

2009-0180

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

An ordinance to amend Ordinance No. 09-4-20 which approved and authorized the execution of an Intergovernmental Agreement with the Sunset Drainage District to provide for an operating subsidy for the District for fiscal year 2009 for the operation and maintenance of the drainage system by deleting Section III. in the Ordinance and in the Agreement.

WHEREAS, on November 17, 2008, the St. Charles Parish Council appropriated funds from the General Fund Budget to subsidize the operation of the Sunset Drainage District for the fiscal year 2009; and

WHEREAS, on March 16, 2009, the Council considered Ordinance No. 09-4-20 to approve and authorize the execution of an Intergovernmental Agreement with the Sunset Drainage District to provide for the operating subsidy; and

WHEREAS, on March 16, 2009, the St. Charles Parish Council, upon a request by the Parish President, amended the proposed ordinance and Intergovernmental Agreement by adding: Section III. The Parish and the Sunset Drainage District hereby agree to recognize said subsidy in the efforts of the Parish to acquire certain property known at Lot 761 of the Sunset Drainage District; and,

WHEREAS, on March 16, 2009, the St. Charles Parish Council Tabled the proposed ordinance due to the significance of the amendment in order to allow the Sunset Drainage District to consider the amended version; and,

WHEREAS, on April 6, 2009, the proposed ordinance remained Tabled; and,

WHEREAS, on April 16, 2009, the Sunset Drainage District Board of Commissioners passed a resolution indicating that the Board elected not to pursue any action with regards to the disposal of Lot 761 which would be the site from which embankment material would be obtained for the raising of the District's levees should it be required to maintain the District's "X" flood zone rating; and

WHEREAS, on April 20, 2009, the St. Charles Parish Council adopted the amended Ordinance No. 09-4-20 approving and authorizing the execution of an Intergovernmental Agreement with the Sunset Drainage District which had included Section III relating to Lot 761; and,

WHEREAS, upon the request of the Sunset Drainage District presented in its resolution, it is the desire of the Council to amend Ordinance No. 09-4-20 by deleting Section III from the Ordinance and the Intergovernmental Agreement.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Ordinance No. 09-4-20, adopted on April 20, 2009 is hereby amended by deleting Section III from the Ordinance and the Intergovernmental Agreement.

SECTION II. That the amended Intergovernmental Agreement by and between the Parish of St. Charles and the Sunset Drainage District is hereby approved.

SECTION III. That the Parish President is hereby authorized to execute said Agreement on behalf of the Parish of St. Charles.

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

YEAS: RAYMOND, BENEDETTO, HOGAN

NAYS: AUTHEMENT, TASTET, COCHRAN, LAMBERT, NUSS

ABSENT: SCHEXNAYDRE

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY ON MAY 18, 2009.