

Reso.

**2012-0368**

**INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V**  
**RESOLUTION NO. 5943**

A resolution to appoint Mr. Timothy S. Marcel 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; and,

**WHEREAS,** said Petition 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,** it is in the best interest of the Parish Council to employ Special Legal Counsel to represent its interest; and,

**WHEREAS,** it is the desire of the Parish Council to appoint Mr. Timothy S. Marcel as Special Legal Counsel to handle said case.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL,** do hereby appoint Mr. Timothy S. Marcel 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, FAUCHEUX, WILSON, TASTET, BENEDETTO, HOGAN, COCHRAN, FLETCHER, NUSS  
**NAYS:** NONE  
**ABSENT:** NONE

And the resolution was declared adopted this 15th day of October, 2012, to become effective five (5) days after publication in the Official Journal.

Resolution - Special Legal Counsel

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: 10-17-12

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 10-17-12

AT: 1:40pm RECD BY: [Signature]