

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7282

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: DEAN/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MS. O'BRIEN

ON THE 1ST DAY OF JUNE, 2023

ORDINANCE TO ADOPT A SECOND AMENDMENT TO A (VOLUNTARY) DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND WAINER BROTHERS, THE DEVELOPER OF THE NORD DU LAC COMMERCIAL PROPERTY AND SURROUNDING PROPERTIES, LOCATED IN WARD 1, DISTRICT 1.

WHEREAS, Wainer Brothers, developer of Nord du Lac Commercial Property and by extension Highway 21 north of Interstate 12, has agreed in principle to enter into a Second Amendment to a (voluntary) Development Agreement with the Parish of St. Tammany; and

WHEREAS, the St. Tammany Parish Planning Commission and Council have held public hearings concerning said agreement and do hereby concur and conclude that said second amendment to agreement is mutually acceptable, binding on all parties, and shall derive benefits for the development, the area, and to St. Tammany Parish in general.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it hereby accepts said Second Amendment to Developmental Agreement with Wainer Brothers as developer of the Nord du Lac Commercial Property and surrounding properties; and

BE IT FURTHER ORDAINED: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to proceed with the execution of the Second Amendment to Developmental Agreement; and

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in entering into the Second Amendment to Developmental Agreement, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; 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; and

BE IT FURTHER ORDAINED: that the Second Amendment to Developmental Agreement shall be recorded within the records of the Clerk of Court for the Parish of St. Tammany, and a copy of this Ordinance shall serve as an attachment thereto.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 13TH DAY OF JULY, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-_____.

JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MAY 24, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____

Administrative Comment

June 1, 2023

Civil Division ADA

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Wainer Brothers, a Louisiana Partnership, has an existing (voluntary) Developmental Agreement dated effective June 9, 2006, as amended by the First Amendment to Developmental Agreement dated effective February 21, 2018. Wainer Brothers seek approval for an amendment to recognize additional infrastructure improvements not mandated as a condition of development, namely the upsizing of a sewer force main for benefit of Department of Utilities and wastewater improvements in general.

Planning Commission approved the second amendment at their May 9, 2023 meeting as required. Following Planning Commission approval, approval by Ordinance is required.