Mouton. Mayor asked if anyone would like to say

anything else concerning the matter. Mr. Kenneth Landry came forward and stated that he was against it because the town had an ordinance against it and why have an ordinance if you are not going to enforce it. Council Member Julie Fontenot asked Mr. Mouton if it would be like the one he has across the street. Mr. Mouton said no because this location doesn't have the space, there isn't enough room for more than 12-14 units. Mayor asked about the fencing. Mr. Mouton said he would install fencing on the North and West sides. He stated that he would have a lot of lighting installed and lime stone drives and roads. Mayor asked Mr. Mouton about a camera system. Mr. Mouton said he had it in mind to install a camera system. Mayor asked the Council for a motion to allow a variance for an RV Park with the security lighting and fencing as requirements. It was **moved by** Gerald Guidry, **seconded by** Vernessa Guillory to allow the variance as stated by the Mayor. The vote was as follows:

Yeas: Gerald Guidry and Vernessa Guillory

Nays: Daniel Hennigan, Julie Fontenot, and Joe Becnel

Absent: None

Abstain: None

The motion failed.

New Business:

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to adopt Ordinance No. 2021-06. The motion passed unanimously.

The following ordinance was offered by Daniel Hennigan duly seconded by Julie Fontenot and duly resolved and adopted on December 13,2021.

ORDINANCE NO. 2021-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, REAPPORTIONING SINGLE MEMBER VOTING DISTRICTS FOR THE BOARD OF COUNCIL MEMBERS FOR THE TOWN OF IOWA, LOUISIANA, IN ACCORDANCE WITH THE 2020 CENSUS

WHEREAS, there are presently four single member voting districts for the Town of Iowa, designated as Districts A, B, C, and D, said Districts having been created by Ordinance No. 2011-05 and

WHEREAS, according to the 2020 Census of the U.S. Census Bureau, and after considering all annexations, the Mayor and Board of Council Members of the Town of Iowa commissioned a reapportionment study which determined that unequal apportionment of the municipal population exists and, therefore the boundaries of the four single member voting districts should be changed to reflect as nearly as possible and equal apportionment of said population, as required by law, particularly La R.S. 33:382 and La. R.S. 33:1371;

BE IT ORDAINED by the Mayor and Board of Council Members of the Town of Iowa, in regular session assembled, that Town of Iowa Ordinance No. 2011-05; be and the same is hereby amended as follows: to-wit:

SECTION I

(Definition of District A)

District A of the municipality of the Town of Iowa shall be defined by the description contained in the attached Exhibit labeled "District A", and including the boundaries and dimensions as shown of the plat attached thereto.

SECTION II

(Definition of District B)

District B of the municipality of the Town of Iowa shall be defined by the description contained in the attached Exhibit labeled "District B", and including the boundaries and dimensions as shown of the plat attached thereto.

**SECTION III
(Definition of District C)**

District C of the municipality of the Town of Iowa shall be defined by the description contained in the attached Exhibit labeled "District C", and including the boundaries and dimensions as shown of the plat attached thereto.

**SECTION IV
(Definition of District D)**

District D of the municipality of the Town of Iowa shall be defined by the description contained in the attached Exhibit labeled "District D", and including the boundaries and dimensions as shown of the plat attached thereto.

The remainder of the provisions of Ordinance No. 2011-005 shall remain in full force and effect. All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed. This amended ordinance is to become effective at the end of the terms of office of the current members of the Board of Council Members on December 31, 2022, as provided by La. R.S. 33:1371 (B).

After being considered section by section and being put to a vote on the whole, the vote thereon was as follows:

YEAS: Daniel Hennigan, Julie Fontenot, Vernessa Guillory, Joe Becnel, and Gerald Guidry

NAYS: None

ABSENT: None

ABSTAIN: None

And the said ordinance was therefore declared adopted on this 13th day of December, 2021.

PAUL HESSE, MAYOR

CYNTHIA MALLETT, CITY CLERK

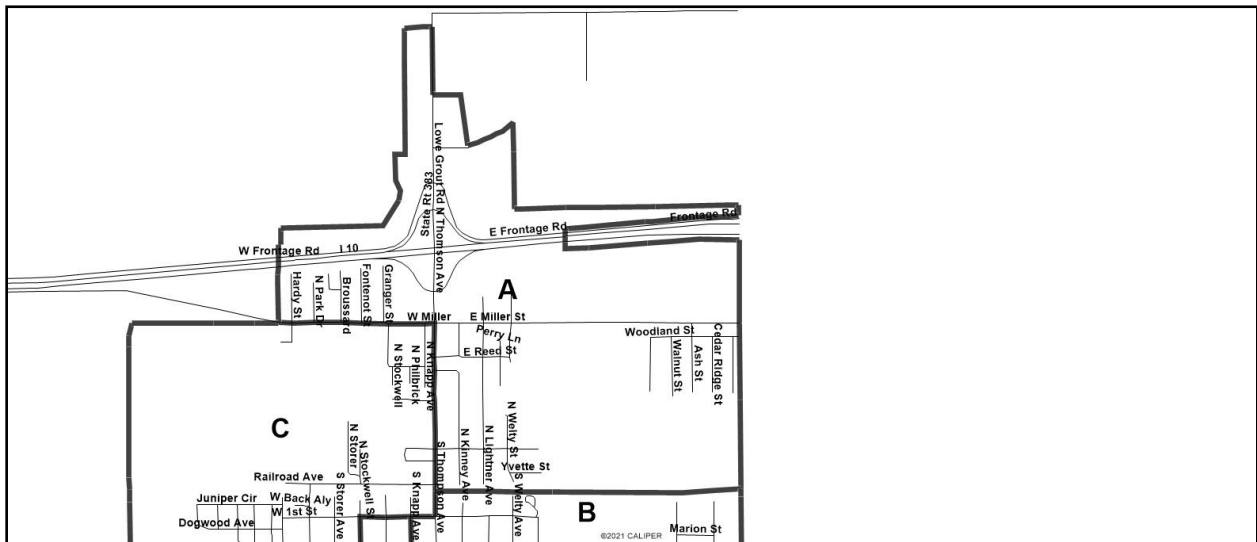
The above ordinance was presented to the Mayor by the Clerk, approved by the Mayor and returned to the Clerk on this 14th day of December, 2021.

**Exhibit – District A
Town of Iowa
Census 2020 Reapportionment, Plan 1**

District A:

Commencing from the Point of Beginning at the intersection of the centerlines of N. Thompson Ave., also designated as State Hwy. 383, and W. Miller St., thence westerly on W. Miller St. to the intersection with the municipal boundaries of the Town of Iowa, thence northerly, easterly, and southerly to the intersection with the centerline of the Union Pacific Railroad tracks, thence westerly on the Union Pacific Railroad tracks to the intersection with the centerline of N. Thompson Ave., thence northerly on N. Thompson Ave. to the intersection with the centerline of W. Miller St. and the Point of Beginning.

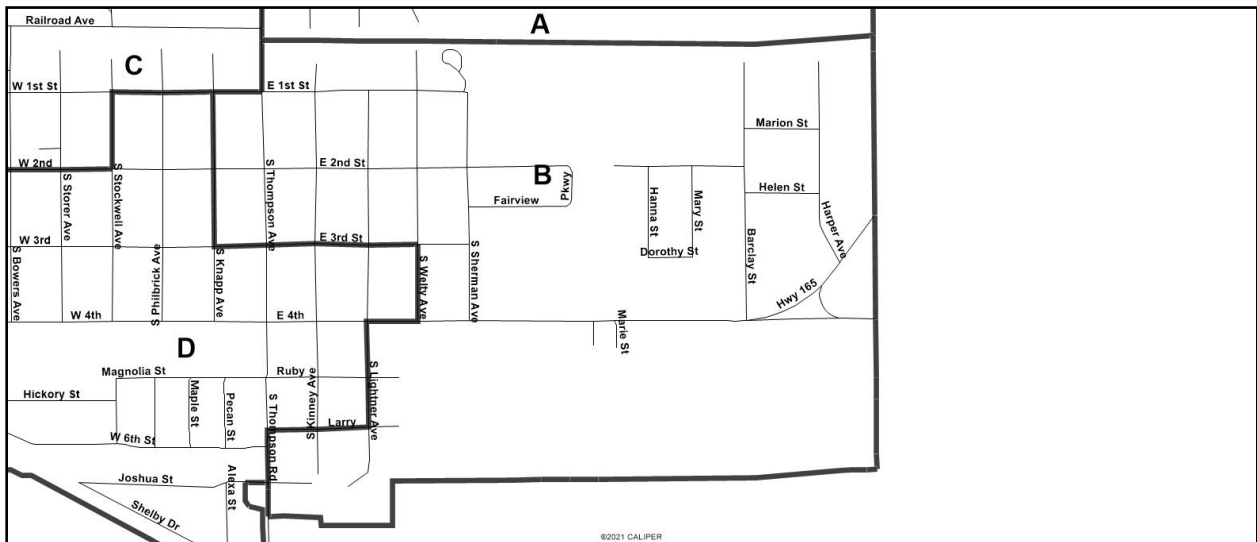
District A Plat



**Exhibit – District B
Town of Iowa
Census 2020 Reapportionment, Plan 1**

District B:
Commencing from the Point of Beginning at the intersection of the centerlines of the Union Pacific Railroad tracks and N. Thompson Ave., also designated as State Hwy. 383, thence southerly on N. Thompson Ave. to the intersection with the centerline of W. 1st St., thence westerly on W. 1st St. to the intersection with the centerline of E. 3rd St., thence easterly on E. 3rd St. to the intersection with the centerline of S. Wemy Ave., thence south on S. Wemy Ave. to the intersection with the centerline of E. 4th St., thence westerly on E. 4th St. to the intersection with the centerline of S. Lightner Ave., thence southerly on S. Lightner Ave. to the intersection with the centerline of Larry St., thence westerly on Larry St. to the intersection with the centerline of S. Thompson Ave., thence southerly on S. Thompson Ave. to the intersection with the municipal boundaries of the Town of Iowa, thence easterly and northerly along the municipal boundaries to the intersection with the centerline of the Union Pacific Railroad tracks, thence westerly along the tracks to N. Thompson Ave. and the Point of Beginning.

District B Plat:

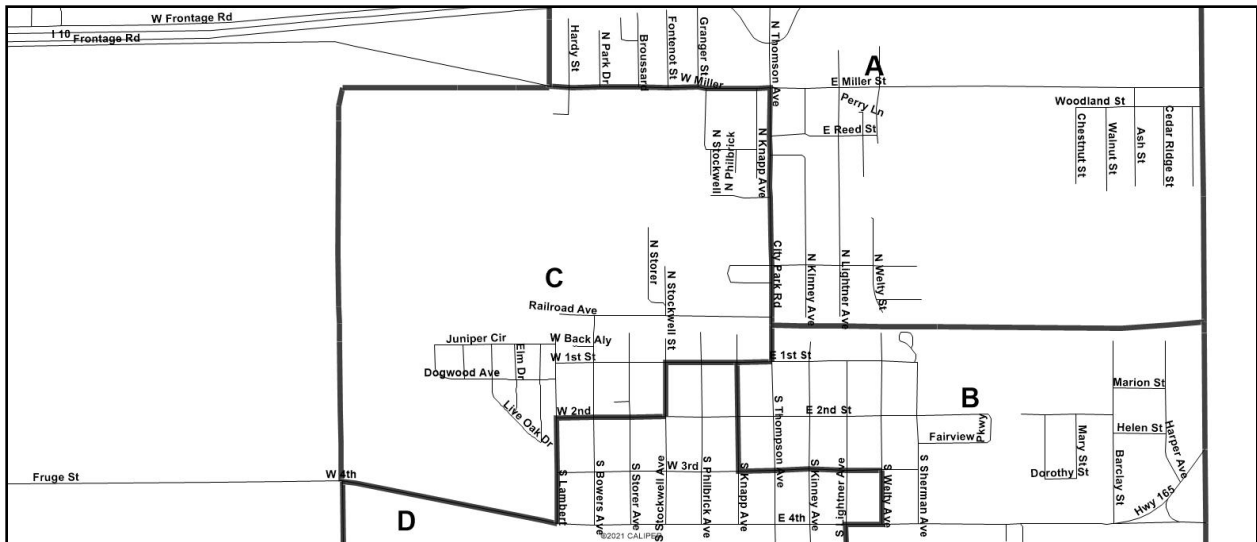


**Exhibit – District C
Town of Iowa
Census 2020 Reapportionment, Plan 1**

District C:

Commencing from the Point of Beginning at the intersection of the centerlines of N. Thompson Ave., also designated as State Hwy. 383, and W. Miller St., thence westerly on W. Miller St. to the intersection with the municipal boundaries of the Town of Iowa, thence westerly and southerly to the intersection with the centerline of W. 4th St., thence easterly on W. 4th St. to the intersection with the centerline of S. Lambert Ave., thence northerly on S. Lambert Ave. to the intersection with the centerline of W. 2nd St., thence easterly on W. 2nd St. to the intersection with the centerline of S. Stockwell Ave., thence northerly on S. Stockwell Ave. to the intersection with the centerline of W. 1st St., thence easterly on W. 1st St. to the intersection with the centerline of S. Thompson Ave., thence northerly on S. Thompson Ave. to N. Thompson Ave., thence northerly on N. Thompson Ave. to the intersection with the centerline of W. Miller St. and the Point of Beginning.

District C Plat



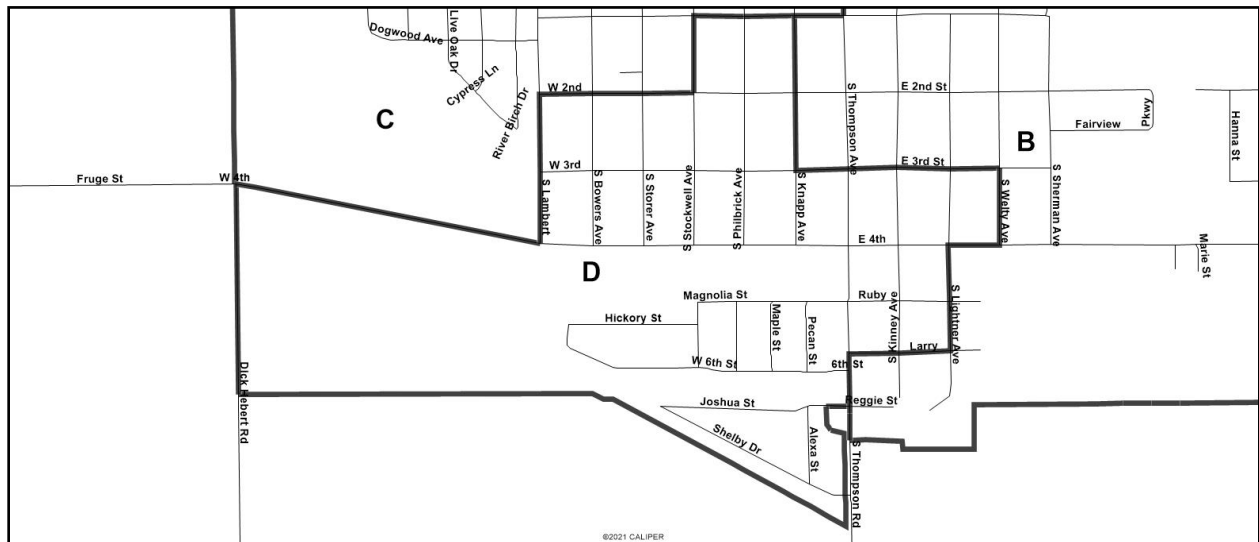
**Exhibit – District D
Town of Iowa
Census 2020 Reapportionment, Plan 1**

District D:

Commencing from the Point of Beginning at the intersection of the municipal boundary of the Town of Iowa and the centerline of W. 4th St., thence easterly on W. 4th St. to the intersection with the centerline of S. Lambert Ave., thence northerly on S. Lambert Ave. to the intersection with the centerline of W. 2nd St., thence easterly on W. 2nd St. to the intersection with the centerline of S. Stockwell Ave., thence

northerly on S. Stockwell Ave. to the intersection with the centerline of W. 1st St., thence easterly on W. 1st St. to the intersection with the centerline of S. Knapp Ave., thence southerly on S. Knapp Ave. to the intersection with the centerline of E. 3rd St., thence easterly on E. 3rd St. to the intersection with the centerline of S. Welty Ave., thence southerly on S. Welty Ave. to the intersection with the centerline of E. 4th St., thence westerly on E. 4th St. to the intersection with the centerline of S. Lightner Ave., thence southerly on S. Lightner Ave. to the intersection with the centerline of Larry St., thence westerly on Larry St. to the intersection with the centerline of S. Thompson Ave., thence southerly on S. Thompson Ave. to the intersection with the municipal boundaries of the Town of Iowa, thence westerly and northerly along the municipal boundaries to the intersection with the centerline of W. 4th St. and the Point of Beginning.

District D Plat



It was **moved by** Daniel Hennigan, **seconded by** Joe Becnel to adopt Ordinance No. 2021-07. The motion carried unanimously.

ORDINANCE NO. 2021-07

AN ORDINANCE FIXING MEETING PLACE, DAYS, AND TIME FOR MAYOR AND TOWN COUNCIL

WHEREAS, the Mayor and Town Council, pursuant to law, desire to fix and publish the place, days and time for regular meetings of the Mayor and Town Council.

NOW, THEREFORE, BE IT ORDAINED that Town of Iowa Mayor and Town Council meetings shall be held at 115 N. Thomson Avenue in City Hall Meeting Room on the second Monday, at six-thirty p.m., of each and every month of the calendar year 2022, shall be designated and published in accordance with law for the official meeting day of the Mayor and Town Council for the Town of Iowa, Louisiana.

THUS DONE AND INTRODUCED at a regular meeting of the Mayor and Town Council for the Town of Iowa, Louisiana, held on the 8th day of November, 2021.

After a public hearing was held on the above ordinance, the title having been read and the ordinance considered, on motion by Daniel Hennigan, seconded by Joe Becnel to adopt the ordinance, a record vote was taken and the following result was had:

YEAS: Daniel Hennigan, Joe Becnel, Julie Fontenot, Gerald Guidry, and
Vernessa Gullory

NAYS: None

ABSENT: None

ABSTAIN: None

WHEREUPON, the presiding officer declared the above ordinance duly adopted on this 13th day of December, 2022.

APPROVED:

PAUL HESSE, MAYOR

ATTEST:

CYNTHIA MALLET, TOWN CLERK

Jeff Kudla, Architect was not present. Mayor Hesse asked for a motion to approve the payment submitted by Mr. Kudla. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve payment #5 and No Lien Certificate from PERC Development for a final payment of \$19,755.00. The motion passed unanimously.

Engineer Walt Jessen came before the Mayor and Council. He recommended the Council approve McManus Construction, LLC invoice. It was **moved by** Vernessa Guillory, **seconded by** Julie Fontenot to pay McManus Construction, LLC invoice in the amount of \$61,635.05 for project #I-2021-178. The motion passed unanimously. Mr. Jessen requested the Council approve the engineer's invoice. It was **moved by** Julie Fontenot, **seconded by** Joe Becnel to approve Engineer's invoice for project I-2020-178, N. Storer Avenue Drainage Improvements in the amount of \$8,691. The motion passed unanimously. Mr. Jessen reported the Water Looping Project contract is prepared and will be executed when we have approval of an award from the State of Louisiana for a Water Sector Program that the town applied for. He also reported that they were working to get the Sewer Pond Project plans out.

Mayor Hesse invited Mr. Tony Stelly to come forward. Mr. Stelly requested the town allow two taps for water service outside corporate limits at the locations of 945 and 987 S. Thomson Avenue. It was **moved by** Daniel Hennigan, **seconded by** Vernessa Guillory to approve the following resolution. The motion passed unanimously.

RESOLUTION NO. 2021-19

Resolution approving to provide water service outside
Corporate limits of the Town of Iowa for the location
987 and 945 S. Thomson Avenue

WHEREAS, the Town of Iowa is presently providing water service to 987 and 945 S. Thomson Avenue by means of one (1) connection; and

WHEREAS, it is requested that two new water taps be made in the town's new water line on the west side of Thomson Avenue;

BE IT RESOLVED by the Town Council of the Town of Iowa, Louisiana, that upon payment for all costs incurred to provide water to said locations water services shall be provided and homeowners at listed locations shall pay for all costs incurred to provide water service.

BE IT FURTHER RESOLVED that all water services provided to out of town locations, shall be charged an out of town monthly fee of Twelve Dollars (\$12.00) per month in addition to the metered water usage or flat fee charge.

APPROVED AND ADOPTED by
The Town Council of the
Town of Iowa, Louisiana, on
this 13th day of December,
2021.

PAUL HESSE, MAYOR

ATTEST:

CYNTHIA MALLET, TOWN CLERK

Mr. Clayton Aymond, Street department, came forward and reported the activities during the month of November.

Mr. James Hardy, Sewer department, came forward and gave his report on the activities during the month of November.

Mr. Charles Ramour, Water department, came forward and gave his report on the activities during the month of November.

Officer Crooks came forward and reported on the following locations set for repair or condemnation. He said they are all past the time given to them by the Council and they needed to come in and give an update. Mayor announced the first address, 310 Highway 90 West and asked if anyone was present. Nobody was present. Mayor said the property was under contract for sale and he asked if it could be verified who the new owner is for this property.

Mayor announced the next two addresses, 502 and 500 Railroad Avenue and asked if anybody was present. Nobody came forward. Officer Crooks said both locations belonged to Mr. Miller and as far as he could see there has been no progress made in tearing it down or cleaning it up. Mr. Bouquet gave his recommendation to the Council on how to proceed. It was **moved by** Daniel Hennigan **seconded by** Vernessa Guillory to send notice to owner of 500 and 502 Railroad Avenue to appear for hearing of condemnation of said property for the January meeting. The motion passed unanimously.

Mayor announced the fourth address, 410 S. Sherman Avenue. Nobody came forward. Officer Crooks said the owners told him they would not make the meeting and asked if they could come next month. It was **moved by** Daniel Hennigan, **seconded by** Joe Becnel to send notice to the property owners, a notice proceeding with condemnation for the January meeting. The motion carried unanimously.

Chief Vincent came forward and gave an update on the Police Department activities for the month of November. Ms. Wilma Camp was present and thanked Chief Vincent for his help with the disturbances

they had from the FEMA trailer park in their neighborhood. She said the trailer park is not what the owner promised it would be when the Council permitted it. It was discussed that a notice to the owner be sent requesting him to come to the next Council meeting to answer to the complaints.

Fire Chief Lewis came forward and gave a report of activities of the Fire department for the month of November. Mayor Hesse asked him to submit changes for the burn ordinance so small burn pits would be allowed. Chief Lewis said he could re-word the ordinance for introduction to the Council.

It was **moved by** Daniel Hennigan, **seconded by** Joe Becnel to approve Cooperative Endeavor Agreement by and between the Louisiana Department of the Treasury and the State of Louisiana, and Town of Iowa; also, to authorize Mayor Hesse to execute said agreement. The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Resolution 2021-18. The motion carried unanimously.

RESOLUTION 2021-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF IOWA, LOUISIANA ("TOWN") TO APPROVE A LEASE-PURCHASE AGREEMENT FOR THE ACQUISITION OF ONE POLICE VEHICLE FROM COURTESY AUTOMOTIVE GROUP THROUGH FORD MOTOR MUNICIPAL CREDIT AND AUTHORIZE THE MAYOR TO PERFORM ALL ADDITIONAL AND NECESSARY ACTS TO PERFECT A LEASE-PURCHASE AGREEMENT FOR ACQUISITION OF THE EQUIPMENT

WHEREAS, the Town of Iowa ("Town"), under the authority of Article VII, Section 14 (c) of the State of Louisiana, desires to enter into a Lease Purchase-Agreement ("Agreement") with Ford Motor Credit Company, based on the terms and conditions recited in the agreement attached hereto for the lease-purchase of movable property, to wit: One (1) 2022 Ford Police Interceptor Utility w/equipment and to acquire said property from a vendor, Courtesy Automotive Group, Breaux Bridge, Louisiana consistent with the terms described in the lease, attached hereto, and **not to exceed \$38,029.88 and not to exceed 6.35% annual percentage rate, and not to exceed 48 months.**; and

WHEREAS, the Town desires to authorize the Mayor to act on behalf of the Town in performing all necessary acts and in executing the necessary Agreements to facilitate the described lease-purchase; and

WHEREAS, in satisfaction of the requirements of Title 71, Section 1101 et seq., the Town submits the foregoing Resolution, a copy of its current budget, a certificate of compliance, along with copies of the pertinent agreements evidencing the lease purchase of the movable that is the subject of the proposed transaction.

WHEREAS, the Town hereby states that if for any reason, the Town of Iowa fails to appropriate or make available funds to meet this obligation under the Lease purchase agreement during any fiscal year, the agreement may be terminated, without penalty. This contract is funded on a fiscal year to fiscal year basis and involves only currently appropriated revenue, and does not, therefore, incur indebtedness.

BE IT THEREFORE RESOLVED that the Town of Iowa hereby authorizes the Mayor of the Town of Iowa, acting in the name and under the authority of the Town, to perform such acts and to execute such agreements to the full extent necessary to affect the lease-purchase of the described equipment from Courtesy Automotive Group, Breaux Bridge, Louisiana through Ford Motor Credit.

BE IT FURTHER RESOLVED that Town makes the following declarations, in satisfaction of the requirements of Title 71, Section 1101 et seq. of the Louisiana Administrative Code:

THUS DONE AND READ IN FULL, AND CONSIDERED SECTION BY SECTION AND ADOPTED at a regular meeting of the Mayor and Councilmen of the Town of Iowa, Louisiana on this 13th day of December, 2021 by a vote:

Yeas: Daniel Hennigan, Julie Fontenot, Gerald Guidry, Vernessa Guillory, and Joe Becnel

Nays: None

Abstained: None

Absent: None

Paul Heese, Mayor

ATTEST:

Cynthia Mallett, Municipal Clerk

Mayor Hesse read the Resolution setting the monthly garbage rate and explained the reasons for the increase. He said one thing would not be picked up would be the white goods. Council Member Gerald Guidry said he had a problem with the town not picking up the white goods. Mayor gave reasons why the town could not include these items. He said by not picking up appliances we were able to keep the cost low. Mayor gave another option that if we wanted to charge a separate fee for those pickups, that could be done also. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve resolution 2021-13. The motion carried unanimously.

**RESOLUTION SETTING THE TOWN OF IOWA
MONTHLY GARBAGE RATE**

WHEREAS, The Town of Iowa requested for proposal, sealed bids for Collection and Disposal of Residential Solid Waste, with the exception of bulk items; and

WHEREAS, The Town Council having received, reviewed, and accepted the only Solid Waste bid, which is 17.45 per household unit per month, with the exception of bulk items; and

WHEREAS, To provide for the collection and disposal of bulk garbage, the Town of Iowa must contract with an additional company for an additional cost of not less than \$1.00 per household, per month.

THEREFORE, The combined cost to the Town of Iowa for the collection and disposal of Solid Waste, including bulk garbage, exceeds the amount the town collects.

THEREFORE, BE IT RESOLVED, by the Mayor and Town Council Members for the Town of Iowa, Louisiana, in regular session this date does hereby set the Town's Garbage Rate for residential garbage collection as \$19.00 per household, per month effective immediately.

YEA: Daniel Hennigan, Julie Fontenot, Gerald Guidry, Vernessa Guillory, and Joe Becnel

NAY: None

ABSENT: None
ABSTAIN: None

This resolution was declared adopted on this the 13th day of December, 2021.

ATTEST:

Paul Hesse, Mayor

Cynthia Mallett, Municipal Clerk

Mayor read the title of Resolution 2021-14, A resolution adopting LCDBG-CV Citizen Participation Plan. He explained this resolution is for the purpose of meeting requirements to apply for a Love Louisiana Outdoors grant. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Resolution 2021-14. The motion carried unanimously.

RESOLUTION 2021-14
A RESOLUTION ADOPTING LCDBG-CV CITIZEN PARTICIPATION PLAN

WHEREAS, the Town of Iowa has been afforded the opportunity to apply and participate in the State of Louisiana Community Development Block Grant - Coronavirus (LCDBG-CV) Program administered by the Division of Administration; and,

WHEREAS, the State of Louisiana requires Grantees to establish procedures to ensure adequate citizen participation with the LCDBG-CV program;

NOW THEREFORE BE IT RESOLVED, by the Town of Iowa, that the attached policy entitled "Citizen Participation Plan" is hereby adopted.

Passed, approved, and adopted by the Town of Iowa, Parish of Calcasieu, State of Louisiana, on the 13th day of December 2021.

Paul Hesse, Mayor

Cynthia Mallett, Clerk

CERTIFICATE

I, Cynthia Mallett, Clerk for the Town of Iowa, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed, approved, and adopted by the Town of Iowa on the 13th day of December 2021.

Cynthia Mallett, Clerk

CITIZEN PARTICIPATION PLAN

The Town of Iowa has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The Town of Iowa is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant - Coronavirus (LCDBG-CV) Program. Attempts will be made

to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The Town of Iowa is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant - Coronavirus (LCDBG-CV) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the Town of Iowa shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information and records relating to the state's proposed method of distribution, as required by the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- 2) Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- 4) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the Town of Iowa.

PUBLIC HEARINGS

Notices informing citizens of any public hearings will either appear in the official journal of the Town of Iowa or posted at the Iowa Town Hall a minimum of five calendar days prior to the hearing. In addition, notices may be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION

First Notice/Public Hearing

The public hearing to address LCDBG-CV application submittal will be held a minimum of 30 calendar days prior to the deadline for submission of the application. The public notice for this hearing will state that the following will be discussed:

- a) The amount of funds available for proposed community development;
- b) The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
- c) The plans of the Town for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the Town to persons actually displaced as a result of such activities; and
- d) The Town's prior performance of LCDBG programs funded by the State of Louisiana.

In addition, the notice shall state that all citizens, particularly low and moderate income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

Town of Iowa
P. O. Box 1707
Iowa, LA 70647

The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a 5 day notice is received by the Town of Iowa.

Second Notice

Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:

1. Proposed submittal date of the application;
2. Proposed objectives'
3. Proposed activities
4. Location of proposed activities;
5. Dollar amount of proposed activities; and
6. Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:"

Town of Iowa
P. O. Box 1707
Iowa, LA 70647

Negative comments received will be forwarded immediately to the State's Office of Community Development, Division of Administration or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the LCDBG-CV project from that approved in the original application, shall not be submitted to the state without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. GRANTEE PERFORMANCE

The Town of Iowa will hold one performance hearing to solicit the public's opinion of the effectiveness of the LCDBG-CV Program. The manner of notification will be the same as previously described for

all public hearings. Notification will be made in the official journal approximately 7 calendar days prior to the anticipated submittal of close-out documents to the state, and will indicate the date, time, and place of the performance hearing, and invite comments and opinions on the LCDBG activities implemented under the 2016-2017 LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a 5 day notice is received by the City.

This notice shall invite all interested parties, particularly those low to moderate income residents in the target area to attend.

The hearing will be held no sooner than five calendar days from the publication date of said notice.

CONSIDERATION OF OBJECTION TO APPLICATION

Persons wishing to object to approval of an application by the state may make such objection known to:

Office of Community Development
Division of Administration
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The state will consider objections made only on the following grounds:

- A. The application description of needs and objectives is plainly inconsistent with available facts and data; and,
- B. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and,
- C. The application does not comply with the requirements set forth in the state's Annual Action Plan or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the Town will provide an interpreter for dissemination of information to them providing the Town is given sufficient notification of day(s).

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the Town to any citizen, particularly to low- and moderate-income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the LCDBG-CV Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the Town with at least a one (1) week notification. The person who conducts the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

TIMELY ACCESS AND ADEQUATE INFORMATION

The Town shall provide timely disclosure of records, information and documents related to the LCDBG program activities. Documents will be made available for copying upon request at the Town of Iowa office, Monday thru Friday, 8:00 a.m. to 3:00 p.m. Such documents may include the following:

- 1) All meetings and promotional materials.
- 2) Records of hearings and meetings.
- 3) All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
- 4) Copies of the regulations (final statements) concerning the program.
- 5) Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

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CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the Town of Iowa to review all complaints received by the Town.

SECTION 2

The following procedures will be followed on all complaints received by the Town of Iowa:

- 1) The complainant shall notify the Town Clerk of the complaint. The initial complaint may be expressed orally or by written correspondence.
- 2) The Town Clerk will notify the Mayor or designated representative of the complaint within three (3) working days.
- 3) The Mayor or designated representative will investigate the complaint and will report the findings to the Town Clerk within five (5) working days.
- 4) The Town Clerk will notify the complainant of the findings of the Mayor or designated representative in writing or by telephone within three (3) working days.
- 5) If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the Town Clerk who will forward the complaint and all actions taken by the Mayor or designated representative to the appropriate council committee for their review. This will be accomplished within ten (10) working days of receipt of the written complaint.
- 6) The reviewing council committee will have ten (10) working days to review the complaint and forward their decision to the complainant in writing.
- 7) If the complainant is aggrieved with the decision of the Committee, he must notify the Town Clerk in writing that he desires to be afforded a hearing by the Town. The complainant will be placed on the next regularly scheduled Town meeting agenda. The Town Clerk will notify the complainant in writing of the date of the hearing.
- 8) The complainant must bring all relevant data, witnesses, etc., to the hearing. The Town Council, at the hearing, will review the complaint and forward within thirty (30) days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the Mayor will inform complainant of an appropriate date to expect a response. Within thirty (30) calendar days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the LCDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94005
Baton Rouge, Louisiana 70804

The complainant will be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

or

Complainant may contact the Louisiana Department of Justice Public Protection Division directly at the Toll Free Telephone number 1-800-273-5718 or 225-342-7900.

SECTION 4

The Town Clerk will maintain a file for the purpose of keeping reports of complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel or other policies of the Town which are currently adopted but is intended to serve as a guide for complaints.

SECTION 6

This policy may be amended by a majority vote at any of the Town's regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan is hereby adopted by Town of Iowa in regular session on this 13th day of December, 2021.

Paul Hesse, Mayor (Date)

Cynthia Mallett, Clerk (Date)

Mayor Hesse read the title to Resolution 2021-15 A Resolution adopting LCDBG-CV Procurement Policy and explained it also was required for the application of the Love Louisiana Outdoors grant. It was **moved by Julie Fontenot, seconded by Vernessa Guillory** to approve the following resolution. The motion carried unanimously.

RESOLUTION 2021-15

A RESOLUTION ADOPTING LCDBG-CV PROCUREMENT POLICY

WHEREAS, the Town of Iowa has been afforded the opportunity to apply and participate in the State of Louisiana Community Development Block Grant-Coronavirus (LCDBG-CV) Program administered by the Louisiana Office of Community Development-Local Government Assistance; and,

WHEREAS the State of Louisiana requires the establishment of uniform procedures in compliance with OMB Circular A-102;

NOW THEREFORE BE IT RESOLVED, by the Town of Iowa, that the attached policy entitled “LCDBG-CV Procurement Policy” is hereby adopted.

Passed, approved and adopted this 13th day of December, 2021.

Paul Hesse, Mayor

Cynthia Mallett, Clerk

CERTIFICATE

I, Cynthia Mallett, Town Clerk of the Town of Iowa, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed, approved, and adopted by the Town of Iowa on the 13th day of December, 2021.

Cynthia Mallett, Town Clerk

LCDBG-CV PROCUREMENT POLICY

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Louisiana Community Development Block Group-Coronavirus (LCDBG-CV) Program. These guidelines meet the standards established in 2 CFR 200.318 through 200.326 and state requirements.

CODE OF CONDUCT

No employee, officer, or agent of the Town of Iowa shall participate in the selection or in the award or administration of a contract supported by LCDBG-CV funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.

No officer, employee or agent of the Town of Iowa shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the Town of Iowa Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

PROCUREMENT PROCEDURES

The director or supervisor of each department or agency of the Town of Iowa responsible for procurement of services, supplies, equipment, or construction obtained with LCDBG-CV funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the Director or Supervisor, an analysis to determine which approach would be the most economical shall be undertaken.

The Town of Iowa shall take affirmative steps to assure that small and minority firms, women's business enterprises, and labor surplus firms are solicited whenever they are potential qualified sources. The Town of Iowa shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses.

The Town of Iowa shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

SELECTION PROCEDURES

All procurement carried out with LCDBG funds, where Town of Iowa is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. The Town of Iowa shall not place unreasonable requirements on firms for them to qualify to do business. Nor will the Town of Iowa encourage or participate in noncompetitive practices among firms. The Town of Iowa is alert to organizational conflicts which would jeopardize the negotiation process and limit competition. The Town of Iowa will not require unnecessary experience or bonding requirements.

Pursuant to state law, all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the material, service, or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible. A "brand name or equal" description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerers shall be clearly stated.

All solicitations of offers shall clearly set forth all requirements which offerers must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications. Contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

Consideration shall be given to such factors as the contractor's/firm's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

METHODS OF PROCUREMENT

Direct procurement by the Town of Iowa shall be made by using one of the following methods depending on the type of service to be procured.

Micro-Purchase – Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold of \$3,000. To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of materials, supplies, equipment, and/or other property will not cost in the aggregate more than \$30,000, and for construction with a cost of not more than \$150,000, except where further limited by state law or LCDBG policy. The small purchase procedure can also be utilized to procure administrative consulting and other professional services costing not more than \$150,000. The only exception to professional services is for architectural/engineering services that must be procured through competitive negotiation. The procurement officer must obtain a minimum of three oral or written price or rate quotations from qualified sources. Documentation on all quotations received (whether oral or written) shall be made a part of the file.

Competitive Sealed Bids/Formal Advertising. Under this procedure bids are publicly advertised in accordance with the state's Public Bid Law. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and that conforms to all the material terms and conditions of the advertisement for bids.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed-price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used the following conditions shall be met:

- i. The advertisement for bids shall be publicly advertised in accordance with state law.
- ii. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed for the bidders to properly respond to the advertisement.
- iii. All bids shall be opened publicly at the time and place specified in the advertisement for bids.
- iv. A firm fixed-price contract award shall be made by written notice to the lowest responsible bidder whose bid conforms to the advertisement for bids. Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.
- v. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the LCDBG-CV Program.

Competitive Negotiation: Requests for Proposals/Qualification Statements. This method may be used when formal advertising is not appropriate. Architectural and engineering services must be procured via requests for qualification statements; administrative consulting services must be procured via requests for proposals. Other professional services may also be procured by requests for proposals. The following procedures will be used for competitive negotiation:

- i. Requests for proposals or qualification statements must be advertised in a newspaper in the nearest metropolitan area in accordance with the rules of the state's LCDBG-CV Program. All submittals will be honored and entered into the competition.
- ii. The package for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system that will be used to rate the proposals/qualification statements.
- iii. The selecting official (or committee, if one is designated) shall review all proposals and statements received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made.
- iv. Contract award will be made to the responsible offerer whose submission is deemed most appropriate to the Town of Iowa with consideration for price, qualifications, and other factors set by the local governing body. Unsuccessful offerers shall be notified in writing within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.
- v. Following the review of the qualification statements received, the most qualified competitor will be selected to enter into contract negotiation. This shall always include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall be used when small purchase, formal advertising, or competitive negotiation procedures are not feasible.

Noncompetitive negotiation will involve solicitations of a proposal from only one source. This can also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement. Noncompetitive negotiation shall only be used when written authorization has been obtained from the state's Office of Community Development.

In order to qualify for this type of procurement, one of the following circumstances must apply:

- i. The item or service is available only from a single source; or,
- ii. It is determined that a public urgency or emergency exist and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement.
- iii. After solicitation of a number of sources, competition is determined to be inadequate.

CONTRACT PRICING

Cost plus percentage of cost and percentage of construction cost methods of contracting **MUST NOT** be used. Town of Iowa shall perform cost or pricing analysis in connection with **EVERY** procurement action including contract modifications. Costs or prices based on estimated costs for LCDBG projects shall be allowed only to the extent that the costs incurred or the cost estimates included in negotiated prices are consistent with federal cost principals. Cost reimbursement, fixed price, per diem contracts, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined. A cost reimbursement contract MUST clearly establish a cost ceiling which may not be exceeded without formally amending the contract and must identify a fixed dollar profit that may not be increased unless there is a contract amendment that increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract MUST establish a guaranteed price that may not increase unless there is a contract amendment that increases the scope of the work.

A per diem contract expected to exceed \$10,000 will not be considered unless Town of Iowa has determined that a cost reimbursable or fixed price contract is not appropriate. Cost and profit included in the per diem rate MUST be specifically negotiated and shown separately in the proposal. The contract must clearly establish a ceiling price that may not be exceeded without formally amending the contract.

The Town of Iowa may use a multiplier type of compensation under either the cost reimbursement or fixed price contract. The multiplier and the portions of the multiplier applicable to overhead and profit must be specifically negotiated and separately identified in the contract.

PROCUREMENT RECORDS

The Town of Iowa shall maintain records sufficient to detail the history of the procurement. The records shall include the following contract provisions and conditions, as applicable for construction contracts:

- (A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- (D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the

statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or sub recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

- (E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or sub recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or sub recipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- (G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and sub grants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- (H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and

12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

- (I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- (J) See §200.322 Procurement of recovered materials.
- (K) Pursuant to LRS 38:2227, public entities are required to obtain an attestation regarding past criminal convictions, if any, from each bidding entity responding to advertisements and letting for bids for public works contracts. The Past Criminal Convictions of Bidders form must be included in all bid documents and contracts for public works.
- (L) Pursuant to LRS 38:2212.10, all bidders and contractors performing physical services with public entities must be registered and participate in a status verification system to verify that all employees in the state are legal citizens of the United States, or are legal aliens. The bidder/contractor must sign an attestation that they are complying with this law, and that all subcontractors will comply with this law.
- (M) Pursuant to LRS 23:1726, bidders and contractors must certify that they are not being assessed penalties regarding unpaid worker’s compensation insurance.

CONTRACT ADMINISTRATION

The Town of Iowa shall maintain contract administration systems that insure contractors/firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The accepted performance of contractors/ firms will be a factor in subsequent contract negotiations and award. Remedial action by the Town of Iowa through legal processes shall be considered in instances of identified significant nonperformance.

Mayor Hesse read the title to Resolution 2021-16, A resolution entering into agreements associated with administration and engineering services for the LCDBG-CV Program. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Resolution 2021-16. The motion carried unanimously.

RESOLUTION NO. 2021-16

A RESOLUTION ENTERING INTO AGREEMENTS ASSOCIATED WITH ADMINISTRATION AND ENGINEERING SERVICES FOR THE LCDBG – CV PROGRAM

WHEREAS, the Town of Iowa desires to submit a Louisiana Community Development Block Grant - Coronavirus (“LCDBG-CV”) Love Louisiana Outdoors application for funding (the “Application”); and,

WHEREAS, the Town intends to use local funds to pay for administrative costs including pre-agreement costs, administrative consultant fees, and any other administrative costs incurred by the Town associated with the Application; and,

WHEREAS, the Town intends to use local funds to pay for engineering costs including pre-agreement costs, basic engineering design, surveying, project representation, construction phase services and any other engineering costs incurred by the Town associated with the Application; and,

WHEREAS, the Town desires to enter into an agreement with Frye Magee, LLC, to perform all administrative consulting services associated with the Application, including but not limited to assistance with developing the Application, and thereafter performing all administrative consulting duties following a grant award; and,

WHEREAS, the Town desires to enter into an agreement with D. W. Jessen & Associates, LLC to perform all engineering consulting services associated with the Application, which includes assistance with developing the Application, and thereafter performing all engineering consulting services, including but not limited to basic engineering design, surveying, project representation, construction phase services and any other engineering costs incurred by the Town, following a grant award.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF IOWA:

1. The Town enters into an agreement with Frye Magee, LLC to develop and submit the Application, and thereafter to perform all administrative consulting duties following a grant award.
2. The Town enters into an agreement with D. W. Jessen & Associates, LLC to assist with the development of the Application, and thereafter to perform all engineering consulting services, including basic engineering design, topographic surveying, project representation, construction phase services and any other engineering costs incurred by the Town, following a grant award.
3. The Mayor is authorized to execute respective agreements with Frye Magee, LLC and D. W. Jessen & Associates, LLC and to execute and submit the Application, as well as all related documents, to be on such other terms and conditions as he shall deem advisable, and to do any and all things necessary and proper to carry out this Resolution and to fulfill its objectives and purposes.
4. This Resolution shall become effective upon final adoption and signature of the Mayor.

Said Resolution having been read and considered by a quorum of the Town of Iowa, a record vote was taken and the following result was had:

YEA: Daniel Hennigan, Julie Fontenot, Vernessa Guillory, Gerald Guidry, and
Joe Becnel

NAY: None

ABSENT: None

ABSTAIN: None

WHEREUPON, the presiding officer declared the above resolution duly adopted in full on this 13th day of December, 2021.

ATTEST:

Cynthia Mallett, Town Clerk

Paul Hesse, Mayor

Mayor Hesse announced the next item on the agenda is to adopt the process verbal for the canvassing of the tabulation of returns from the election held on November 13, 2021. It was **moved by** Daniel Hennigan, **seconded by** Vernessa Guillory to adopt the process verbal as follows. The motion carried unanimously.

Iowa, Louisiana

December 13, 2021

The Town Council of the Town of Iowa, Louisiana, met in regular public session at 6:30 o'clock p.m. on December 13, 2021, at the regular meeting place of the Town Council, Iowa Town Hall, 115 North Thomson, Iowa, Louisiana, and the following members were present:

ABSENT: None

The Mayor stated that the purpose of the meeting was for canvassing and tabulating the returns of an election held in the Town of Iowa, Calcasieu Parish, Louisiana (the "Town") on November 13, 2021, authorizing renewal of the levy and collection of a one half percent (1/2%) sales and use tax in perpetuity, and thereupon presented the following proces verbal, which was adopted by the following vote:

YEAS: Daniel Hennigan, Julie Fontenot, Vernessa Guillory, Gerald Guidry, and Joe Becnel

NAYS: None

PROCES VERBAL

BE IT KNOWN AND REMEMBERED that on this 13th day of December, 2021, at 6:30 o'clock p.m., in accordance with a resolution of the Town Council (the "Council"), governing authority of the Town, adopted on March 8, 2021, and recorded in the records of said Council, notice of which meeting was issued and published according to law, the undersigned members of the Council, being a quorum thereof, met at the regular meeting place of the Council, and according to law examined the tabulation blanks, certificates and statements which were received from the Commissioners and Commissioners-in-Charge of the election held in the Town on November 13, 2021, in accordance with said resolution, together with the transcription of the totals made by the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for Calcasieu Parish to determine the following propositions:

TOWN OF IOWA PROPOSITION (1/2% SALES TAX RENEWAL)

Shall the Town of Iowa, Louisiana (the "Town") pursuant to Article VI, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority, be authorized to renew levy and collection of a sales and use tax of one-half percent (1/2%) (the "Tax"), previously authorized at an election held on October 22, 2011, in perpetuity beginning July 1, 2022, upon the sale at retail, use, lease or rental, consumption and storage for use or consumption of tangible personal property and on sales of services within the Town, all as presently or hereafter defined in La. R.S. 47:301 to 47:317, inclusive, with collections from the levy of the Tax estimated to be \$430,669.00 for one entire year, with the proceeds of the

Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax) to be dedicated and used for the following purposes: flood control maintenance and flood control improvements; economic development activities; capital improvements and maintenance to the Town Hall and Town Park situated in the Town of Iowa?

The results of said election on the Sales Tax Proposition proved to be as follows:

<u>PRECINCT</u>	<u>NUMBER OF VOTES IN FAVOR OF PROPOSITION</u>	<u>NUMBER OF VOTES AGAINST PROPOSITION</u>
800 (Part)	80	21
801 (Part)	70	29
860S (Part)	0	0
861E (Part)	1	0
Absentees	<u>44</u>	<u>7</u>
TOTALS	195	57

We therefore ascertained that the majority of qualified electors of the Town of Iowa, Louisiana qualified to vote under the Constitution and laws of the State of Louisiana voting in said election in the Town voted in favor of the Sales Tax Proposition.

At the same time and place, we did examine and canvass the returns as evidenced by said tabulation blanks, certificates, and statements received from the election Commissioners and Commissioners-in-Charge, the correctness of which were sworn to by the election Commissioners-in-Charge and Commissioners according to law, and our finding was that the returns indicated a majority voted in favor of the Sales Tax Proposition.

Therefore, we declare that the result of said election is in favor of the Sales Tax Proposition as stated above.

In accordance with law, a resolution promulgating the aforesaid results was adopted, and the Municipal Clerk of the Council was ordered to have a copy of said resolution signed by the Mayor and published in one issue of the *American Press*, a newspaper published in Lake Charles, Calcasieu Parish, Louisiana, and of general circulation in the Town of Iowa, Louisiana.

In accordance with the provisions of R.S. 18:1293, a copy of the Notice of Election is attached hereto as **Exhibit A**. An affidavit showing proof of publication of said notice is attached hereto as **Exhibit B**. We did, likewise, order that one copy of this proces verbal be sent to the Secretary of State to be recorded in the archives of the State of Louisiana, and that one copy be sent to the Clerk of Court of Calcasieu Parish to be recorded in the mortgage records of said Parish and that one copy be filed in the archives of this Council.

THUS DONE AND SIGNED in the presence of _____ and _____, competent witnesses and qualified voters of Calcasieu Parish on this 13th day of December, 2021, at a meeting of the Town Council in Iowa, Louisiana, by the undersigned members of said Council present and participating in the canvass of said election.

WITNESSES:

_____, Mayor
PAUL HESSE

_____, Councilwoman

_____, Councilwoman

_____, Councilman

_____, Councilman

_____, Councilman

The following resolution was thereupon introduced, and pursuant to a motion made by Joe Becnel and seconded by Julie Fontenot was adopted by the following vote:

YEAS: Joe Becnel, Julie Fontenot, Gerald Guidry, Vernessa Guillory, and Daniel Hennigan

NAYS: None

RESOLUTION NO.2021-17

A RESOLUTION PROMULGATING THE RESULTS OF A SPECIAL ELECTION HELD IN THE TOWN OF IOWA, LOUISIANA, ON NOVEMBER 13, 2021

WHEREAS, on November 13, 2021, an election was held in the Town to determine the proposition hereinafter set out; and

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 Sales Tax Proposition;

NOW, THEREFORE, BE IT RESOLVED by the Council, the governing authority of the Town, as follows:

SECTION 1. The statements of fact expressly contained within the preamble to this Resolution have been specifically reviewed by the Council and are found to be factually true and correct, and are made resolutions of the Town.

SECTION 2. An election was held in the Town on November 13, 2021, to determine the proposition hereinafter set out; that said election was duly and properly called by the Council by a resolution adopted on March 8, 2021, 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 *American Press*, a newspaper published in Lake Charles, Louisiana, and of general circulation in the Town on July 19, July 26, August 2 and August 9, 2021, 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 March 8, 2021, 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 16, 2021, 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 3. In said election the following Sales Tax Renewal Proposition was voted in favor of by a majority of the electors qualified to vote and voting in said election in the Town:

**TOWN OF IOWA PROPOSITION
(1/2% SALES TAX RENEWAL)**

Shall the Town of Iowa, Louisiana (the "Town") pursuant to Article VI, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority, be authorized to renew levy and collection of a sales and use tax of one-half percent (1/2%) (the "Tax"), previously authorized at an election held on October 22, 2011, in perpetuity beginning July 1, 2022, upon the sale at retail, use, lease or rental, consumption and storage for use or consumption of tangible personal property and on sales

of services within the Town, all as presently or hereafter defined in La. R.S. 47:301 to 47:317, inclusive, with collections from the levy of the Tax estimated to be \$430,669.00 for one entire year, with the proceeds of the Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax) to be dedicated and used for the following purposes: flood control maintenance and flood control improvements; economic development activities; capital improvements and maintenance to the Town Hall and Town Park situated in the Town of Iowa?

SECTION 4. The results of said election shall be promulgated by publication of this resolution of promulgation one time in the *American Press*, a newspaper published in Lake Charles, Louisiana, the official journal of the Council and of general circulation in the Town.

ADOPTED AND APPROVED this 13th day of December, 2021.

ATTEST:

/s/ Paul Hesse
PAUL HESSE, Mayor

/s/ Cynthia Mallett
CYNTHIA MALLETT, Municipal Clerk

(Other business not pertinent to the within excerpt may be found of record in the official minutes.)

Upon motion duly made and unanimously carried, the meeting was adjourned.

ATTEST:

/s/ Paul Hesse
PAUL HESSE, Mayoer

/s/ Cynthia Mallett
CYNTHIA MALLETT, Municipal Clerk

An introduction of Ordinance 2022-01 was as follows:

Mayor Hesse read the title to proposed Ordinance 2022-01, An Ordinance providing for the levy and collection of a one-half percent (1/2%) Sales And Use Tax (“Tax”) by the Town of Iowa, Louisiana, (“Town”), in perpetuity beginning July 1, 2022, in accordance with he provisions and terms of Chapter 2D of Subtitle II, Title 47 of the Louisiana revised statutes of 1950, as it may be amended (“Uniform Local Sales Tax Code”).

An introduction of Ordinance 2022-02 was as follows:

Mayor Hesse read the title to proposed Ordinance 2022-02, An Ordinance Amending the FY 2020/2021 Budget for the Town of Iowa Louisiana

Mayor Hesse gave the financial report for the month of November.

Mayor Hesse announced a Cooperative Endeavor Agreement is needed for the purpose of helping to provide for the distribution of food service by Calcasieu Parish. The Mayor said the town provides the Community Center as a place for citizen's to pick up their food packages. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Cooperative Endeavor Agreement by and between Calcasieu Parish Police Jury and Town of Iowa and authorize Mayor Hesse to execute agreement. The motion carried unanimously.

Mayor Hesse announced that there were issues concerning active lawsuits that the Town of Iowa is named in and requested a motion to go into executive session. The public left the meeting chambers at 8:00 p.m. It was **moved by** Julie Fontenot, **seconded by** Daniel Hennigan to enter into executive session. The motion carried unanimously.

Mayor

Hesse re-opened the public meeting at 8:21 p.m.

With no further business to discuss, it was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to adjourn meeting. The motion carried unanimously. Meeting was adjourned.

ATTEST:

Paul Hesse, Mayor

Cynthia Mallett, MMC

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Mayor and Town Council of the Town of Iowa, State of Louisiana, acting as the governing authority of the Town of Iowa, State of Louisiana, will meet on January 10, 2022 at six thirty (6:30) o'clock p.m., at its regular meeting place, Iowa City Hall Meeting Room, 115 N. Thomson Avenue, Iowa, Louisiana at which time there will be a public hearing on the adoption of the below introduced ordinances:

Ordinance 2022-01

An Ordinance providing for the levy and collection of a one-half percent (1/2%) Sales And Use Tax ("Tax") by the Town of Iowa, Louisiana, ("Town"), in perpetuity beginning July 1, 2022, in accordance with the provisions and terms of Chapter 2D of Subtitle II, Title 47 of the Louisiana revised statutes of 1950, as it may be amended ("Uniform Local Sales Tax Code").

AND

Ordinance 2022-02

An Ordinance Amending the FY 2020/2021 Budget for the Town of Iowa Louisiana

All interested citizens will have the opportunity to give written or oral comments. Handicapped persons needing assistance or aid should contact City Hall, 337-582-3535 before the meeting. Published in Lake Charles American Press.

