

CITY ORDINANCE NO. CO-011-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ACCEPTING OWNERSHIP ON BEHALF OF THE CITY OF LAFAYETTE OF RIGHTS THE STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT MAY OWN AND RESPONSIBILITIES FOR THE OPERATION AND MAINTENANCE OF SAME IN THOSE CERTAIN PROPERTIES DESCRIBED HEREIN, AND AUTHORIZING THE LAFAYETTE MAYOR-PRESIDENT TO EXECUTE ALL DOCUMENTS NECESSARY TO CARRY OUT THE DICTATES OF THIS ORDINANCE

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Lafayette City Council desires to accept ownership, on behalf of the City of Lafayette, of whatever rights the State of Louisiana, through the Department of Transportation and Development (“DOTD” or “Department”), may own, with the exception of any and all mineral rights, in and to the properties described in ATTACHMENT A (the “Properties”) and agrees to accept all future rights, obligations and liabilities, including, but not limited to, all future operation, maintenance, and repairs associated therewith, for the Properties’ operation and maintenance as city streets; and

WHEREAS, the Lafayette City Council desires to accept ownership, on behalf of the City of Lafayette, of said Properties, at the proper time and under the conditions described in ATTACHMENT B (the “Conditions”).

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

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

SECTION 2: The Lafayette City Council hereby accepts ownership, on behalf of the City of Lafayette, of whatever rights the Department may own in and to the Properties described in ATTACHMENT A, provided the State of Louisiana, Department of Transportation and Development complies with the Conditions described in ATTACHMENT B.

SECTION 3: The Lafayette Mayor-President is hereby authorized to execute any and all documents, including but not limited to an Intergovernmental Agreement, together with any amendments or necessary modifications thereto, necessary to effectuate the transfer of the Properties upon the satisfaction of the Conditions, as well as any and all other documents, including but not limited to, agreements, budget adjustments and revisions, together with any amendments or necessary modifications thereto, necessary to carry out the dictates of this ordinance.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

ATTACHMENT A

Segment C1 - The portion of state route US 90 Business (known as East Pinhook Road) from its intersection with state route US 90 southbound (known as Southwest Evangeline Thruway) proceeding southwest to the BNSF Railway crossing and continuing as state route US 90 Business (known as West Pinhook Road) a total of approximately 0.56 miles to its intersection with state route LA 182 / US 90 Business (known as East University Avenue), inclusive of all rights and responsibilities of DOTD in connection with the BNSF Railway crossing located approximately two hundred sixty (260) feet northeast of the local road known as Jefferson Street and identified as DOT #767744C, all as more particularly highlighted and designated as C1 on the Location Map attached hereto.

Segment C2 - The portion of state route LA 182 (known as West Pinhook Road) proceeding southwest approximately 1.13 miles to the north approach to the bridge over the Vermilion River identified as DOTD bridge recall number 006406, inclusive of the traffic signals at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as East St. Mary Boulevard / Mall Street, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Audubon Boulevard, and at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Bendel Road, all as more particularly highlighted and designated as C2 on the Location Map attached hereto.

Segment C3 – The state route LA 182 (known as West Pinhook Road) bridge over the Vermilion River identified as DOTD bridge recall number 006406, all as more particularly highlighted and designated as C3 Bridge on the Location Map attached hereto.

Segment C4 – The portion of state route LA 182 (known as West Pinhook Road) from its southern approach to the bridge over the Vermilion River identified as DOTD bridge recall number 006406, proceeding southerly approximately 3.81 miles to the City of Broussard corporate limits located approximated 0.05 miles northwest of its junction with the local road known as Thomas Nolan Drive, inclusive of the traffic signals at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as La Rue France, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Kaliste Saloom Road, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Pinehurst Street / Corporate Boulevard, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Sage Glenn Lane, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Verot School Road, at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Beau Pre Road, and at the intersection of state route LA 182 (known as West Pinhook Road) with the local road known as Bonin Road, all as more particularly highlighted and designated as C4 on the Location Map attached hereto.

Segment C5 – The portion of state route LA 182 (known as North University Avenue) from its intersection with the local road known as Alcide Dominique Drive / Hollywood Drive proceeding south approximately 1.21 miles to its intersection with state route US 90 (known as Cameron Street), inclusive of the traffic signals at the intersection of state route LA 182 (known as North University Avenue) with the local road known as West Willow Street, and at the intersection of state route LA 182 (known as North University Avenue) with the local road known as Madeline Avenue, inclusive of all rights and responsibilities of DOTD in connection with the BNSF Railway crossing located approximately four hundred (400) feet south of the local road known as Walker Road and identified as DOT #767793Y, all as more particularly highlighted and designated as C5 on the Location Map attached hereto.

Segment C6 - The portion of state route LA 182 / US 90 Business (known as West University Avenue) from its intersection with state route US 90 (known as Cameron Street) proceeding southeast approximately 1.34 miles to its intersection with state route US 167 (known as Johnston Street) and continuing as state route LA 182 / US 90 Business (known as East University Avenue) southeast approximately 0.72 miles to its intersection with state route LA 182 / US 90 Business (known as West Pinhook Road), inclusive of the traffic signals at the intersection of state route LA 182 / US 90 Business (known as West University Avenue) with the local road known as Agnes Street / West Simcoe Street, at the intersection of state route LA 182 / US 90 Business (known as West University Avenue) with the local road known as West Congress Street, at the intersection of state route LA 182 / US 90 Business (known as West University Avenue) with the local road known as

Versailles Boulevard, at the intersection of state route LA 182 / US 90 Business (known as West University Avenue) with the local road known as St. Landry Street / St. John Street, at the intersection of state route LA 182 / US 90 Business (known as West University Avenue) with the local road known as Lee Avenue, at the intersection of state route LA 182 / US 90 Business (known as East University Avenue) with state route US 167 (known as Johnston Street), at the intersection of state route LA 182 / US 90 Business (known as East University Avenue) with the local road known as Hebrard Boulevard, at the intersection of state route LA 182 / US 90 Business (known as East University Avenue) with the local road known as McKinley Street, at the intersection of state route LA 182 / US 90 Business (known as East University Avenue) with the local road known as Taft Street, and at the intersection of state route LA 182 / US 90 Business (known as East University Avenue) with state route LA 182 / US 90 Business (known as West Pinhook Road), and inclusive of the drainage structure located approximately thirty-five (35) feet south of the local road known as Parkside Drive, all as more particularly highlighted and designated as C6 on the Location Map attached hereto.

Segment C7 - The portion of state route US 167 (known as Johnston Street) from its western intersection with state route LA 3025 (known as North / South College Drive) proceeding northeast approximately 2.19 miles to its intersection with state route US 90 southbound (known as SW Evangeline Thruway), inclusive of the traffic signals at the intersection of state route US 167 (known as Johnston Street) with the local road known as Cajundome Boulevard / Twin Oaks Boulevard, at the intersection of state route US 167 (known as Johnston Street) with the local road known as St. Julien Avenue, at the intersection of state route US 167 (known as Johnston Street) with the local road known as West / East Lewis Street, at the intersection of state route US 167 (known as Johnston Street) with the local road known as West / East St. Mary Boulevard, at the intersection of state route US 167 (known as Johnston Street) with the local road known as Jefferson Street, at the intersection of state route US 167 (known as Johnston Street) with the local road known as East Main Street, at the intersection of state route US 167 (known as Johnston Street) with the local road known as East Vermilion Street, at the intersection of state route US 167 (known as Johnston Street) with the local road known as Garfield Street / East Cypress Street, and inclusive of the bridge located approximately two hundred (200) feet west of the local road known as Cajundome Boulevard / Twin Oaks Boulevard identified as bridge recall 006470, and the bridge located approximately two hundred (200) feet east of the local road known as West / East Lewis Street identified as bridge recall 006480, and inclusive of all rights and responsibilities of DOTD in connection with the BNSF Railway crossing located approximately 0.16 mile west of state route US 90 East Bound (known as SW Evangeline Thruway) and identified as DOT #767758K, all as more particularly highlighted and designated as C7 on the Location Map attached hereto.

ATTACHMENT B

CONDITION I:

Segments C1 and C2 – No repairs will be provided by the DOTD to the portions of state route US 90 Business (known as East and West Pinhook Road) and state route LA 182 (known as West Pinhook Road) from state route US 90 southbound (known as Southwest Evangeline Thruway) to the north approach to the bridge over the Vermilion River, which is to be transferred to the City of Lafayette in its current condition. DOTD will provide \$1,200,000.00 plus \$2,500,000.00 in earmarked funding to Lafayette City-Parish Consolidated Government from Act 119 (HB 1) of the 2021 Regular Session.

Segment C3 – The movable vertical lift bridge over the Vermilion River identified as DOTD bridge recall number 006406 which is to be transferred to the City of Lafayette, is to be converted to a stationary fixed bridge in manner mutually agreed to by the Department and the City of Lafayette.

Segment C4 – No repairs will be provided by the DOTD to the portion of state route LA 182 (known as West Pinhook Road) from the south approach to the bridge over the Vermilion River to the City of Broussard corporate limits, which is to be transferred to the City of Lafayette in its current condition.

Segment C5 – No Repairs will be provided by the DOTD to the portion of state route LA 182 (known as North University Avenue) from the local road known as Alcide Dominique Drive / Hollywood Drive to state route US 90 (known as Cameron Street), which is to be transferred to the City of Lafayette in its current condition.

Segment C6 – No repairs will be provided by the DOTD to the portion of state route LA 182 / US 90 Business (known as West and East University Avenue) from state route US 90 (known as Cameron Street) to state route LA 182 / US 90 Business (known as West Pinhook Road), which is to be transferred to the City of Lafayette in its current condition.

Segment C7 – No repairs will be provided by the DOTD to the portion of state route US 167 (known as Johnston Street) from state route LA 3025 (known as North / South College Drive) to state route US 90 southbound (known as SW Evangeline Thruway), which is to be transferred to the City of Lafayette in its current condition.

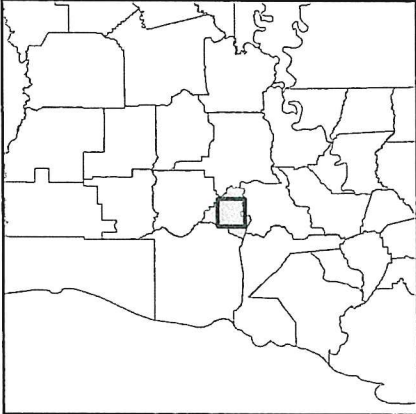
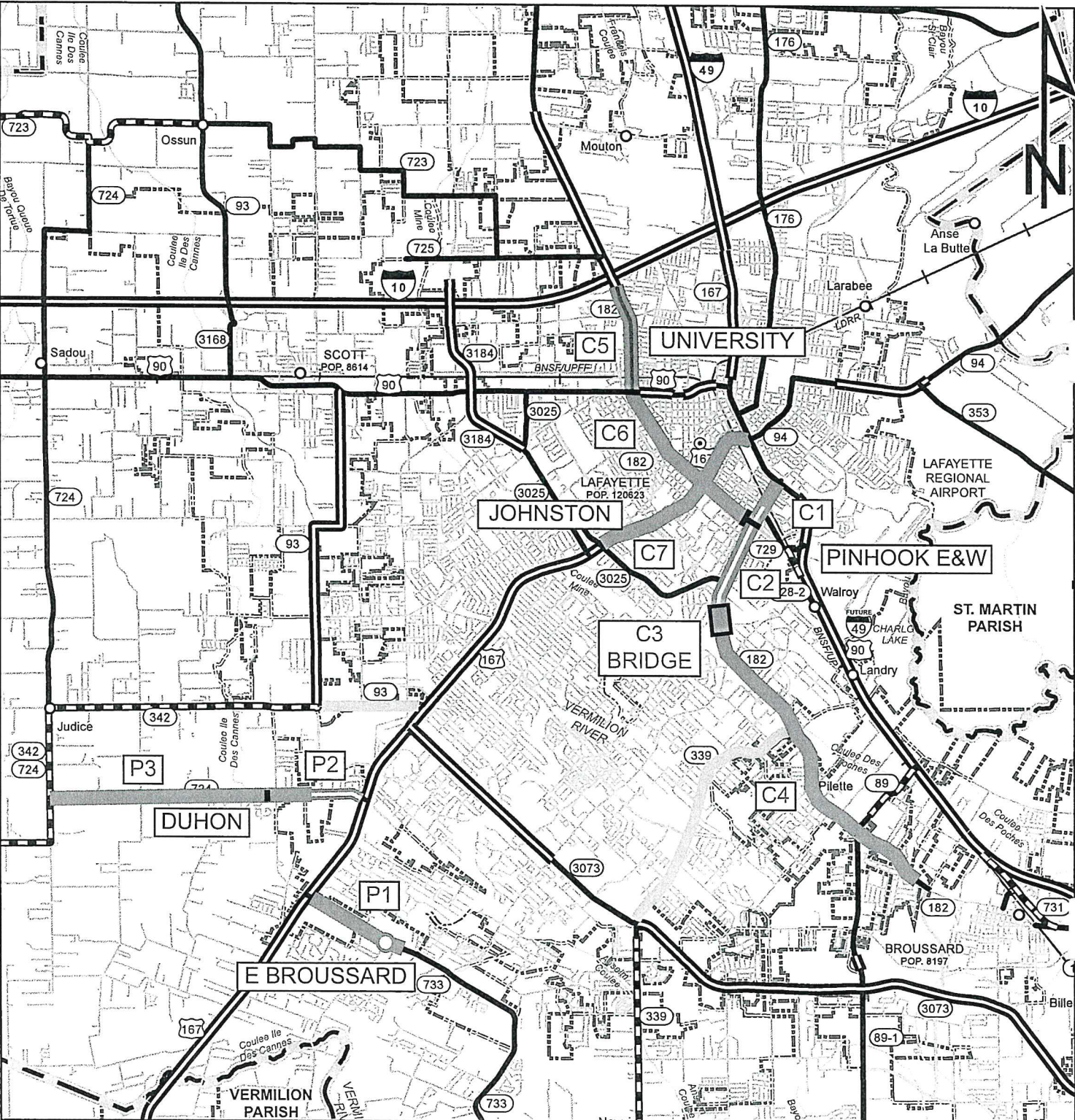
CONDITION II:

DOTD will provide \$17,444,646.00 in Road Transfer Credit for the portions of the state routes US 90 Business (known as East and West Pinhook Road), LA 182 (known as West Pinhook Road), LA 182 (known as North University Avenue), state route LA 182 / US 90 Business (known as West and East University Avenue) and US 167 (known as Johnston Street) to be transferred to Lafayette City-Parish Consolidated Government to be applied to the improvements in Condition III [Should this be Condition I?] with any remaining balance of the Road Transfer Credit being applied, at DOTD's sole discretion, towards the City's share of funding under a program of the Department affecting the City.

"Road Transfer Credit" for purposes of the Condition is calculated by DOTD pursuant to a present worth 40-year maintenance valuation utilized by DOTD to determine the cost of maintaining the road in the state highway system for 40 years from the present date.

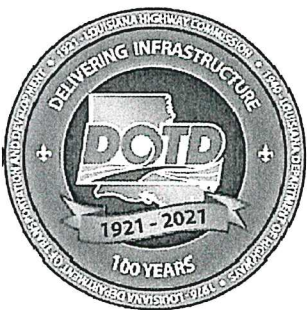
CONDITION III:

DOTD will apply the Road Transfer Credit described in Condition II herein above to the construction of a future roadway project(s) in Lafayette City-Parish Consolidated Government to be identified by letter no later than December 31, 2023 as mutually agreed to by the Department and the Lafayette Mayor-President. In the absence of an agreement, the Road Transfer Credit will be applied towards the City's commitment to the project described as the I-49 Lafayette Connector project.



**LOCATION MAP
LAFAYETTE**

**LCG
CITY-PARISH
VARIOUS ROUTES**





RECEIVED

JAN 14 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Traffic, Roads, & Bridges Department
TRB Director's Office (5102)

TO: Cydra Wingerter

DATE: January 12, 2022

FROM: Warren Abadie


SUBJECT: City Ordinance
LCPCG to Accept Ownership of Certain Rights of Way and other ownership rights
held by the State of Louisiana DOTD
Agenda Item

The attached ordinance accepting ownership of certain Rights of Way and other ownership rights held by the LaDOTD and authorizing Lafayette Mayor-President to enter into an intergovernmental agreement with La DOTD. This will help to facilitate the completion of construction projects within the City of Lafayette.

LCPCG will also receive \$3,700,000 directly to complete the construction of an overlay and right turn lane project on Pinhook Rd. DOTD will also provide \$17,444,646.00 in Road Transfer Credit for the construction of future roadway project(s) to be mutually agreed on.

If you concur, please place the attached ordinance and budget revision on the next appropriate Council agenda for introduction.

Should you have any questions, please don't hesitate to contact our office.



Warren Abadie, P.E.
Director of Traffic, Roads, & Bridges

WA:cs

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** An Ordinance of the Lafayette City Council accepting ownership of certain Rights of Way and other ownership rights held by the State of Louisiana through the Department of Transportation and Development and authorizing the Lafayette Mayor-President to enter into an Intergovernmental Agreement between the Lafayette City-Parish Consolidated Government and the Louisiana Department of Transportation and Development.

2) **ACTION REQUESTED:** Adoption of Ordinance

3) **REQUESTED ACTION OF COUNCIL:**

A) **INTRODUCTION:** February 1, 2022

B) **FINAL ADOPTION:** February 15, 2022

4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

- A) Cover Memo from Director (1 page)
- B) Submittal Item Justification Form (1 page)
- C) City Ordinance (2 pages)
- D) Attachment A (2 pages)
- E) Attachment B (1 page)
- F) Lafayette Location Map (1 page)

5) **FISCAL IMPACT:**

 X DOTD will provide \$3,700,000 directly LCPCG for the construction of an overlay and right turn lane project on Pinhook Rd and \$17,444,646.00 in Road Transfer Credit

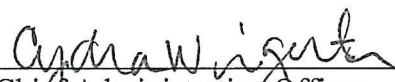
 No Fiscal Impact

RECOMMENDED BY:



Director of Traffic, Roads, & Bridges

APPROVED FOR AGENDA:



Chief Administrative Officer

DISPOSITION OF ORDINANCE NO. CO-011-2022

1. This ordinance was introduced:
February 1, 2022
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

NAYS: None

ABSENT: None

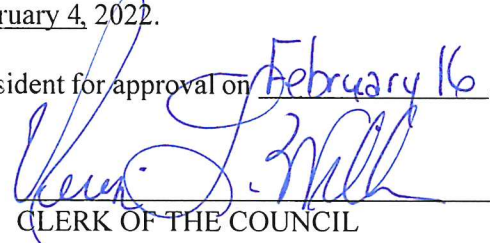
ABSTAIN: None

Final disposition by Council:
February 15, 2022
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

NAYS: None

ABSENT: None

ABSTAIN: None
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on February 4, 2022.
3. This ordinance was presented to the Mayor-President for approval on February 16, 2022, at 10:00 o'clock 2 .m.

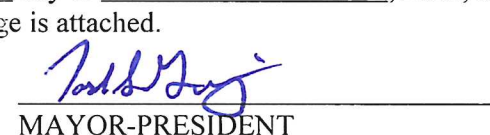

CLERK OF THE COUNCIL
4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the 17th day of February, 2022, at 4:30 o'clock P.m.

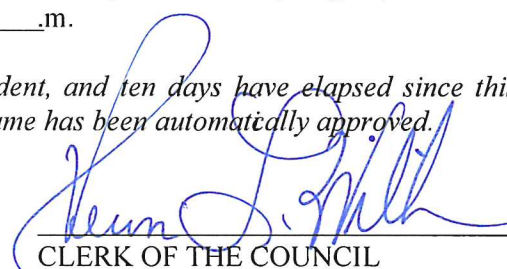
B. Veto this ordinance, the _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.

C. Line item veto certain items this _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.


MAYOR-PRESIDENT
5. Returned to Council Office with/without veto message on February 18, 2022, at 4:12 o'clock P.m.
6. Reconsideration by Council (if vetoed):

On _____, 2022, the Council 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 _____, 2022, 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 February 18, 2022.

