

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3795

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY _____

SECONDED BY _____

ON THE _____ DAY OF _____, 2008

ORDINANCE TO APPROVE AND AUTHORIZE ST. TAMMANY PARISH THROUGH THE OFFICE OF THE PARISH PRESIDENT TO SIGN AND/OR EXECUTE DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND CP NORD DU LAC JV, LLC

WHEREAS, the LA R.S. 33:4780.21 through 33:4780.33 authorizes the Parish of St. Tammany to enter into Developmental Agreements with developers of land; and to provide for the contents, periodic review, enforcement and applicability of said agreements; for amendment, cancellation, modification and/or suspension; and

WHEREAS, the lack of certainty in developments can result in a waste of resources, escalate the cost of development to the consumer, and discourage investment and commitment to comprehensive planning; and

WHEREAS, it is the intent of the Parish to enter into a Developmental Agreement which may specify the duration of the agreement, the general uses of the subject property, the density and intensity of use and any other such provisions deemed appropriate by the Parties; and

WHEREAS, St. Tammany Parish Council enacted Ordinance No. CS No. 04-0990 known as the "St. Tammany Parish Transportation Impact Fee Ordinance" and, the "St. Tammany Parish Drainage Impact Fee Ordinance" which provides for the credit and collection of impact fees to compensate for the impact of development upon transportation and drainage infrastructure arising from development and construction within St. Tammany Parish more fully set forth in the Impact Fee Ordinance;

WHEREAS, CP Nord du Lac JV, LLC and the Parish desire that certain improvements to public property be made in and around property owned by CP Nord du Lac JV, LLC located north of Interstate 12 and east of Louisiana Highway 21 in St. Tammany Parish; to facilitate the improvements, CP Nord du Lac JV, LLC and the Parish have agreed to execute a Developmental Agreement in consideration of land donated for road rights of way and improvements to be made by CP Nord du Lac JV, LLC upon public property, and a contribution by CP Nord du Lac JV, LLC to the cost of construction.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish President is hereby authorized to sign and/ or execute a Developmental Agreement between St. Tammany Parish and CP Nord du Lac JV, LLC and to take all actions necessary, including entering into all agreements or negotiations in furtherance of the actions authorized herein; and

BE IT FURTHER ORDAINED that the Developmental Agreement once executed shall be recorded in the records of the Clerk of Court of St. Tammany Parish, if applicable, and this Ordinance shall serve as an attachment thereto; and

THAT all acts previously taken by the Office of the Parish President in furtherance of the actions or agreements contemplated herein are hereby ratified and approved.

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 any other provision 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 after adoption.

MOVED OR 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 HELD ON THE ____ DAY OF _____, 2008, AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published Introduction MARCH 27, 2008

Published Adopted _____, 2008

Delivered to Parish President on _____, 2008 @ _____

Returned to Council Clerk on _____, 2008 @ _____