

JUNE 5, 2014 - ITEMS OFF-THE-FLOOR

1. Presentation of the Legislative Youth Advisory Council Leadership Award to Alexandra Cloutet by Patrick Flanagan, Advisory Council Member, and Senator Jack Donahue. (Falconer)

2. Resolution authorizing Special Counsel to represent St. Tammany Parish and to proceed with the filing of a declaratory judgment action and petition for injunctive relief against the Office of Conservation of the Louisiana Department of Natural Resources, regarding the issuance of oil and gas drilling permits in the Parish of St. Tammany. (Gould)

3. Proposed litigation regarding St. Tammany Parish vs. Commissioner of Conservation, Louisiana Department of Natural Resources, involving the determination of the Parish's zoning authority and the State's regulatory authority pertaining to oil and gas exploration in St. Tammany Parish.

4. Resolution to amend the major road system list developed as part of the Transportation Impact Fee Study to add the Mandeville Bypass Road as part of the Major Road System. (Tanner)

5. Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - for the acquisition of Southeast Louisiana Hospital property from the State of Louisiana. (Stefancik)

6. Emergency 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) (Tanner)

7. 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) (Tanner)

ST. TAMMANY PARISH COUNCIL

RESOLUTION

OFF THE FLOOR ITEM # 2

RESOLUTION COUNCIL SERIES NO: C-OTF #2

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

RESOLUTION TO AUTHORIZE SPECIAL COUNSEL TO REPRESENT ST. TAMMANY PARISH AND TO PROCEED WITH THE FILING OF A DECLARATORY JUDGMENT ACTION AND PETITION FOR INJUNCTIVE RELIEF AGAINST THE OFFICE OF CONSERVATION, OF THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, REGARDING THE ISSUANCE OF OIL AND GAS DRILLING PERMITS IN THE PARISH OF ST. TAMMANY.

WHEREAS, it is necessary to retain special counsel for the purpose of assisting St. Tammany Parish Government in its efforts to protect the public health, safety and welfare by seeking a judicial determination of its zoning authority and Home Rule Charter powers with regards to the issuance of future permits for oil and gas drilling operations in St. Tammany Parish by the Office of Conservation, of the Louisiana Department of Natural Resources; and

WHEREAS, Attorney Guice Giambronne III and Attorney Aldric C. Poirier, Jr., of the Blue Williams Law Firm, are seasoned trial attorneys with the requisite experience in matters of constitutional law, zoning, and oil and gas; and

WHEREAS, considering the health and safety concerns related to oil and gas drilling operations (See Exhibit 1, recently received Cornell University Study), time is of the essence for St. Tammany Parish to obtain a judicial determination of its zoning authority as it relates to the conducting of oil and gas drilling operations in St. Tammany Parish, and the authority of the Office of Conservation to issue future permits for oil and gas drilling operations in St. Tammany Parish where the enforcement of existing regulations have not been adhered to by the Department of Natural Resources as evidenced by the Louisiana Legislative Auditor's report of May 28, 2014 (which is attached hereto as Exhibit 2); and

WHEREAS, special counsel has agreed that the fee for representing St. Tammany Parish will be in accordance with the published Maximum Hourly Fee Schedule established by the Honorable James D. "Buddy" Caldwell, Attorney General of the State of Louisiana.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that a real necessity exists for the employment of special counsel in this matter and, therefore, the St. Tammany Parish Council authorizes, ratifies and approves the employment of Attorney Guice Giambronne III and Attorney Aldric C. Poirier, Jr., of the Blue Williams Law Firm, as special counsel for St. Tammany Parish in this matter. The compensation authorized to be paid is to be based upon the published Maximum Hourly Fee Schedule established by the Honorable James D. "Buddy" Caldwell, Attorney General of the State of Louisiana.

BE IT FURTHER RESOLVED that said attorneys are authorized to represent St. Tammany Parish and to proceed with the filing of a declaratory judgment action and petition for injunctive relief against the Office of Conservation, of the Louisiana Department of Natural Resources, regarding the issuance of oil and gas drilling permits in the Parish of St. Tammany.

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 6 DAY OF JUNE, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #2

It is necessary for this Ordinance to be considered on the Off-the-Floor Agenda, due to the time sensitive nature of the Parish Government's efforts to protect the public health, safety, and welfare of its residents, by seeking a judicial determination of its zoning authority and Home Rule Charter powers with regards to the issuance of future permits for oil and gas drilling operations in St. Tammany Parish. Additionally, time is of the essence in authorizing special legal counsel to proceed with the filing of a declaratory judgment action and petition for injunctive relief against the Office of Conservation of the Louisiana Department of Natural Resources, regarding the issuance of oil and gas drilling permits in the Parish of St. Tammany.

ST. TAMMANY PARISH COUNCIL

RESOLUTION

OFF THE FLOOR ITEM #

4

RESOLUTION COUNCIL SERIES NO: C-OTF #4

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: ENGINEERING

RESOLUTION TO AMEND THE MAJOR ROAD SYSTEM LIST DEVELOPED AS PART OF THE TRANSPORTATION IMPACT FEE STUDY TO ADD THE MANDEVILLE BYPASS ROAD AS PART OF THE MAJOR ROAD SYSTEM.

WHEREAS, St. Tammany Parish Government has established Road Impact Fees to address the need for additional road capacity to alleviate traffic generated by new development, and

WHEREAS, funds generated by the Road Impact Fees are designated to capacity related improvements to the roads identified on the Major Road System list as reflected in the applicable Road Impact Fee Study, and

WHEREAS, St. Tammany Parish Government has determined that the proposed Mandeville Bypass Road (Project #2014EN0001) from U.S. Highway 190 to La. Hwy 1088 is beneficial and necessary to alleviate traffic generated by new development as part of the Major Road System of St. Tammany Parish.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the proposed Mandeville Bypass Road (Project #2014EN0001) from U.S. Highway 190 to La. Hwy 1088 is beneficial and necessary to alleviate traffic generated by new development, and is hereby added to the Major Road System of St. Tammany Parish.

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 5 DAY OF JUNE, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

Ordinance Administrative Comment

RESOLUTION TO AMEND THE MAJOR ROAD SYSTEM LIST DEVELOPED AS PART OF THE TRANSPORTATION IMPACT FEE STUDY TO ADD THE MANDEVILLE BYPASS ROAD AS PART OF THE MAJOR ROAD SYSTEM.

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.

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.

It was and remains the ultimate goal of the Parish to ensure that the vital mental health services are continued 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.

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.

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.

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

The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to the purchase of the Property it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

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.

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.

According to the eligibility criteria outlined in the St. Tammany Parish Mandatory Impact Fee Ordinance (Section 2-009.00(B) IV of the St. Tammany Parish Code of Ordinances), the Mandeville Bypass project is eligible for use of Transportation Impact Fee funding because it is a capacity improvement project that will provide a new through-lane to alleviate traffic on US 190 and LA 59. To utilize the Transportation Impact Fee funding, the road is to be listed in the Major Road System inventory provided in the Road Impact Fee Study. Therefore, the Parish wishes to include the Mandeville Bypass road in the Major Road System inventory.

**ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #4
TIME SENSITIVE MATTER**

This item needs to be considered Off-the-Floor as it is part of the agreement with the State of Louisiana purchase property which includes the former South Louisiana Hospital by June 30th to purchase the Property. If the Parish does not purchase the property by June 30th, the State will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

ST. TAMMANY PARISH COUNCIL

RESOLUTION

OFF THE FLOOR ITEM # 5

RESOLUTION COUNCIL SERIES NO. OTF #5

COUNCIL SPONSOR: MR. STEFANCIK

PROVIDED BY: FINANCE ON BEHALF OF LEGAL

RESOLUTION TO AMEND ORDINANCE C.S. NO. 13-3052 TO MAKE CHANGES TO THE CAPITAL IMPROVEMENTS LIST - FOR THE ACQUISITION OF SOUTHEAST LOUISIANA HOSPITAL PROPERTY FROM THE STATE OF LOUISIANA.

WHEREAS, St. Tammany Parish Government has identified additional capital improvements, fixed assets and grant awards for the Fiscal Year 2014; and

WHEREAS, in accordance with Section 4 of Ordinance C.S. No. 13-3052 which allows St. Tammany Parish Government to amend said ordinance by resolution, we submit the following amendments to the Capital Improvements Section.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to amend Ordinance Council Series No. 13-3052 - 2014-2018 Capital Improvement Budget and Program, to make changes to the Capital Improvements List of said ordinance as follows, to wit:

Section I: Capital Improvements - Other

Project Title	Original Budget	Amendment	Revised Budget	Description
Fund 300-00 Parishwide Roads				
Learning Center Road	680,000.00	(680,000.00)	0.00	2013 Allocation
Fund 300-16 Sales Tax for Drainage				
Learning Center Drainage	570,315.00	(570,315.00)	0.00	2013 Allocation
La. 434 South Drainage Feature	2,618,418.00	(2,618,418.00)	0.00	2013 Allocation
	3,188,733.00	(3,188,733.00)	0.00	
Fund 316-00 Drainage				
Hwy 434 Retention Lake	1,978,000.00	(1,487,000.00)	491,000.00	2011 & 2013 Allocation
Fund 323-00 Public Health Capital				
Mobile Unit	60,000.00	(60,000.00)	0.00	2013 Allocation
Southeast Louisiana Hospital Property Acquisition				
Fund 300-00 Parishwide Roads	0.00	1,680,000.00	1,680,000.00	ROW/Drainage
Fund 300-16 Sales Tax for Drainage	0.00	3,188,733.00	3,188,733.00	Bayou Castine/Bayou Cane Drainage Management Area
Fund 316-00 Drainage	0.00	1,487,000.00	1,487,000.00	Bayou Castine/Bayou Cane Drainage Management Area
Fund 323-00 Public Health Capital	0.00	2,044,000.00	2,044,000.00	SELA Hospital Facility
Fund 327-00 General Building Capital	0.00	6,500,000.00	6,500,000.00	SELA Hospital Facility
Fund 360-00 Transportation Impact Fee	0.00	1,000,000.00	1,000,000.00	ROW Mandeville ByPass
Fund 367-00 Service Area Drainage Impact Fees	0.00	344,000.00	344,000.00	Bayou Castine/Bayou Cane Drainage Management Area
Total Funding	0.00	16,243,733.00	16,243,733.00	

MOVED FOR ADOPTION BY _____, SECONDED BY _____

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 5TH DAY OF JUNE 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

ADMINISTRATIVE COMMENT
CAPITAL IMPROVEMENTS - JUNE 2014 OFF THE FLOOR

This resolution is to identify available funding for the Southeast Louisiana Hospital Property Acquisition.

<u>Project eligible for Grant Funding</u>	<u>Fund No.</u>		
Learning Center Road	300-00	680,000.00	
Learning Center Drainage	300-16	570,315.00	
La 434 South Drainage Feature	300-16	2,618,418.00	
Hwy 434 Retention Lake	316-00	1,487,000.00	
		\$ 5,355,733.00	
 <u>Other Available Funding</u>			
Contingency for Road/Drainage	300-00	1,000,000.00	
Mobile Unit	323-00	60,000.00	
Available Funds Public Health Capital	323-00	1,984,000.00	
Reserve for CDL Loan Repayment	327-00	6,500,000.00	
Available Funds Trans. Impact Fees	360-00	1,000,000.00	
Available Funds Drain Impact Fees (SA)	367-00	344,000.00	
		\$ 10,888,000.00	\$ 16,243,733.00

Justification for Emergency Resolution:

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.

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.

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.

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.

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.

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

The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to the purchase of the Property it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an emergency ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

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.

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.

**ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #5
TIME SENSITIVE MATTER**

This item needs to be considered Off-the-Floor as it is part of the agreement with the State of Louisiana purchase property which includes the former South Louisiana Hospital by June 30th to purchase the Property. If the Parish does not purchase the property by June 30th, the State will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

ST. TAMMANY PARISH COUNCIL

OFF THE FLOOR ITEM #

6

ORDINANCE

ORDINANCE CALENDAR NO: OTF #6

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5 DAY OF JUNE , 2014

EMERGENCY 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, The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to the purchase of the Property it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an emergency ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed below. Pursuant to Section 2-14 of the Home Rule Charter the Parish is authorized to adopt an Emergency Ordinance, "To meet a public emergency affecting life, health, property or public

safety. . ." This Council hereby affirms its intent of fulfilling this standard for the public purposes stated below; 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 and shall remain in effect for forty (40) days up until and through July 15th, 2014.

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 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 10 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: _____, 2014

Published Adoption: _____, 2014

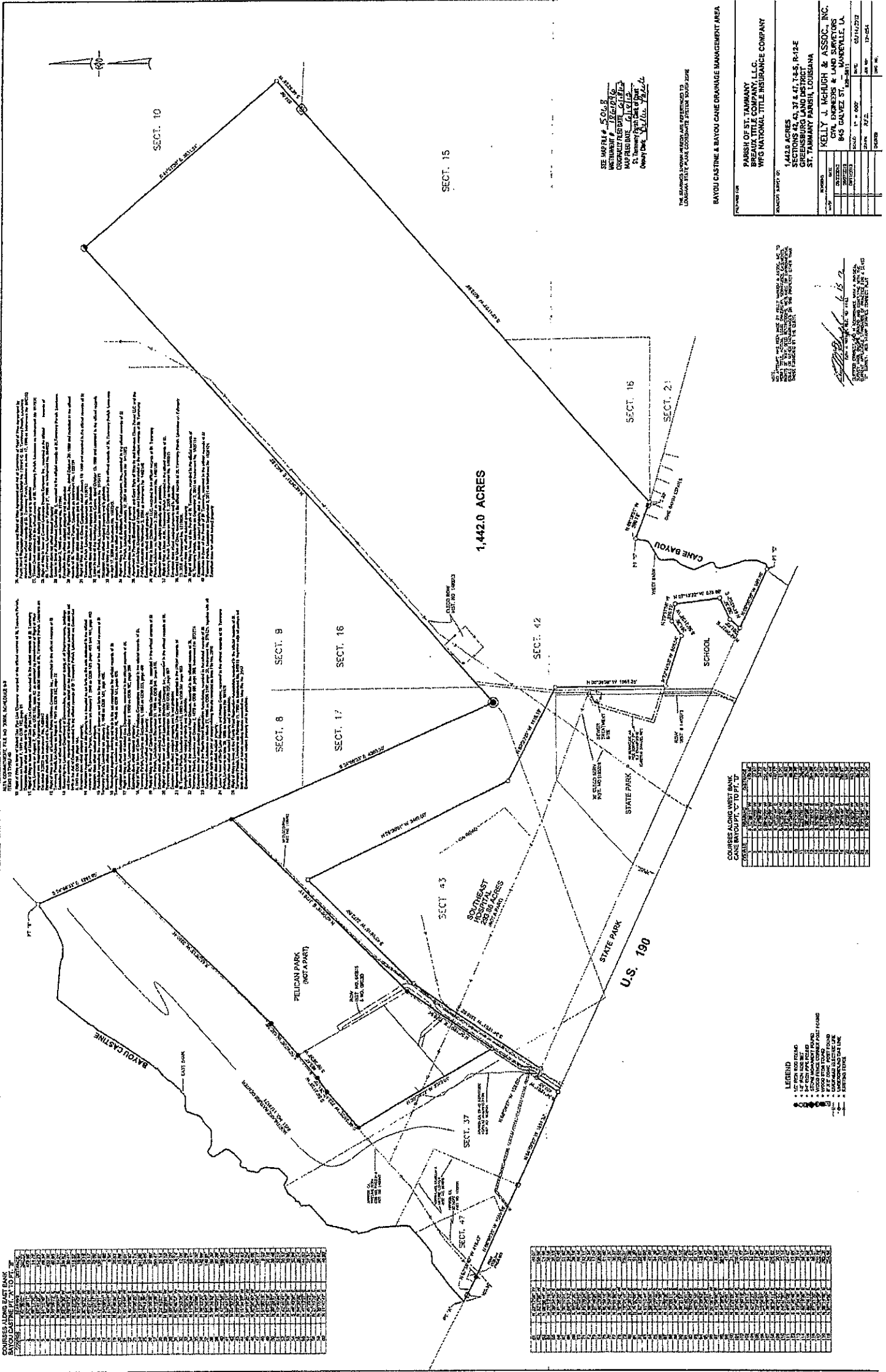
Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

**ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #6
TIME SENSITIVE MATTER**

The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to purchase the Property, it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

EXHIBIT "A"



SEE MAPS 1/4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

THE SURVEY WAS MADE AS REFERENCED BY
LOUISIANA STATE PLANE COORDINATE SYSTEM BOUNDARY

BAYOU CASTINE & BAYOU CALCASIEU DRAINAGE MANAGEMENT AREA

PARISH OF ST. TAMMANY
BREAUX TITLE COMPANY, L.L.C.
WFG NATIONAL TITLE INSURANCE COMPANY

SECTION 10
SECTION 15
SECTION 16
SECTION 17
SECTION 18
SECTION 21

1,442.0 ACRES
SECTIONS 8, 9, 10, 15, 16, 17, 18, 21
GREENSBURG LAND DISTRICT
ST. TAMMANY PARISH, LOUISIANA

KELLY J. McHUGH & ASSOC., INC.
CIVIL ENGINEERS & LAND SURVEYORS
845 CALVEZ ST.
MONROE, LA 70001

DATE: 05/14/2012
BY: J.M.
CHECKED: J.M.
DATE: 05/14/2012

THIS SURVEY WAS MADE AS REFERENCED BY
LOUISIANA STATE PLANE COORDINATE SYSTEM BOUNDARY

[Signature]
KELLY J. McHUGH
REGISTERED PROFESSIONAL ENGINEER
NO. 12345
STATE OF LOUISIANA

ST. TAMMANY PARISH COUNCIL

OFF THE FLOOR ITEM # 7

ORDINANCE

ORDINANCE CALENDAR NO: OTF #7

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: _____

SECONDED BY: _____

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 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 10 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: _____, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

**ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #7
TIME SENSITIVE MATTER**

The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to purchase the Property, it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

