

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5218

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. TANNER

SECONDED BY: MR. GOULD

ON THE 5 DAY OF JUNE , 2014

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE MORE OR LESS 296 ACRES COMPRISING THE FORMER SOUTHEAST LOUISIANA HOSPITAL SITE FROM THE STATE OF LOUISIANA. (WARD 4, DISTRICT 7)

WHEREAS, In 2010 the Parish of St. Tammany experienced a significant and dramatic increase in the number of suicides amongst its population. In 2010 the national average of suicides was 11.3 per 100,000 people and in the same year the rate in St. Tammany Parish was 16.7 per 100,000 people, resulting in the Parish ranking the highest in the nation. In response to this crisis the Parish began a suicide prevention initiative by making grants to groups such as Volunteers of America, NAMI, MHA, and STOPS to form a suicide task force and a crisis response team. With the funding from the Parish these groups provide a network of counseling, post event follow up counseling and assist first responders in responding to calls related to mental health issues; and

WHEREAS, In 2012 the Department of Health and Hospitals ("DHH") announced it was closing the Southeast Louisiana Hospital currently located on 296 acres in the southwestern portion of the Parish. Losing critical mental health services at such a dire time was considered unacceptable and Parish Government began efforts to keep the services available to its most needy citizens. As a result, in December of 2012 the Parish entered into a Cooperative Endeavor Agreement with DHH whereby the Parish obtained the exclusive use of the hospital site. The Parish then entered into a Cooperative Endeavor Agreement with Meridian Behavioral Health allowing that entity to continue to offer the same mental health services once provided by DHH; and

WHEREAS, It was and remains the ultimate goal of the Parish to ensure that vital mental health services continue to be provided in this Parish at this site. However, the Parish is at risk of losing the services because the State of Louisiana seeks to sell the immovable property consisting of more or less 296 acres which includes the former Southeast Louisiana Hospital (hereafter referred to as "Property"). The Parish and the State have been in negotiations for some time regarding the sale of the Property to the Parish and have come to terms in principle; and

WHEREAS, The undeveloped portion of the Property is adjacent to the campus of Pelican Park owned by Recreation District No. 1. With the option to acquire the entire Property the Parish can then transfer a portion to Recreation District No. 1 ensuring recreational services are continued and providing the only opportunity to expand the campus to perpetuate long term operations; and

WHEREAS, The remainder of the undeveloped portions will be retained by the Parish for the right-of-way needed for the Mandeville By-Pass, a much needed artery for the area, and to incorporate additional undeveloped property into the Parish mitigation bank project immediately to the north of the Property; and

WHEREAS, Retention of critical mental health services, wetland conservation, relief of traffic congestion and expansion of recreational activities for our youth must be protected; and

WHEREAS, St. Tammany Parish Government desires to acquire the Property to promote the health, safety and welfare of the citizens of the Parish as follows: If the Parish were not to purchase the Property the State will proceed to declare the property surplus and sell on the open market possibly to private parties. The Parish seeks to acquire the Property for three reasons. First, the Parish plans to surplus and sell at public auction the remainder portion containing the hospital site with an encumbrance that it be operated as a mental health facility. Second, Recreation District No. 1 seeks to expand its campus and acquire a portion of the Property. Third, the Parish has begun the design of the Mandeville By-Pass

road and a portion of the right-of-way needed is included in the Property. The Parish also will acquire additional undeveloped acreage to add to the Parish mitigation bank project; and

WHEREAS, The need and public purpose for the acquisition of the Property is as follows: By acquiring the Property the Parish can control the development and future uses; ensure the continued operation of the mental health hospital; ensure continued recreational opportunities are able to be provided by Recreation District No. 1 through the expansion of its campus and thus, its programs; and the Parish can acquire the right-of-way needed for the Mandeville By Pass to improve traffic on the Major Road System and for conservation of undeveloped property through the Parish mitigation bank project; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property, rights of way and/or servitudes and authorizes the Office of the Parish President to take any and all steps necessary to enter into negotiations and acquire said Property, servitudes and/or rights of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, through the Parish President to acquire by purchase, donation, or servitude, all that certain parcel of ground described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption.

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to acquire the Property, servitudes and/or rights of way.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property, servitudes and/or rights of way in a timely and orderly matter.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, servitudes and /or rights of way, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED That the purchase price shall not exceed the fair market value of the Property as evidenced by an appraisal obtained or supplied to the Parish plus fees and costs.

BE IT FURTHER ORDAINED That, any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein 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 immediately upon 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 25 DAY OF JUNE, 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: June 19, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #7
TIME SENSITIVE MATTER

The State of Louisiana has indicated that if the Parish does not commit through a binding Purchase Agreement by June 30th to purchase the Property, it will seek to surplus the Property and sell it on the open market, possibly to private parties. The Parish considers this scenario not in the best interest of the Parish and declares that it is necessary to adopt an ordinance authorizing the Parish, through the Office of the Parish President, to acquire the Property to ensure the objectives listed herein.

