

**LAFOURCHE PARISH COUNCIL
FEBRUARY 10, 2009
UNANIMOUS AGENDA**

A. PROPOSED ORDINANCES:

1. PROPOSED ORDINANCE to **authorize the purchase of land owned by Theriot Lands, LLC for the Lefort Bypass project located in Section 13, Township 15 South, Range 17 East, Lafourche Parish Louisiana;** and authorizing the Parish President to hire an attorney for said purchase and sign, execute and administer any and all relevant documents. (J. FERTITTA FOR ADMINISTRATION)

B. RESOLUTIONS:

2. RESOLUTION **requesting the Lafourche Parish Legislative Delegation draft and support local Legislation** relative to the **Lafourche Parish Communications District** to provide for the **assessment of prepaid wireless telephone service.** (L. TOUPS)

C. DISCUSSION:

3. DISCUSSION regarding the email from the **Parish Administrator** regarding **information requests by Councilmen.** (J. FERTITTA)

ITEM 1

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE PURCHASE OF LAND OWNED BY THERIOT LANDS, LLC FOR THE LEFORT BY-PASS PROJECT LOCATED IN SECTION 13, TOWNSHIP 15 SOUTH, RANGE 17 EAST, LAFOURCHE PARISH, LOUISIANA; AND AUTHORIZING THE PARISH PRESIDENT TO HIRE AN ATTORNEY FOR SAID PURCHASE AND SIGN, EXECUTE, AND ADMINISTER ANY AND ALL RELEVANT DOCUMENTS.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1

WHEREAS, the Lafourche Parish Government did obtain an appraisal report detailing the value of a certain parcel of property located in Section 13, Township 15 South, Range 17 East, Lafourche Parish, Louisiana (see attached property description); and

WHEREAS, this ordinance was sponsored for Administration by Mr. Joe Fertitta, Councilman, District 4; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorize the purchase of property located in Section 13, Township 15 South, Range 17 East, Lafourche Parish, Louisiana and authorizing the Parish President to hire an attorney for said purchase and sign, execute, and administer any and all relevant documents.



THEREFORE BE IT ORDAINED, that the Lafourche Parish Council convened in Regular Session on _____, and hereby authorizes the purchase of property located in Section 13, Township 15 South, Range 17 East, Lafourche Parish, Louisiana and authorizes the Parish President to hire an attorney for said purchase and sign, execute, and administer any and all documents; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance shall be forwarded to; Lafourche Parish Government Department of Public Works, Department of Finance, and the Office of the Parish Administrator; and

ITEM 1

BE IT FURTHER ORDAINED, that;

SECTION 1. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 2. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 3. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 4. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 5. This Ordinance shall become effective immediately upon council approval.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2009, at _____, __.m.

APPROVED: _____

ITEM 1

VETOED: _____

Charlotte A. Randolph
Lafourche Parish President

Returned to the Council Clerk on

_____, 2009, at _____, __.m.

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2009.

CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 1

LEGAL DESCRIPTION PROPOSED RIGHT OF WAY AREA:

A certain tract or parcel of land containing 0.848 acres or 36,940 square feet located in Section 13, Township 15 South, Range 17 East, Lafourche Parish, Louisiana and is more particularly described as follows:

Beginning at a point being the intersection of the existing apparent (based on the center line of the road) easterly right of way line of Lefort By-Pass Road with proposed (new) right of way line of Lefort By-Pass said point being the POINT OF BEGINNING.

Then, following along said proposed right of way as follows:

along a curve to the left, having a radius of 1,175.00 feet, a delta of 15 degrees 03 minutes 18 seconds, an arc length of 308.74 feet and a chord bearing of South 20 degrees 54 minutes 27 seconds West and chord distance of 307.85 feet to a point;

Then, South 13 degrees 22 minutes 48 seconds West, a distance of 143.96 feet to a point;

Then, along a curve to the right having a radius of 725.00 feet, a delta of 36 degrees 49 minutes 59 seconds, an arc length of 466.07 feet and a chord bearing of South 31 degrees 47 minutes 48 seconds West and a chord distance of 458.09 feet to a point;

Then, South 50 degrees 12 minutes 47 seconds West, a distance of 154.13 feet to a point on the apparent right of way line of Lefort By-Pass

Then following along this said apparent right of way line as follows:

North 42 degrees 03 minutes 52 seconds East, a distance of 28.17 feet to a point;

Then, North 37 degrees 06 minutes 05 seconds East, a distance of 16.83 feet to a point;

Then, North 33 degrees 45 minutes 29 seconds East, a distance of 30.77 feet to a point;

Then, North 29 degrees 48 minutes 25 seconds East, a distance of 44.29 feet to a point;

Then, North 27 degrees 15 minutes 23 seconds East, a distance of 46.25 feet to a point on the proposed westerly right of way line of Lefort By-Pass

Then, following along the proposed westerly right of way line:

Along a curve to the left, having a radius of 675.00 feet, a delta of 36 degrees 30 minutes 50 seconds, an arc length of 430.17 feet and a chord bearing of North 31 degrees 38 minutes 12 seconds East and a chord distance of 422.93 feet to a point ;

Then, North 13 degrees 22 minutes 48 seconds East, a distance of 113.34 feet to a point on the apparent right of way line;

Then, following said apparent right of way, North 28 degrees 26 minutes 06 seconds East, a distance of 347.76 feet to the POINT OF BEGINNING.

ITEM 1

LEGAL DESCRIPTION – GAP BETWEEN EXISTING AND PROPOSED RIGHT OF WAY

A certain tract or parcel of land containing 0.418 acres or 18,200 square feet, located in Section 13, Township 15 South, Range 17 East, Lafourche Parish, Louisiana and is more particularly described as follows:

Beginning at a point being the intersection of the existing apparent (based on the center line of the road) westerly right of way line of Lefort By-Pass Road with the proposed (new) westerly right of way line of Lefort By-Pass said point being the POINT OF BEGINNING;

Then, following the proposed right of way as follows:

South 13 degrees 22 minutes 48 seconds West, a distance of 113.34 feet to a point;

Then, along a curve to the right having a radius of 675.00 feet, a delta of 36 degrees 30 minutes 50 seconds, an arc length of 430.17 feet and a chord bearing of South 31 degrees 38 minutes 12 seconds West and a chord distance of 422.93 feet a point on the apparent right of way;

Then, along said right of way as follows:

North 26 degrees 26 minutes 49 seconds East, a distance of 72.61 feet to a point;

Then, North 26 degrees 26 minutes 08 seconds East, a distance of 33.55 feet to a point;

Then, North 26 degrees 25 minutes 06 seconds East, a distance of 60.46 feet to a point;

Then, North 28 degrees 26 minutes 06 seconds East, a distance of 365.20 feet to the POINT OF BEGINNING.

ITEM 2

On motion by _____, seconded by _____, the following resolution was introduced and adopted:

RESOLUTION NO. _____

RESOLUTION REQUESTING THE LAFOURCHE PARISH LEGISLATIVE DELEGATION DRAFT AND SUPPORT LOCAL LEGISLATION RELATIVE TO THE LAFOURCHE PARISH COMMUNICATIONS DISTRICT TO PROVIDE FOR THE ASSESSMENT OF PREPAID WIRELESS TELEPHONE SERVICE.

WHEREAS, the public has high expectations for effective and accessible 9-1-1 emergency services regardless of the communications technology used or the means of purchasing the technology; the funding of wireless 9-1-1 emergency services is critical to meeting the public's expectations for effective and accessible 9-1-1 services; and

WHEREAS, the Lafourche Parish Communications District is dedicated to provide such a service for its citizenry and acquires the funding to do so solely by the assessment of a five percent (5%) tariff levied upon the basic phone service charge for both residential and commercial telephone subscribers per month and \$0.85 per month on wireless phone subscribers who's billing address is within the Parish; and

WHEREAS, the public has come to expect that their "telephone" will provide immediate access to emergency services by dialing "9-1-1," that their call will be answered by local personnel who can dispatch first responders to the scene, and that their location and phone number will be provided automatically; and

WHEREAS, the public does not expect any different level of service because the "telephone", over which the call is made, uses technology other than the traditional wireline communications services; and

WHEREAS, from the perspective of the 9-1-1 caller, all telephones are functionally equivalent, and the expectation is that the level of 9-1-1 service will be the same; and

WHEREAS, due to the ever increasing demands placed on the E-911 Public Safety Answering Point (PSAP) with the receiving of an overwhelming number of Prepaid Wireless emergency calls which can be problematic and require operators to expend valuable time to acquire calling and location information where emergency response is needed; and

WHEREAS, the mandate imposed by the Federal Communications Commission (FCC) via FCC Matter 94-102, acted in July, 1996, which sets distinct requirements for making wireless 9-1-1 more compatible with existing 911 wireline systems and stipulates the necessity for the establishment of a cost recovery mechanism; and

ITEM 2

WHEREAS, there is definite inequality placed on wireless service subscribers who pay for emergency 9-1-1 service listed on their monthly bill, opposed to advance-paid (or Prepaid) wireless service subscribers who do not, and more-so, on the Communications District who bares the burden in the receiving of an ever increasing number of emergency calls originating from prepaid wireless service subscriber devices.

BE IT RESOLVED, by the Lafourche Parish Council convened in regular session on _____, that it does hereby request that the Lafourche Parish Legislative Delegation draft and support local Legislation for the purpose of collecting a prepaid wireless E-911 service charge at the rate of \$.85 per wireless prepaid card purchased within Lafourche Parish and remittance of such fee by the service wholesaler directly to the Lafourche Parish Communications District.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Lafourche Parish Legislative Delegation and the Office of the Parish Administrator.

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

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of _____, adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**