

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7462

ORDINANCE COUNCIL SERIES NO.: 24-

COUNCIL SPONSOR: FITZGERALD/COOPER

PROVIDED BY: PW/CIVIL DIVISION

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 7TH DAY OF DECEMBER, 2023

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS, RIGHTS-OF-WAY AND/OR SERVITUDES FOR THE WEST TAMMANY HILLS DRAINAGE PROJECT (WARD 3, DISTRICT 2)

WHEREAS, St. Tammany Parish Government desires to acquire certain parcels, rights-of-way and/or servitudes as shown on the exhibit attached hereto (collectively, the "Property"); and

WHEREAS, there is a need and public purpose for the acquisition of the Property for the benefit of constructing drainage improvements to the surrounding areas for the conveyance of storm water; and

WHEREAS, Parish desires to acquire the Property and authorize the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said 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 purchase, donation or otherwise, all or parts of the proposed parcels, rights-of-way and/or servitudes for certain parcels as depicted on the Sketch of Proposed Drainage Servitude (Sheets 1, 2 and 3) Located in Squares 93, 91, 87, 90, & 95, St. Tammany Hills Subdivision, Section 11, Township 7 South, Range 11 East, Greensburg Land District, St. Tammany Parish Louisiana by S. Brett Fitzgerald, P.L.S., J.V. Burkes & Associates, Inc. dated April 24, 2023, attached hereto (collectively, the "Property"); and

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in acquiring the 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 4TH DAY OF JANUARY, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO.: 24-  
\_\_\_\_\_.

\_\_\_\_\_  
JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

\_\_\_\_\_  
KATRINA L. BUCKLEY, COUNCIL CLERK

\_\_\_\_\_  
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: NOVEMBER 29, 2023

Published Adoption: \_\_\_\_\_, 2024

Delivered to Parish President: \_\_\_\_\_, 2024 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2024 at \_\_\_\_\_

**Administrative Comment**

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**Council Meeting Date**

Introduced: December 7, 2023

Adopted: January 4, 2024

**Department**

Public Works by Civil Division Assistant District Attorney

The Parish seeks to acquire the property as needed by Public Works for drainage improvements in the Tammany Hills Subdivision and surrounding areas.