

RESOLUTION NO. 10-251

On motion of Council Member Buras, seconded by Council Member Hodnett, and on roll call all members present voting "Yes", except Council Members Guey, Turner, and Friedman, absent, and Council Member Buras voting "No", the following Resolution was adopted:

A Resolution authorizing and directing the Parish President, William Nungesser, to sign all related bond documents herein to Resolution No. 10-58 within 14 days of enactment of this Resolution; should all documents related to Resolution No. 10-58 not be signed within 14 days, the Plaquemines Parish Council Legal Department and/or its designee is authorized and directed to file a Mandamus action against William H. Nungesser, in his capacity as the Plaquemines Parish President to force Mr. Nungesser to negotiate, enter and sign any and all documents for the purchase of Eighteen Million Dollars (\$18,000,000) of Revenue Bonds, Series 2010A, as to all business affairs with the Federal Emergency Management Agency, the Plaquemines Parish School Board, the Louisiana State Bond Commission and any other local/state/federal governmental agency necessary to complete all related transactions; and otherwise to provide with respect thereto.

WHEREAS, Resolution No. 09-473 was enacted on November 12, 2009, giving preliminary approval to the issuance of not to exceed Eighteen Million Dollars (\$18,000,000) of Revenue Bonds of the Parish of Plaquemines, State of Louisiana; and

WHEREAS, Resolution No. 10-58 was passed by majority vote on February 11, 2010, authorizing and directing the Parish President to advertise for sealed bids for the purchase of Eighteen Million Dollars (\$18,000,000) of Revenue Bonds, Series 2010A of the Parish of Plaquemines, State of Louisiana; and

WHEREAS, Mr. Nungesser has refused to sign Resolution No. 10-58 without cause or justification;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs the Parish President, William Nungesser, to sign all related bond documents herein to Resolution No. 10-58 within 14 days of enactment of this Resolution.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that should all documents related to Resolution No. 10-58 not be signed within 14 days, the Plaquemines Parish Council Legal Department and/or its designee is authorized and directed to file a Mandamus action against William H. Nungesser, in his capacity as the Plaquemines Parish President to force Mr. Nungesser to negotiate, enter and sign any and all documents for the purchase of Eighteen Million Dollars (\$18,000,000) of Revenue Bonds, Series 2010A, as to all business affairs with the Federal Emergency Management Agency, the Plaquemines Parish School Board, the Louisiana State Bond Commission and any other local/state/federal governmental agency necessary to complete all related transactions.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

I hereby certify the above and foregoing to be a true and correct copy of a Resolution adopted by the Plaquemines Parish Council at a meeting held in the Plaquemines Parish Temporary Courthouse Building, 450 F. Edward Hebert Blvd., Belle Chasse, Louisiana, on Thursday, July 8, 2010.

Secretary