

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5174 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: FALCONER/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: SECONDED BY: _____

ON THE 3 DAY OF APRIL , 2014

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM ON BEHALF OF NORTSHORE TECHNICAL COMMUNITY COLLEGE FOR THE DONATION OF 12.6 +/- ACRES OF PROPERTY AT THE ST. TAMMANY ADVANCED CAMPUS SITE (WARD 7, DISTRICT 11).

WHEREAS, Parish owns certain property located on Highway 434 in Lacombe, commonly referred to as the St. Tammany Advanced Campus ("STAC"); and

WHEREAS, the STAC site was donated to Parish with a restrictive covenant for the expansion of advanced educational opportunities at the college and/or trade school levels;

WHEREAS, Northshore Technical Community College ("NTCC") previously operated a facility in Slidell, which was damaged by Hurricane Katrina; and

WHEREAS, NTCC desires to relocate its northshore campus to the STAC site and to rebuild using its FEMA public assistance funds; and

WHEREAS, St. Tammany Parish Government desires that NTCC relocate to the STAC site to utilize the property for higher education.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: the St. Tammany Parish Government, through the Office of the Parish President, is authorized to exercise its discretion in entering into a Cooperative Endeavor Agreement and Act of Donation for 12.6 +/- acres of property in the STAC site with/to the Louisiana Community & Technical College System on behalf of Northshore Technical Community College, together with all other agreements and all other transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED that all actions previously taken by the Office of the Parish President are ratified and accepted accordingly.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1 DAY OF MAY, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: March 27, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

Ordinance Administrative Comment

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM ON BEHALF OF NORTSHORE TECHNICAL COMMUNITY COLLEGE FOR THE DONATION OF 12.6 +/- ACRES OF PROPERTY AT THE ST. TAMMANY ADVANCED CAMPUS SITE (WARD 7, DISTRICT 11)

The Parish seeks to enter into a Cooperative Endeavor Agreement and Act of Donation for the benefit of the Louisiana Community & Technical College System on behalf of Northshore Technical Community College. The property consists of 12.6 +/- acres within Parish's STAC site on Highway 434. NTCC will be required to obtain a survey prior to executing the Act of Donation. The Act of Donation is onerous and shall include restrictive covenants (1) for post-secondary technical training and education purposes and (2) construction timelines, with a right of reversion in favor of Parish in event of breach of either restrictive covenant.

Authority to enter into this CEA and donation includes the Local Services Law (La. R.S. 33:1321, et seq.), La. Const Art. 7 §14(C), and *Board of Directors of Indus. Development Bd. of City of Gonzales, Louisiana, Inc. v. All Taxpayers, Property Owners, Citizens of City of Gonzales, et al*, 938 So.2d 11 (La. 9/6/06).