

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 7384

ORDINANCE COUNCIL SERIES NO. 23-_____

COUNCIL SPONSOR: AIREY

PROVIDED BY: COUNCIL STAFF

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MS. TANNER

ON THE 23RD DAY OF AUGUST, 2023

ORDINANCE TO APPOINT DAIGLE, FISSE, PLC AS OUTSIDE COUNSEL FOR ST. TAMMANY PARISH GOVERNMENT FOR PURPOSES OF OBTAINING A DETERMINATION OF PARISH OBLIGATIONS TO FUND STATE MANDATED EXPENSES FOR ITS JUSTICE SYSTEM.

WHEREAS, St. Tammany Parish's Justice System ("Judicial System") is made of up the 22nd Judicial District Court for St. Tammany Parish, the St. Tammany Parish Jail, the District Attorney for the 22nd Judicial District Court, St. Tammany Parish and other agencies;

WHEREAS, St. Tammany Parish has funded the facilities, construction, maintenance and operations of the Justice Center through the Parish's Justice Center Tax which expired in 2021;

WHEREAS, St. Tammany Parish Government has attempted multiple times to renew the Justice Center tax prior to its expiration in 2021 and has attempted to pass a new tax for this purpose; all attempts to renew or pass said tax have failed;

WHEREAS, the St. Tammany Parish's main funding source for the Justice System is the General Fund which generates far less than the requested budget amounts for said Justice System;

WHEREAS, Parish Government has filed a declaratory judgment suit in order to determine the obligations of the Parish vis a vis each of the agencies which make up the Judicial System; and

WHEREAS, James Bradford of the law firm Daigle, Fisse, PLC, has represented Parish Government in numerous matters in a competent and efficient manner and has an in-depth knowledge of the operations and funding of Parish Government; and

WHEREAS, James Bradford of the law firm Daigle, Fisse, PLC, has previously been appointed by Council resolution to represent Parish Government but, out of an abundance of caution and in light of a recent ruling from the Twenty-Second Judicial District Court in an unrelated matter, Parish Government affirms and adopts said resolution.

IT IS HEREBY ORDAINED, that St. Tammany Parish Government authorizes the hiring of outside counsel to prosecute and defend the Parish Government in any new legal matters to declare the right and extent of funding owed by Parish Government to the Justice System agencies, the Justice Center facility and Parish Jail. Counsel to be compensated in accordance with the published rates approved by the Louisiana Attorney General's Office.

NOW FURTHER, THE PARISH OF ST. TAMMANY ORDAINS that James Bradford of the law firm Daigle, Fisse, PLC be hired to represent Parish Government for all actions necessary and related to the issues raised herein.

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

SEVERABILITY: If any provisions 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 the Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon 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" AIREY, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 30, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____