

Reso

2005-0187

INTRODUCED BY: 'RAM' RAMCHANDRAN, COUNCILMAN, DISTRICT III

RESOLUTION NO. 5276

A resolution requesting the Parish President to file all necessary legal claims against the Engineering Firm and their successors and the Surveying Company and their successors to recover total and full compensation paid by the Parish and any legal fees involved in connection with the litigation entitled "Peter Rizzo, et al vs. Parish of St. Charles", with the number 57,861, 29th Judicial District Court for the Parish of St. Charles.

WHEREAS, on June 6, 2005, St. Charles Parish Council passed Ordinance No. 05-6-3 with a six (6) to two (2) votes with one absention to authorize full and final compromise with (1) Peter and Rene Rizzo-\$30,000.00; (2) Jeff and Madelene Melancon-\$30,000.00; (3) Jody and Patricia Matherne-\$30,000.00; (4) Todd and Andree Roberts-\$30,000.00; (5) Eve Chaisson-\$15,000.00; and (6) Bobbie Chaisson-\$15,000.00; and,

WHEREAS, in addition the full and final compromise of \$150,000.00 additional exhorbitant cost of \$91,550.00 was absorbed by Parish Government for the Force Main Relocation-Acadian Trace Subdivision under Ordinance 02-10-5, adopted October 7, 2002; and,

WHEREAS, additional exhorbitant cost was absorbed by the taxpayers for subsurface drainage on the back of this development; and,

WHEREAS, the total Engineering relocation cost and subsurface drainage surveyed by this Engineering Company has resulted close to a \$1 million loss to the taxpayers.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request the Administration to proceed with filing of law suit against the Engineering Firm and their successors and the Surveying Company and their successors for full compensation of \$150,000.00 and any legal fees incurred.

BE IT FURTHER RESOLVED, that henceforth all Engineering Firms and Surveying Companies and their successors shall be held responsible for any damages due to their mistakes.

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

YEAS: FAUCHEUX, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: MARINO, HILAIRE, FABRE

And the resolution was declared adopted this 20th day of June, 2005, to become effective five (5) days after publication in the Official Journal.

Acadian Trace Re-compense

ACTING CHAIRMAN:

SECRETARY:

DLVD/PARISH PRESIDENT:

APPROVED:

DISAPPROVED:

PARISH PRESIDENT:

RETD/SECRETARY:

AT: 3:30 pm

RECD BY: