

CITY ORDINANCE NO. CO-087-2024

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING CITY ORDINANCE NO. CO-039-2023 TO CLARIFY THE AUTHORITY GRANTED TO THE LAFAYETTE MAYOR-PRESIDENT TO EXECUTE CERTAIN CONTRACTS RELATED TO GRANT FUNDS RECEIVED FROM THE GRANTING UNDERSERVED MUNICIPALITIES BROADBAND OPPORTUNITIES (“GUMBO”) GRANT PROGRAM AND TO CLARIFY THE AUTHORITY GRANTED TO THE DEPARTMENT OF FINANCE TO MAKE ADMINISTRATIVE REVISIONS TO THE OPERATING AND CAPITAL BUDGETS OF LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT RELATED TO GUMBO GRANT FUNDS

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: Section 4 of City Ordinance No. CO-039-2023 is hereby amended to read as follows:

SECTION 4: The Department of Finance and Management, through the Lafayette Mayor-President, is authorized to prepare administrative budget revisions to comply with the requirements of this ordinance. This includes authorization to prepare administrative budget revisions for additional funding that may be needed outside of the Grant and local match funds in order to complete projects envisioned by the Grant. Upon completion, the Chief Financial Officer, through the Lafayette Mayor-President, shall prepare a written report to the Lafayette City Council detailing the amount and nature of any adjustments required to implement the necessary budget revisions.

SECTION 2: Section 5 of City Ordinance No. CO-039-2023 is hereby amended to read as follows:

SECTION 5: The Lafayette Mayor-President, or his designee, is authorized and directed to conduct all negotiations and to enter into any and all contracts and other documents necessary, incidental, convenient, or desirable to provide for the acceptance of the Grant, the receipt and expenditure of Grant funds and local match funds in accordance with the terms of the Grant, the execution of the Grant, and the completion of the project(s) envisioned by the Grant. Without limiting the generality of the preceding sentence, the Lafayette Mayor-President is specifically authorized to acquire such land, immovable property, rights-of-way, servitudes, or other property rights, wherever situated, as are determined to be necessary, incidental, convenient, or desirable to provide for the completion of the project(s) envisioned by the Grant.

SECTION 3: Except as amended herein, City Ordinance No. CO-039-2023 shall remain in full force and effect.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

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* * * * *

Michelle Ricks

From: Michael Hebert <mhebert@lawbecker.com>
Sent: Monday, June 17, 2024 3:11 PM
To: Michelle Ricks
Cc: Eric Grimmert; Teles Fremin; Lauren Sylvest
Subject: RE: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

Michelle, you are correct – glad you caught that. Just change “Section 4” to “Section 5.”

Also, Casy is currently out on medical leave, so until further notice, please copy Lauren Sylvest (cc'd here) instead of Casy. We are setting up an auto reply for her but have not done so yet.

Michael D. Hebert
Becker & Hebert
201 Rue Beauregard
Lafayette, LA 70508
(337) 233-1987
(337) 235-1748 (fax)
mhebert@lawbecker.com

From: Michelle Ricks <MRICKS@lus.org>
Sent: Monday, June 17, 2024 12:51 PM
To: Casy Gary <cgary@lawbecker.com>; Michael Hebert <mhebert@lawbecker.com>
Cc: Eric Grimmert <EGRIMMETT@lus.org>; Teles Fremin <tfremin@ctcnet.us>
Subject: RE: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

Hello, Michael.

Can you please clarify the numbering for SECTION 2: Section 4 of City Ordinance No. CO-039-2023 is mentioned in the changes, but SECTION 5 is what was actually amended. I am trying to submit this for the July 2nd meeting and would appreciate clarification.

Kindly,
Michelle J. Ricks DIRECTORS EXECUTIVE SECRETARY
P 337.291.7293 E mricks@lus.org



From: Eric Grimmert <EGRIMMETT@lus.org>
Sent: Monday, June 17, 2024 11:24 AM

To: Michelle Ricks <MRICKS@lus.org>

Subject: FW: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

From: Michael Hebert <mhebert@lawbecker.com>

Sent: Monday, June 3, 2024 9:29 AM

To: Michael D. Soileau <MDSOILEAU@LUSFiber.com>; Teles Fremin <tfremin@ctcnet.us>

Cc: Eric Grimmatt <EGRIMMATT@lus.org>; Casy Gary <cgary@lawbecker.com>; Patrick S. Ottinger <psottinger@LafayetteLA.gov>; Lauren Sylvest <lsylvest@lawbecker.com>

Subject: RE: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

Michael, good Monday morning. Pat had one small edit to my proposed ordinance, here it is. Sorry I did not have an opportunity to send the revision out yet. That was Pat's only issue with the ordinance; otherwise good to do after edit is made. Copying Pat here.

Michael D. Hebert
Becker & Hebert
201 Rue Beauregard
Lafayette, LA 70508
(337) 233-1987
(337) 235-1748 (fax)
mhebert@lawbecker.com

From: Michael D. Soileau <MDSOILEAU@LUSFiber.com>

Sent: Monday, June 03, 2024 9:18 AM

To: Michael Hebert <mhebert@lawbecker.com>; Teles Fremin <tfremin@ctcnet.us>

Cc: Eric Grimmatt <EGRIMMATT@lus.org>; Casy Gary <cgary@lawbecker.com>

Subject: RE: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

CAUTION: EXTERNAL SENDER. Use extra care!

So Pat is ok with this? I want to discuss at the MP's director's meeting today on getting this on the Council agenda for approval. Thx,mds

From: Michael Hebert <mhebert@lawbecker.com>

Sent: Thursday, May 23, 2024 2:58 PM

To: Teles Fremin <tfremin@ctcnet.us>

Cc: Michael D. Soileau <MDSOILEAU@LUSFiber.com>; Eric Grimmatt <EGRIMMATT@lus.org>; Casy Gary <cgary@lawbecker.com>

Subject: Proposed Amendment to City Ordinance No. CO-039-2023 (GUMBO Grant Ordinance)

Teles, this is also on tomorrow's agenda. Attached is a proposed ordinance that would clarify the scope of the Finance Department's administrative budget revision authority with regard to GUMBO projects, and also explicitly grant the MP the authority to acquire real property for GUMBO projects. I have also attached the ordinance to be amended, CO-039-2023, for convenient reference.

Michael D. Hebert
Becker & Hebert

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(337) 233-1987
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mhebert@lawbecker.com



Internal Memorandum

LUS Fiber
Communications Administration (3700)

TO: Rachel Godeaux

DATE: June 17, 2024

FROM: Michael D. Soileau

SUBJECT: GUMBO GRANT – Ordinance No. CO-039-2023 Amendment Request

Rachel,

Please find attached the proposed Amendment to City Ordinance No. CO-039-2023. This document outlines authorization of the Finance Department to prepare administrative budget revisions for additional funding outside of the Grant and local match funds in order to complete projects envisioned by the Grant. The amendment further authorizes the Lafayette Mayor-President, or designee, to conduct all negotiations and to enter into all contracts or documentation necessary to provide for the acceptance of the Grant and local match funds in accordance with the terms of the grant.

Enclosed please find the legal approval received from Becker & Hebert regarding the amendment to the ordinance.

If you have any questions about this request or require additional information, please notify me.

Thank you,

A handwritten signature in blue ink that reads 'Eric L. Himmelfarb for MDS'. The signature is written in a cursive style.

Michael D. Soileau
LUS Fiber Director

RECEIVED

JUN 17 2024

Lafayette Consolidated Government
Chief Administrative Office

LAFAYETTE CITY-PARISH COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING CITY ORDINANCE NO. CO-039-2023 TO CLARIFY THE AUTHORITY GRANTED TO THE MAYOR-PRESIDENT TO EXECUTE CERTAIN CONTRACTS RELATED TO GRANT FUNDS RECEIVED FROM THE GRANTING UNDERSERVED MUNICIPALITIES BROADBAND OPPORTUNITIES ("GUMBO") GRANT PROGRAM AND TO CLARIFY THE AUTHORITY GRANTED TO THE DEPARTMENT OF FINANCE TO MAKE ADMINISTRATIVE REVISIONS TO THE OPERATING AND CAPITAL BUDGETS OF LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT RELATED TO GUMBO GRANT FUNDS

2) **ACTION REQUESTED:** Adoption of Ordinance/Resolution

3) **COUNCIL DISTRICT(S) (CIP PROGRAM/PROJECTS ONLY):** _____

4) **REQUESTED ACTION OF COUNCIL:**

A) INTRODUCTION: July 2, 2024

B) FINAL ADOPTION: July 16, 2024

5) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Memo - 1p

B) Agenda Item Submittal Form - 1p

C) Amendment to CO-039-2023 GUMBO Grant Projects (with PSO edit -- Redline) - 1p

D) Amendment to CO-039-2023 GUMBO Grant Projects (with PSO edit -- Clean) - 1p

E) Legal Approval - 3p

6) **FISCAL IMPACT:**

_____ Fiscal Impact (Explain)

X No Fiscal Impact

RECOMMENDED BY:

Eve Grimmer for MDS
DIRECTOR

APPROVED FOR AGENDA:

Rachel G.
CHIEF ADMINISTRATIVE OFFICER