

Reso.

2014-0332

INTRODUCED BY: JULIA FISHER-PERRIER, COUNCIL CHAIRMAN

RESOLUTION NO. 6104

A resolution to approve and authorize the execution of a Cooperative Endeavor Agreement between the Sunset Drainage District and St. Charles Parish and to define the respective rights, duties, responsibilities, and liabilities.

WHEREAS, the PARISH and the DISTRICT have joint responsibility for providing adequate drainage and comprehensive flood control protection for the lives and property of its citizens within their territorial jurisdictions; and,

WHEREAS, Article VII, Section 14(C) of the Louisiana Constitution of 1974 provides in part that, "For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual"; and,

WHEREAS, the DISTRICT is a legislatively created local political subdivision drainage district of the State of Louisiana with the statutory authority to contract, including cooperative endeavor agreements, for the construction, operation, maintenance, repair, rehabilitation, or replacement of any drainage and flood control project; and,

WHEREAS, the PARISH, acting through the Parish Council for St. Charles Parish, has constitutional and statutory authority for establishing, acquiring, constructing, improving, extending, and maintaining drainage and flood control projects within its territory and to cooperate with and enter into cooperative endeavor agreements and arrangements with other political subdivisions and drainage districts for drainage and flood control projects with the power to enter into maintenance agreements to maintain drainage and flood control structures and levees; and,

WHEREAS, this Agreement will be mutually beneficial to the parties in the furtherance of their respective statutory purposes, duties, and authorities, and each party expects to receive benefits for the themselves and the public at least equal to the costs and responsibilities undertaken pursuant to this Agreement; and,

WHEREAS, the PARISH assumed the governing authority of the DISTRICT and it is in the public's best interest that the assets be transferred and the authority to act on behalf of the DISTRICT be provided to the PARISH; and,

WHEREAS, the purposes of the Agreement is to define the respective rights, duties, responsibilities and liabilities between the PARISH and the DISTRICT assumed under this Agreement with respect to the "PROJECT".

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Cooperative Endeavor Agreement between St. Charles Parish and Sunset Drainage District to define the respective rights, duties, responsibilities, and liabilities of both parties is hereby approved and accepted.

SECTION II. That the Council Chairman is hereby authorized to execute said Cooperative Endeavor Agreement on behalf of the Sunset Drainage District.

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

- YEAS: SCHEXNAYDRE, LEWIS, WILSON, HOGAN, COCHRAN, FISHER-PERRIER
- NAYS: NONE
- ABSENT: WOODRUFF, BENEDETTO, FLETCHER

And the resolution was declared adopted this 6th day of October, 2014, to become effective five (5) days after publication in the Official Journal.

2014-0332 Resolution - CEA Sunset 10-6-14 Special Mtg.

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 10-8-14

APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 10-8-14

AT: 2:00pm RECD BY: [Signature]