ORDINANCE NO. JO-012-2021

A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL DECLARING THE HOMEWOOD DRIVE DETENTION POND PROJECT A PUBLIC NECESSITY AND AUTHORIZING THE ACQUISITION OF THE NECESSARY RIGHTS-OF-WAY, IMMOVABLE PROPERTY AND OTHER PROPERTY RIGHTS REQUISITE TO THE CONSTRUCTION OF SAID PROJECT, EITHER ON AN AMICABLE BASIS OR THROUGH THE USE OF THE EXPROPRIATION PROCESS, IF NECESSARY

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, the Lafayette City Council and the Lafayette Parish Council have declared the Homewood Drive Detention Pond Project (hereinafter referred to as "Project") a public necessity; and

WHEREAS, the public purpose to be served by the construction of said Project is to provide for the improvement of drainage, as well as, protection and public safety from flooding; and

WHEREAS, the proposed Project limits are shown on the attached Exhibit "A" and will primarily entail, but may not be entirely limited to, the design and construction of a series of detention ponds; and

WHEREAS, engineering work has progressed to a point wherein it is determined that certain tracts of land or portions thereof will be required for construction of the Project.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the aforedescribed "Whereas" clauses are adopted as part of this ordinance.

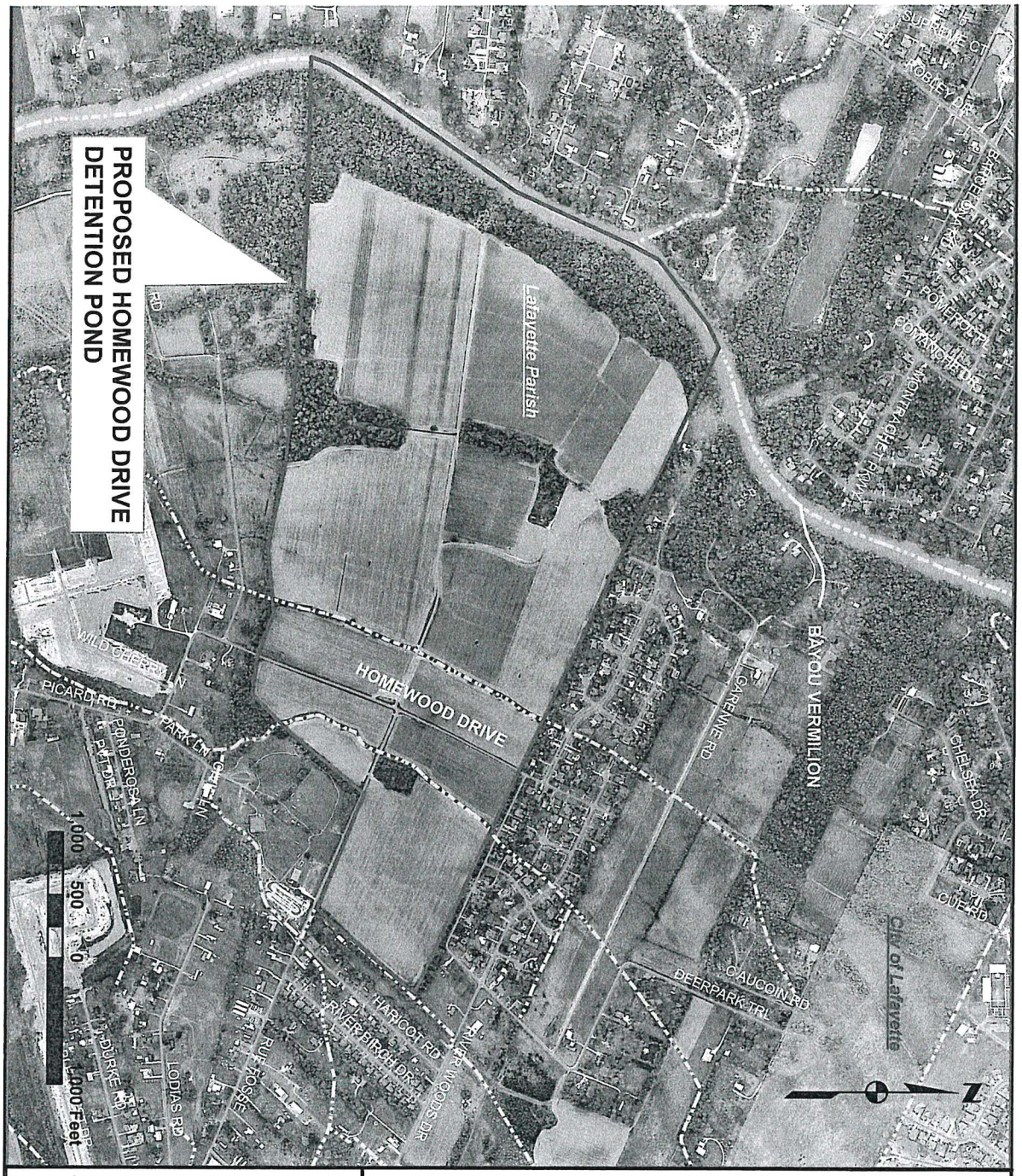
SECTION 2: The Lafayette Mayor-President is hereby authorized to acquire such land, immovable property, rights-of-way, servitudes, or other property rights as are determined to be necessary under good engineering standards to provide for the construction of said project; and he is authorized to do so on an amicable basis or by the proper use of the power of expropriation granted to municipalities under applicable State law. In pursuing said land, immovable property, right-of-way acquisitions, he is authorized to acquire said land, immovable property, right-of-way and to settle the matters thus presented, on such terms and conditions as he shall deem proper and in the best interest of the Lafayette City-Parish Consolidated Government.

SECTION 3: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 4: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint

ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

* * * * *



Lafayette
CONSOLIDATED GOVERNMENT

DEPARTMENT OF PUBLIC WORKS

VICINITY MAP

(#1760) HOMEWOOD DRIVE DETENTION POND

Lafayette
CONSOLIDATED GOVERNMENT

RECEIVED
FEB 26 2021
Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Public Works Department
Capital Improvement and Development (5134)

TO: Cydra Wingerter **DATE:** February 26, 2021

THRU: Chad Nepveaux

FROM: Fred Trahan

SUBJECT: **Homewood Drive Detention Pond Public Necessity**
Agenda Item

Plans for the referenced project have reached a point where it is in order to have an ordinance declaring public necessity adopted to begin negotiations for acquisition of rights-of-way. The project will entail constructing a series of detention ponds along Bayou Vermilion to lower water surface elevations in Bayou Vermilion and adjacent laterals.

Please place this item on the next appropriate Council agenda for introduction.

Frederick J. Trahan
Civil Engineering Supervisor
Project Control

pah

attachment

c: Pam Hollier
Scott Joubert
Project File #1760

t: 337.291.5680 / fjtrahan@lafayettela.gov / f: 337.291.5696

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An joint ordinance of the Lafayette City Council and the Lafayette Parish Council declaring the Homewood Drive Detention Pond Project a public necessity and authorizing the acquisition of the necessary rights-of-way, immovable property and other property rights requisite to the construction of said project, either on an amicable basis or through the use of the expropriation process if necessary

2) ACTION REQUESTED: Adoption of Ordinance

3) COUNCIL DISTRICT(S) (if applicable): _____

If this involves a budget revision, please complete a budgetary revision form.

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: March 9, 2021

B) FINAL ADOPTION: March 23, 2021

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover letter (1 page)

B) Submittal Form (1 page)

C) Ordinance (2 pages)

D) Vicinity Map (1 page)

6) FISCAL IMPACT:

_____ Fiscal Impact (Explain)

X No Fiscal Impact

RECOMMENDED BY:

DIRECTOR OF PUBLIC WORKS

APPROVED FOR AGENDA:

CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. JO-012-2021

1. This ordinance was introduced:
March 9 _____, 2021
YEAS: Tabor, K. Naquin, Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by **Parish Council**:
_____, 2021
YEAS:

NAYS:
ABSENT:
ABSTAIN:

This ordinance was introduced:
YEAS: Lewis, A. Naquin, Hebert, Cook
NAYS: Lazard
ABSENT: None
ABSTAIN: None

Final disposition by **City Council**:
YEAS:

NAYS:
ABSENT:
ABSTAIN:

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on March 12, 2021.

3. This ordinance was presented to the Mayor-President for approval on _____, 2021, at _____ o'clock ____.m.

_____
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the _____ day of _____, 2021, at _____ o'clock ___.m.

B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ___.m., veto message is attached.

C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ___.m., veto message is attached.

_____
MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on _____, 2021, at _____ o'clock ___.m.

6. Reconsideration by Council (if vetoed):

On _____, 2021, the Councils did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____ _____, 2021, at _____ o'clock ____.m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

_____
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on _____, 2021.