

CITY ORDINANCE NO. CO-170-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL DECLARING THE RAILS-TO-TRAILS-NORTH 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, that:

WHEREAS, the Lafayette City Council has declared the Rails to Trails North 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 public trail and recreation opportunities including but not limited to bike and pedestrian trails, exercise stations, recreation and other trail-related amenities; and

WHEREAS, the project limits are shown on the attached Exhibit “A” for the project and is generally the establishment of a multi-use bike and pedestrian trail and other trail amenities; and

WHEREAS, community engagement, planning, and design work is progressing to a point wherein it is determined that certain tracts of land or portions thereof will be required for construction of the Project.

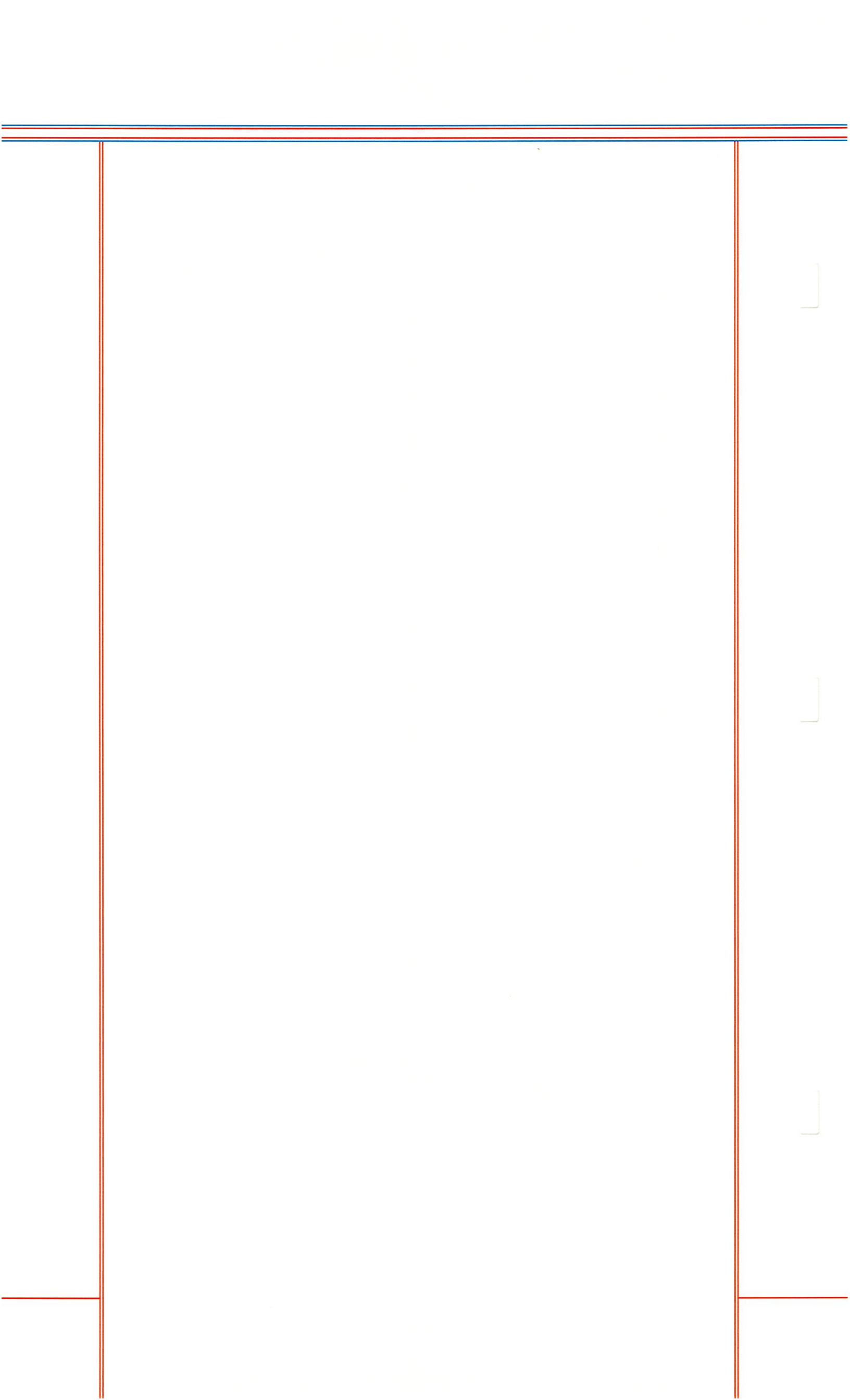
NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

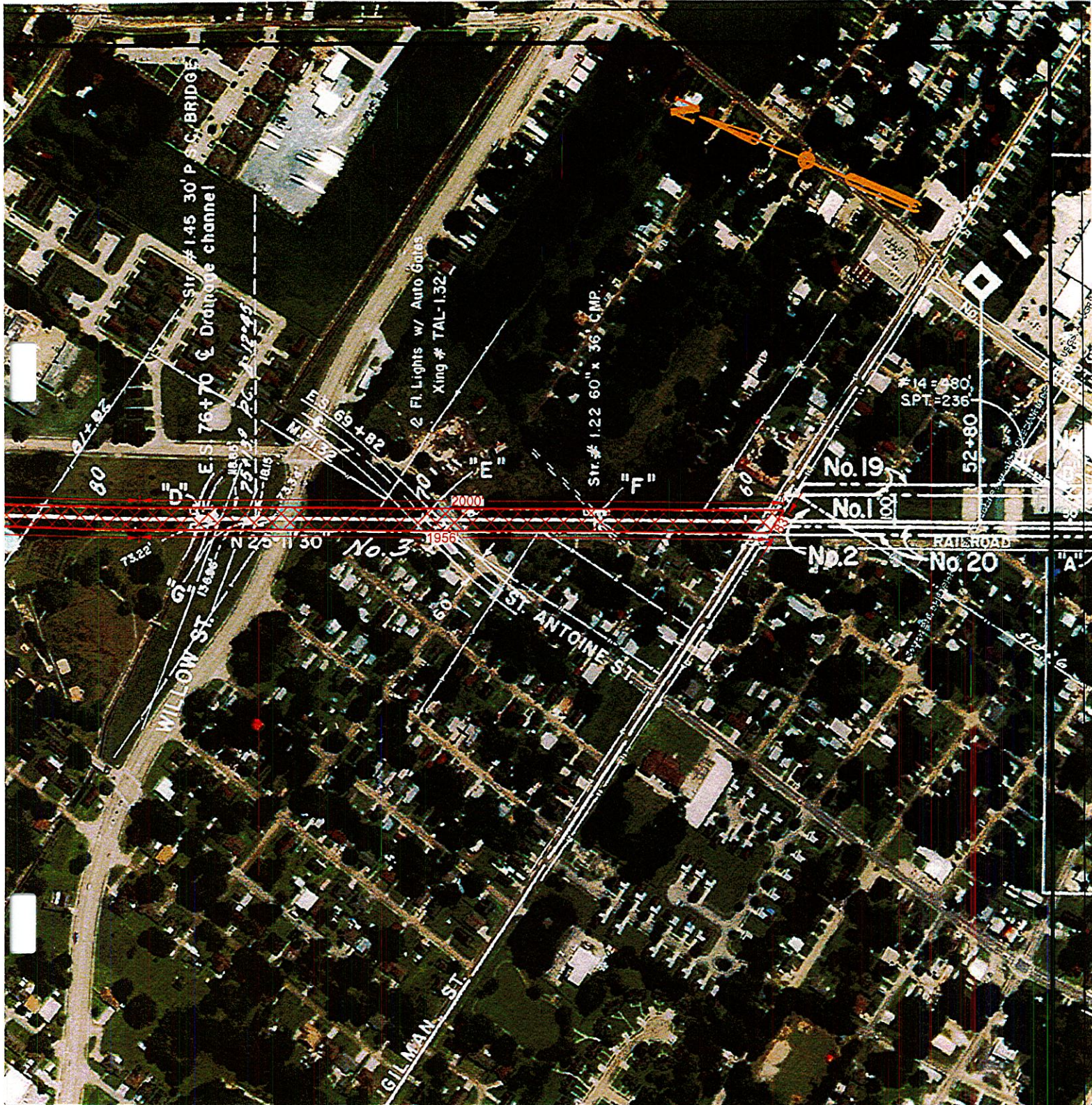
SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

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: 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.





LEGEND:

SALE AREA 

UPRRCO. R/W OUTLINED 

TOTAL SALE AREA: 7.99 ACRES +/-

NOTE: BEFORE YOU BEGIN ANY WORK, SEE AGREEMENT FOR FIBER OPTIC PROVISIONS.

EXHIBIT "A"

UNION PACIFIC RAILROAD COMPANY

LAFAYETTE, LAFAYETTE PARISH, LA

OPP.M.P. 145 - LAFAYETTE (BNSF) SUB.

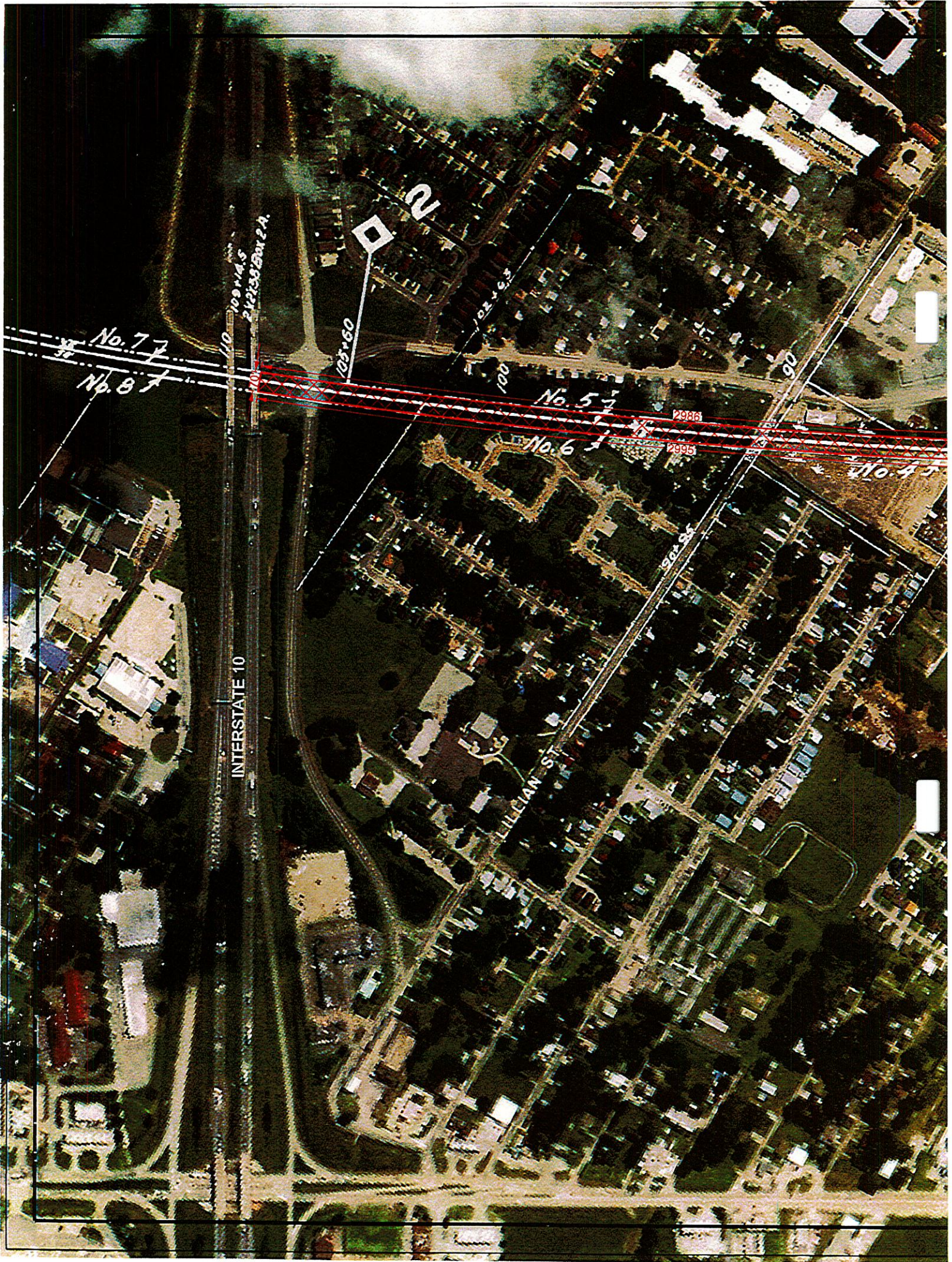
SP-MLT/LA/V-7/1
SCALE: 1" = 400'

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA DATE: 7-17-2019

DSK FILE: 3158-47

CADD FILENAME 0315847

SCAN FILENAME S:/SP/LA/MLT/7/LAV70001.TIF



No. 77
No. 87

100
103+63
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No. 57
No. 67

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No. 47

INTERSTATE 10

LILLIAN ST

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CO-170-2022

RECEIVED

OCT 03 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Community Development and Planning Department
Office of the Director (Route 9041)

TO: Cydra Wingerter

DATE: October 3, 2022

FROM: Mary Sliman

SUBJECT: Public Necessity Ordinance to acquire land for Rails to Trails bikeway project

The attached ordinance would authorize LCG to negotiate the acquisition of Union Pacific Railroad properties located generally south of the N. St. Antoine road extension, the abandoned railbed that originates at the road extension and continues south to Gilman St.

We request that Council Introduction be scheduled for Tuesday, October 18, 2022, with Final Adoption Tuesday, November 1, 2022.

Please call if you have any questions or require additional information in this matter.

A handwritten signature in blue ink that reads 'Mary Sliman'.

Mary Sliman
Director



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Mary Sliman
Director

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: Public Necessity to acquire property for Rails to Trails bikeway project

2) ACTION REQUESTED: Adoption of ordinance

3) COUNCIL DISTRICT(S) (if applicable): District 1

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: October 18, 2022

B) FINAL ADOPTION: November 1, 2022

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover Memo from Director (1 page)

B) Submittal Item Justification Form (1 page)

C) Ordinance (1 page)

D) Exhibit "A" Lafayette Print Folder from Union Pacific Railroad Company (1 page)

6) FISCAL IMPACT:

Fiscal Impact

No Fiscal Impact

RECOMMENDED BY:

Mary M. Sleiman
DIRECTOR

APPROVED FOR AGENDA:

Cypha Wiggarter
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-170-2022

1. This ordinance was introduced: October 18, 2022
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
- Final disposition by Council: November 1, 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 October 21, 2022.

3. This ordinance was presented to the Mayor-President for approval on November 2, 2022, at 9:45 o'clock 2 .m.
- Verni L. Milk
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
I hereby:
- A. Approve this ordinance, the 10 day of NOVEMBER, 2022, at 3:30 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.
- [Signature]
MAYOR-PRESIDENT

5. Returned to Council Office with veto message on November 11, 2022, at 1:16 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.*
- Verni L. Milk
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on November 4, 2022.

