

PUBLISHED JUNE 19, 2014 AND POSTED AT PARISH COMPLEX BY JUNE 23, 2014

AMENDED MEETING NOTICE AND AGENDA

PARISH COUNCIL

SPECIAL COUNCIL MEETING

WEDNESDAY, JUNE 25, 2014 AT 6:00 P.M.

ST. TAMMANY ADMINISTRATIVE COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable R. Reid Falconer, AIA, Chairman

Invocation by

Pledge of Allegiance by

**Roll Call: Marty Dean
Dennis Sharp
James A. (Red) Thompson
Martin W. Gould, Jr.
Richard E. Tanner
Jacob (Jake) Groby
R. Reid Falconer, AIA
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Jerry Binder
Richard Artigue
Thomas (T.J.) Smith, Jr.**

ORDINANCE FOR INTRODUCTION

1. Ord. Cal. No. 5219 - Ordinance to amend the Parish Code, Chapter 7, Drainage and Flood Control, Article VII, to enact Section 7 - 090.00 creating St. Tammany Parish Sub-Drainage District No. 5 of Gravity Drainage District No. 5. (Emerald Oaks). (Gould)

ORDINANCE FOR ADOPTION

1. Ord. Cal. No. 5218 - Ordinance authorizing the Parish of St. Tammany, through the Office of the Parish President, to purchase 296 acres comprising the former Southeast Louisiana Hospital site from the State of Louisiana. (Ward 4, District 7) (Introduced 6/5/14)

PUBLIC HEARINGS

1. Public Hearing: Board of Fire Protection District No. 1 to discuss consideration of a roll forward of its millage.

2. Public Hearing: the Library Board of Control to discuss consideration of a roll forward of its millage.

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 5219 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR GOULD PROVIDED BY COUNCIL OFFICE

INTRODUCED BY _____ SECONDED BY _____

ON THE 25th DAY OF JUNE 2014

ORDINANCE TO AMEND PARISH CODE OF ORDINANCES, CHAPTER 7, DRAINAGE AND FLOOD CONTROL, ARTICLE VII, TO ENACT SECTION 7-090.00 CREATING SUB-DRAINAGE DISTRICT NO. 5 OF GRAVITY DRAINAGE DISTRICT NO. 5 (EMERALD OAKS) OF THE PARISH OF ST. TAMMANY, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Louisiana Revised Statute 38:1807 authorizes the creation of special subdrainage districts within the boundaries of drainage districts situated within St. Tammany Parish and said districts are considered political subdivisions of the state of Louisiana; and

WHEREAS, pursuant to R.S. 38:1807, each such subdrainage district created under its authority shall be governed by a board of five commissioners who shall be domiciled within the boundary of the subdistrict and appointed by the Parish Governing Authority for a set term; and

WHEREAS, it is the desire of the Parish Council to create such a subdistrict comprising the boundaries of Emerald Oaks as herein after described due to the emergency conditions caused by flooding which affect the health, safety and property interests of the residents therein.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the Code of Ordinances, Article VII of Chapter 7, Drainage and Flood Control, to enact a new Section creating Subdrainage District No. 5 of Gravity Drainage District No. 5 as follows, to wit:

CHAPTER 7 DRAINAGE AND FLOOD CONTROL
ARTICLE VII GRAVITY DRAINAGE DISTRICT NO. 5

Section Sub-Drainage District No. 5 of Gravity Drainage District No. 5 (Emerald Oaks)

- (a) By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a subdrainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which subdrainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Emerald Oaks, as more fully described as follows:

EMERALD OAKS CONDOMINIUM, PHASE ONE

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06 seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96 feet to the point of beginning. From the point of beginning, go South 00 degrees 12 minutes 59seconds West 178.34 feet; thence South 89 degrees 52 minutes 58 seconds East 423.99 feet thence South 00 degrees 07 minutes 46 seconds East 376.58 feet thence South 00 degrees 00 minutes 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees, 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet

an arc distance of 180.51 feet; thence leaving said right-of-way line, go North 165.81 feet; thence East-93.00 feet thence North 116.43 feet; thence go North 88 degrees 17 minutes 08seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West-93.57 feet; thence South 209. 79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, North 89 degrees 50 minutes 21seconds West 123.45 feet; thence leaving said right-of-way line, go North 00 degrees 05 minutes 08seconds West 655.71 feet; thence North 89 degrees 17 minutes 14 seconds East 296. 81 feet back to the point of beginning.

Said property contains 7.60 acres.

EMERALD OAKS CONDOMINIUM, PHASE TWO

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96 feet; thence South 00 degrees 12 minutes 59 seconds West 178.34 feet; thence South 89 degrees 52 minutes 58 seconds East 423.99 feet; thence South 00 degrees 07 minutes 46 seconds East 376.58 feet; thence South 00 degrees 00 seconds 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet an arc distance of 180.51 feet to the point of beginning. From the point of beginning, thence leaving said right-of-way line, go North-165.81 feet; thence East-93.00 feet; thence North-116.43 feet; thence go North 88 degrees 17 minutes 08 seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West 93.57 feet; thence South 209.79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, South 89 degrees 50 minutes 21 seconds East 138.88 feet; thence along a curve to the right (clockwise) having a radius of 429.87 feet an arc distance of 236.10 feet; thence go along a curve to the left (counter clockwise) having a radius of 357.61 feet and arc distance of 12.53 feet back to the point of beginning.

Said property contains 2.21 acres.

- (b) The Subdrainage District hereby created shall be known and designated as “Sub-Drainage District No. 5 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana” (“the district”), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.
- (c) The governing body of the district shall be a five (5) member Board of Commissioners comprised of persons that are residents of, and domiciled within, the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority.
- (d) The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioner may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

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 effect 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 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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 10th DAY OF JULY 2014 AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published introduction: June 19, 2014
Published adoption on: _____, 2014
Delivered to Parish President: _____, 2014 @ _____
Returned to Council Clerk: _____, 2014 @ _____

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5218

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. TANNER

SECONDED BY: MR. GOULD

ON THE 5 DAY OF JUNE , 2014

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE MORE OR LESS 296 ACRES COMPRISING THE FORMER SOUTHEAST LOUISIANA HOSPITAL SITE FROM THE STATE OF LOUISIANA. (WARD 4, DISTRICT 7)

WHEREAS, In 2010 the Parish of St. Tammany experienced a significant and dramatic increase in the number of suicides amongst its population. In 2010 the national average of suicides was 11.3 per 100,000 people and in the same year the rate in St. Tammany Parish was 16.7 per 100,000 people, resulting in the Parish ranking the highest in the nation. In response to this crisis the Parish began a suicide prevention initiative by making grants to groups such as Volunteers of America, NAMI, MHA, and STOPS to form a suicide task force and a crisis response team. With the funding from the Parish these groups provide a network of counseling, post event follow up counseling and assist first responders in responding to calls related to mental health issues; and

WHEREAS, In 2012 the Department of Health and Hospitals ("DHH") announced it was closing the Southeast Louisiana Hospital currently located on 296 acres in the southwestern portion of the Parish. Losing critical mental health services at such a dire time was considered unacceptable and Parish Government began efforts to keep the services available to its most needy citizens. As a result, in December of 2012 the Parish entered into a Cooperative Endeavor Agreement with DHH whereby the Parish obtained the exclusive use of the hospital site. The Parish then entered into a Cooperative Endeavor Agreement with Meridian Behavioral Health allowing that entity to continue to offer the same mental health services once provided by DHH; and

WHEREAS, It was and remains the ultimate goal of the Parish to ensure that vital mental health services continue to be provided in this Parish at this site. However, the Parish is at risk of losing the services because the State of Louisiana seeks to sell the immovable property consisting of more or less 296 acres which includes the former Southeast Louisiana Hospital (hereafter referred to as "Property"). The Parish and the State have been in negotiations for some time regarding the sale of the Property to the Parish and have come to terms in principle; and

WHEREAS, The undeveloped portion of the Property is adjacent to the campus of Pelican Park owned by Recreation District No. 1. With the option to acquire the entire Property the Parish can then transfer a portion to Recreation District No. 1 ensuring recreational services are continued and providing the only opportunity to expand the campus to perpetuate long term operations; and

WHEREAS, The remainder of the undeveloped portions will be retained by the Parish for the right-of-way needed for the Mandeville By-Pass, a much needed artery for the area, and to incorporate additional undeveloped property into the Parish mitigation bank project immediately to the north of the Property; and

WHEREAS, Retention of critical mental health services, wetland conservation, relief of traffic congestion and expansion of recreational activities for our youth must be protected; and

WHEREAS, St. Tammany Parish Government desires to acquire the Property to promote the health, safety and welfare of the citizens of the Parish as follows: If the Parish were not to purchase the Property the State will proceed to declare the property surplus and sell on the open market possibly to private parties. The Parish seeks to acquire the Property for three reasons. First, the Parish plans to surplus and sell at public auction the remainder portion containing the hospital site with an encumbrance that it be operated as a mental health facility. Second, Recreation District No. 1 seeks to expand its campus and acquire a portion of the Property. Third, the Parish has begun the design of the Mandeville By-Pass

road and a portion of the right-of-way needed is included in the Property. The Parish also will acquire additional undeveloped acreage to add to the Parish mitigation bank project; and

WHEREAS, The need and public purpose for the acquisition of the Property is as follows: By acquiring the Property the Parish can control the development and future uses; ensure the continued operation of the mental health hospital; ensure continued recreational opportunities are able to be provided by Recreation District No. 1 through the expansion of its campus and thus, its programs; and the Parish can acquire the right-of-way needed for the Mandeville By Pass to improve traffic on the Major Road System and for conservation of undeveloped property through the Parish mitigation bank project; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property, rights of way and/or servitudes and authorizes the Office of the Parish President to take any and all steps necessary to enter into negotiations and acquire said Property, servitudes and/or rights of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, through the Parish President to acquire by purchase, donation, or servitude, all that certain parcel of ground described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption.

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to acquire the Property, servitudes and/or rights of way.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property, servitudes and/or rights of way in a timely and orderly matter.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, servitudes and /or rights of way, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED That the purchase price shall not exceed the fair market value of the Property as evidenced by an appraisal obtained or supplied to the Parish plus fees and costs.

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 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 25 DAY OF JUNE , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: June 19 , 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

