

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4187 ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: President/ Legal

INTRODUCED BY: SECONDED BY:

ON THE DAY OF , 2009

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY,
THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO
EMPLOY CERTAIN INDIVIDUALS TO OPERATE THE PARISH
SEWER AND WATER SERVICES.

WHEREAS, St. Tammany Parish is one of the fastest growing parishes in the State of Louisiana and with the growth in population comes the need for the governing authority to provide its citizens with certain services such as centralized sewer and water facilities; and

WHEREAS, in order to accomplish the goal of providing centralized sewer and water facilities the Parish intends to purchase existing sewer and water facilities; and

WHEREAS, the Parish of St. Tammany desires to acquire certain movable and immovable property from Southeastern Louisiana Water and Sewer Company, LLC. (hereafter "SELA") in order to fulfill its goal of providing centralized sewer and water to its citizens; and

WHEREAS, in order for the Parish operate the water and sewer facilities it will need to employ individuals with specific knowledge and expertise so that the Parish can ensure continuous operation and services to the citizens;

WHEREAS, the current employees of SELA have the knowledge and expertise of the SELA water and sewer system and are best suited to ensure continuous operation of the services currently being rendered; and

WHEREAS, there is a need and a public purpose for the employment of certain individuals who are current employees of SELA; and

WHEREAS, it is policy for St. Tammany Parish to advertise open positions for employment; and

WHEREAS, it is recommended that the Parish dispense with the advertisement for open positions solely in this instance; and

WHEREAS, it is not the intention of this Ordinance to create any employment contract or alter the "employee-at-will" status of Parish employees; and further the mandatory ninety (90) day probationary period shall be in effect and begin upon the commencement of employment; and

WHEREAS, the Parish of St. Tammany hereby authorizes the Office of the Parish President to do whatever is necessary to employ necessary individuals who are current employees of SELA pursuant to the guidelines set out above.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany, through the office of the Parish President to employ necessary individuals who are currently employed with SELA and who the Parish identifies as having the necessary knowledge and expertise of the SELA facilities so that continuous services are maintained; and

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That pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to employ such individuals; and

That the Office of the Parish President is authorized and instructed to proceed with the employment of individuals without the need for public advertisement of the position in a timely and orderly matter; and

That the Office of the Parish President is authorized to exercise its discretion in employing identified individuals, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2009; AND BECOMES ORDINANCE COUNCIL SERIES NO. 09-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: October, 2009
Published adoption on: _____, 2009
Delivered to Parish President: _____, 2009 @ _____
Returned to Council Clerk: _____, 2009 @ _____