

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4676

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: STEFANCIK

SECONDED BY: BURKHALTER

ON THE 3 DAY OF NOVEMBER, 2011

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THOUGH THE OFFICE OF THE PARISH PRESIDENT, TO LEASE A PORTION OF A TRANSMISSION TOWER FROM CLECO POWER, LLC FOR REGIONAL DATA COMMUNICATIONS.

WHEREAS, the St. Tammany Parish Government ("Parish") has determined there is a need to enter into a lease agreement with Cleco Power, LLC; and

WHEREAS, there is a need and a public purpose for the Parish to be able to communicate with the Louisiana Governor's Office of Emergency Preparedness during times of emergency; and

WHEREAS, the Parish of St. Tammany hereby desires to lease space on a communications tower owned by Cleco Power, LLC, located at 1045 Ronald Reagan Hwy, Covington, Louisiana, and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations for said lease; and

WHEREAS, the lease agreement will be for a one (1) year period commencing on or after full execution of the agreement, with successive one (1) year renewals available; and

WHEREAS, the agreement will be for no monetary consideration, but with the Parish being responsible for the Parish's own utility, maintenance and insurance costs for its wireless communication equipment placed on the tower.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, to lease space on that communications tower owned by Cleco Power, LLC located at 1045 Ronald Reagan Hwy, Covington, Louisiana.

BE T FURTHER ORDAINED that pursuant to all applicable provision of law, the Office of the Parish President is directed and authorized to do whatever is necessary to acquire the lease.

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

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 fifteen (15) days after adoption.

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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 DECEMBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: OCTOBER 27, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____