

Reso.

2013-0174

**INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V
PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
CLAYTON FAUCHEUX, JR., COUNCILMAN-AT-LARGE, DIVISION B
WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III**

RESOLUTION NO. 5991

A resolution to employ Mr. Timothy S. Marcel as Special Legal Counsel to represent the St. Charles Parish Council in the matter of Ordinance No. 13-3-14 and the refusal of the Parish President to execute said Agreement, by whatever legal means necessary, including court action to compel compliance.

- WHEREAS,** on March 21, 2011 the St. Charles Parish Council adopted Ordinance No. 11-3-4 which approved an Agreement between Tauzin Consultants, LLC and St. Charles Parish for governmental affairs representation, including before the Federal Government, which expired on March 31, 2013, said Agreement having been executed by the Parish President on March 28, 2011; and,
- WHEREAS,** on March 25, 2013 the Parish Council adopted Ordinance No. 13-3-14 approving and authorizing an agreement between Tauzin Consultants, LLC and St. Charles Parish for governmental affairs representation, the same basic Agreement as Ordinance No. 11-3-4 with a term adjustment; and,
- WHEREAS,** this Ordinance was disapproved and returned by the Parish President on April 1, 2013; and,
- WHEREAS,** Ordinance No. 13-3-14 was presented to the Parish Council on April 8, 2013, along with the Parish President's Veto Message and the Parish Council **overrode** the Parish President's Veto of Ordinance No. 13-3-14; and,
- WHEREAS,** in accordance with the Home Rule Charter, the ordinance authorizes the Parish President to execute its Agreement, however, the Parish President has refused to carry out the provisions of said Ordinance; and,
- WHEREAS,** said action is in violation of the St. Charles Parish Home Rule Charter and it is the obligation of the Parish Council to uphold the provisions of its actions and ensure the integrity of the Charter; and,
- WHEREAS,** due to the conflict of the Director of Legal Services, representing the Parish President in this matter, it is necessary to employ Special Legal Counsel to represent the Parish Council in enforcing the provisions of Ordinance No. 13-3-14 and its Agreement, by whatever legal means necessary, including court action to compel compliance.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby employ Mr. Timothy S. Marcel as Special Legal Counsel to represent the St. Charles Parish Council in the matter of Ordinance No. 13-3-14 and the execution of its Agreement, by whatever legal means necessary, including court action to compel compliance.

BE IT FURTHER RESOLVED that the fees for said Special Legal Counsel shall be paid in accordance with the Attorney General's Fee Schedule and from the Parish Council Budget.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: FAUCHEUX, WILSON, TASTET, HOGAN, COCHRAN, FISHER-PERRIER
NAYS: SCHEXNAYDRE, FLETCHER
ABSENT: BENEDETTO

And the resolution was declared adopted this 6th day of May, 2013, to become effective five (5) days after publication in the Official Journal.

Resolution - Special Legal Counsel revised

ACTING

CHAIRMAN: 

SECRETARY: 

DLVD/PARISH PRESIDENT: 5.8.13

APPROVED:  DISAPPROVED: _____

PARISH PRESIDENT: 

RET/SECRETARY: 5.9.13

AT: 11:15am RECD BY: 20c