

**AUGUST 7, 2014 - ITEMS OFF-THE-FLOOR**

**1. Presentation to recognize Dr. Charles Hill for his cancer research breakthrough in regards to the relationship of light at night and the level of melatonin and the effectiveness of Tamoxifen. (Brister)**

**2. Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, for the Parish President to execute a Cooperative Endeavor Agreement with Parish Drainage District No. 5 for drainage pump repairs. (Ward 9, District 12)(Binder)**

**3. Resolution authorizing the budget for costs of outside counsel regarding the Parish's ability to control hydraulic fracturing activities within the Parish and provide for other matters in connection therewith. (Falconer/Brister)**

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-OTF #2

COUNCIL SPONSOR: MR. BINDER

PROVIDED BY: LEGAL DEPARTMENT

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY, PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH ST. TAMMANY PARISH DRAINAGE DISTRICT NO. 5 FOR DRAINAGE PUMP REPAIRS. (WARD 9, DISTRICT 12)

WHEREAS, Drainage District No. 5 owns and operates a drainage pump station located near the intersection of Highway 11/Pontchartrain Drive and Oak Harbor Boulevard in Slidell; and

WHEREAS, the pump station is in need of certain improvements to ensure proper operation and pumping capacity in order to avoid the potential of flooding in the areas served by the pump station; and

WHEREAS, St. Tammany Parish Government desires to enter into a Cooperative Endeavor Agreement with Drainage District No. 5 to share in the cost of the improvements.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that St. Tammany Parish Government, through the Office of the Parish President, pursuant to Home Rule Charter sections 1-04, 1-06, 3-01 and 3-09 is authorized to execute a Cooperative Endeavor Agreement with St. Tammany Parish Drainage District No. 5, which meets or exceeds all requirements of Louisiana law and jurisprudence, regarding the improvements to District's pumping station and to take any and all actions necessary, including entering into all agreements or negotiations in furtherance of the actions contemplated herein.

BE IT FURTHER RESOLVED, that all acts previously taken by the Office of the Parish President in furtherance of the actions or agreements contemplated herein are hereby ratified and approved.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7 DAY OF AUGUST, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

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R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

**Resolution Administrative Comment**

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH ST. TAMMANY PARISH DRAINAGE DISTRICT NO. 5 FOR DRAINAGE PUMP REPAIRS (WARD 9, DISTRICT 12).

Parish is seeking to enter into a CEA with the Drainage District to provide funding for up to \$35,000.00 to be used towards pump station improvements. Providing funding to Drainage District now will allow the improvements to be performed prior to the peak of hurricane season.

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-OTF #3

COUNCIL SPONSOR: FALCONER/BRISTER PROVIDED BY: LEGAL

RESOLUTION AUTHORIZING THE BUDGET FOR COSTS OF OUTSIDE COUNSEL REGARDING THE PARISH'S ABILITY TO CONTROL HYDRAULIC FRACTURING ACTIVITIES WITHIN THE PARISH AND PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Helis Oil & Gas Company, LLC has applied with the Office of Conservation of the State of Louisiana to create a single drilling and production unit for the exploration for and production of oil and gas from the Tuscaloosa Marine Shale, Reservoir A in the Lacombe Bayou field, close to the intersection of Highway 1088 and I-12; and

WHEREAS, this will be the first attempt at hydraulic fracturing within the Parish of St. Tammany; and

WHEREAS, there are concerns expressed by the residents of the Parish, and in particular those residents in close proximity to the proposed drilling site, regarding issues about zoning, infrastructure, environmental, health, safety and welfare and the Parish's right to control when and where hydraulic fracturing activities may occur; and

WHEREAS, the Parish and its residents need to fully understand what and if any controls they may have over the process of hydraulic fracturing within the Parish; and

WHEREAS, Resolution No. C-4059 AA authorized the expenditure of an amount not to exceed \$ 25,000.00 until a scope of work and a budget was prepared for the retention of outside counsel; and

WHEREAS, the Parish has defined a scope of work to discover the area of legal expertise required to protect the Parish from any legal issues which may arise as a result of hydraulic fracturing and has engaged the firm of Blue Williams to represent the Parish; and

WHEREAS, the Parish estimates that the attorneys' fees shall not exceed \$ 100,000. The Parish has utilized the Council Budget to fund the initial cost of outside counsel and is in need of an additional funding source. The Parish Risk Fund shall provide the remainder of the funds needed to fund the litigation.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to authorize a budget of \$ 100,000 for the costs of outside counsel and that the additional funds needed for the costs be provided from the Parish Risk Fund.

BE IT FURTHER RESOLVED that attorneys' fees shall not exceed \$ 100,000 without further authorization for additional funds and a funding source identified.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7 DAY OF AUGUST, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

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R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

**ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #3**

It is necessary for this Resolution to be heard on the Off-the-Floor Agenda to allow litigation to continue in regards to controlling hydraulic fracturing in the Parish.