

Reso.

2015-0045

INTRODUCED BY: CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A
JARVIS LEWIS, COUNCILMAN-AT-LARGE, DIVISION B
TERRELL D. WILSON, COUNCILMAN, DISTRICT I
WILLIAM BILLY WOODRUFF, COUNCILMAN, DISTRICT II
WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III
PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
TRACI A. FLETCHER, COUNCILWOMAN, DISTRICT VI
JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII

RESOLUTION NO. 6136

A resolution to appoint Messrs. Thomas M. Flanagan and Sean P. Brady, of Flanagan Partners, LLP as Special Legal Counsel to represent the St. Charles Parish Council in the case of Mayor Mitchell J. Landrieu vs. St. Charles Parish Council, Et Al.

WHEREAS, a Petition for Declaratory Judgment and Injunctive Relief has been filed in Civil District Court for the Parish of Orleans, Case Number 2012-08721, Division D, Section 16, entitled Mayor Mitchell J. Landrieu, in his Official Capacity as the Mayor of the City of New Orleans vs. St. Charles Parish Council, ET AL (the "Litigation"); and,

WHEREAS, the Parish Council, and its members in their official capacities, were named as defendants in the Litigation; and,

WHEREAS, said Litigation challenges the provisions of Ordinance No. 85-10-5 adopted by the St. Charles Parish Council on October 7, 1985, and ratified by Ordinance No. 85-11-10 adopted by the St. Charles Parish Council on November 18, 1985, approving the "Airport Expansion Agreement" by and between the City of Kenner, the Parish of St. Charles, the City of New Orleans and the New Orleans Aviation Board to provide for the expansion of the East/West runway of the New Orleans International Airport into St. Charles Parish; and,

WHEREAS, the Parish Council previously determined that it was in its interest to appoint Special Legal Counsel to represent the interests of the Council and its Members in the Litigation; and,

WHEREAS, the Parish Council passed a resolution, No. 5943, on October 15, 2012, appointing Timothy S. Marcel as Special Legal Counsel to handle the Litigation; and,

WHEREAS, Mr. Marcel associated Flanagan Partners LLP, which firm has actively participated in the handling of the Litigation with Mr. Marcel; and,

WHEREAS, Mr. Marcel was recently elected and took his seat as a judge of the 29th Judicial District Court, requiring his withdrawal from the Litigation; and,

WHEREAS, it is now the desire of the Parish Council to appoint Mr. Thomas M. Flanagan and Mr. Sean P. Brady of Flanagan Partners LLP as Special Legal Counsel to handle the Litigation.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby appoint Mr. Thomas M. Flanagan and Mr. Sean P. Brady of Flanagan Partners, LLP as Special Legal Counsel to represent the St. Charles Parish Council in said case.

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

And the resolution was declared adopted this 9th day of February, 2015, to become effective five (5) days after publication in the Official Journal.

2015-0045 (1-23-15) Resolution - Special Legal Counsel-Flanagan

CHAIRMAN: _____
SECRETARY: _____
DLVD/PARISH PRESIDENT: 2-10-15
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: WHL
RETD/SECRETARY: 2/10/15
AT: 3:36pm RECD BY: [Signature]

REFERENCE
Ord. 85-10-5; Ord. 85-11-10;
Reso. 5943