

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7346

ORDINANCE COUNCIL SERIES NO. 23-

COUNCIL SPONSOR: SMITH/COOPER

PROVIDED BY: PUBLIC WORKS/CIVIL DIVISION

INTRODUCED BY: MS. O'BRIEN

SECONDED BY: MR. CANULETTE

ON THE 3RD DAY OF AUGUST, 2023

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXCHANGE CERTAIN PARCELS, FOR THE TJ SMITH EXPRESSWAY DEBRIS SITE (WARD 8, DISTRICT 9)

WHEREAS, St. Tammany Parish Government desires to acquire a parcel generally described as approximately 197.95' x 281.60', more or less and as depicted in red cross-hatching on the survey attached hereto (the "Property") in exchange for the property owned by Parish and as depicted in blue cross-hatching on the survey attached hereto (the "Exchange Property"); and

WHEREAS, there is a need and public purpose for the acquisition of the Property for the benefit of debris storage and processing of debris following emergencies and also during the normal course of work of Parish's Department of Public Works; and

WHEREAS, Parish desires to acquire the Property in an Act of Exchange with the Exchange Property and to authorize the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property via an exchange for the Exchange Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish of St. Tammany, through the Office of the Parish President, is authorized to acquire by Act of Exchange, the parcel generally described as approximately 197.95' x 281.60', more or less, and as generally depicted in red cross-hatching on the survey attached hereto (the "Property") in exchange for the property owned by Parish and as depicted in blue cross-hatching on the survey attached hereto (the "Exchange Property"); and

BE IT FURTHER ORDAINED: that pursuant to all applicable provisions of law, the Office of the Parish President is authorized to assess, deem, designate and determine that such Exchange Property is surplus; and

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property in exchange for the Exchange Property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED: that, if purchased, the purchase price shall not exceed the fair market value of the Property, plus closing costs and fees; and

BE IT FURTHER ORDAINED: that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7TH DAY OF SEPTEMBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-____.

JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JULY 26, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____

Administrative Comment

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Council Meeting Date

Introduced: August 3, 2023
Adopted: September 7, 2023

Department

Public Works by Civil Division Assistant District Attorney

The Parish seeks to acquire the property as needed by Public Works for debris storage and processing following emergency events and during normal operations. This Ordinance follows continuing/evolving negotiations after passage of Ordinance Council Series No. 23-5111.

In lieu of acquiring the entire 4.70-acre parcel as depicted, owner seeks an exchange with Parish's property fronting along Dr. T.J. Smith SR. Expressway (blue cross-hatch) for the property cross-hatched in red. Parish's acquisition of the parcel cross-hatched in red is sufficient to allow access from Parish's owned-property along Dr. T.J. Smith SR. Expressway to a 10.12-acre parcel still to be acquired as per Ordinance Council Series No. 23-5111.