

PARISH ORDINANCE NO. PO-006-2022

AN ORDINANCE OF THE LAFAYETTE PARISH COUNCIL ACCEPTING OWNERSHIP ON BEHALF OF THE PARISH 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 Parish Council, that:

WHEREAS, the Lafayette Parish Council desires to accept ownership, on behalf of the Parish 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 parish streets; and

WHEREAS, the Lafayette Parish Council desires to accept ownership, on behalf of the Parish 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 Parish Council, that:

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

SECTION 2: The Lafayette Parish Council hereby accepts ownership, on behalf of the Parish 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SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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 P1 - The portion of state route LA 733 (known as E Broussard Road) from its intersection with state route US 167 (known as Johnston Street) proceeding southeast approximately 1.17 miles to the northwest approach to the Vermilion River Bridge, all as more particularly highlighted and designated as P1 on the Location Map attached hereto.

Segment P2 - The portion of state route LA 724 (known as Duhon Road) from its intersection with state route US 167 (known as Johnston Street) proceeding west approximately 1.10 miles to a point located approximately five hundred (500) feet west of its intersection with the local road known as W Broussard Road, all as more particularly highlighted and designated as P2 on the Location Map attached hereto.

Segment P3 - The portion of state route LA 724 (known as Duhon Road) from a point located approximately five hundred (500) feet west of its intersection with the local road known as W Broussard Road proceeding west approximately 2.43 miles to its intersection with state route LA 342 (known as South Fieldspan Road), inclusive of the bridge located approximately 0.34 miles west of the local road known as W Broussard Road identified as DOTD bridge recall number 030204, all as more particularly highlighted and designated as P3 on the Location Map attached hereto.

ATTACHMENT B

CONDITION I:

Segment P1 – No repairs will be provided by the DOTD to the portion of state route LA 733 (known as E Broussard Road) from state route US 167 (known as Johnston Street) to the northwest approach to the Vermilion River Bridge, which is to be transferred to the Parish of Lafayette in its current condition. DOTD will provide \$5,000,000.00, for the estimated cost of the LA 733 roundabout at Robley Drive inclusive of contingencies, in State General Funds to Lafayette City-Parish Consolidated Government from Act 2 (HB 2) of the 2020 First Extraordinary Session for “Intersection Improvements, Planning and Construction (Lafayette).”

Segment P2 – No repairs will be provided by the DOTD to the portion of state route LA 724 (known as Duhon Road) from state route US 167 (known as Johnston Street) to a point located five hundred (500) feet west of its intersection with the local road known as W Broussard Road, which is to be transferred to the Parish of Lafayette in its current condition. DOTD will provide \$6,000,000.00 in earmarked funding to Lafayette City-Parish Consolidated Government from Act 119 (HB 1) of the 2021 Regular Session.

Segment P3 – DOTD will provide repairs to include mill, patch, overlay with hot mix asphaltic concrete, and striping the resurfaced pavement for the portion of state route LA 724 (known as Duhon Road) from a point located five hundred (500) feet west of its intersection with the local road known as W Broussard Road to state route LA 342 (known as South Fieldspan Road), which will then be transferred to the Parish of Lafayette.

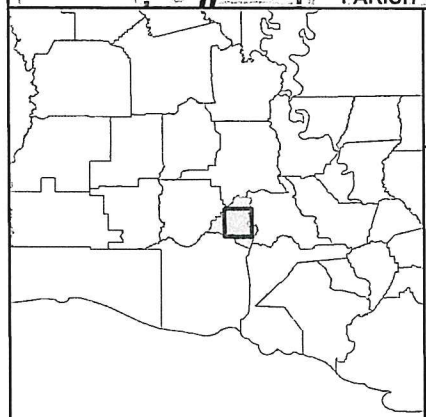
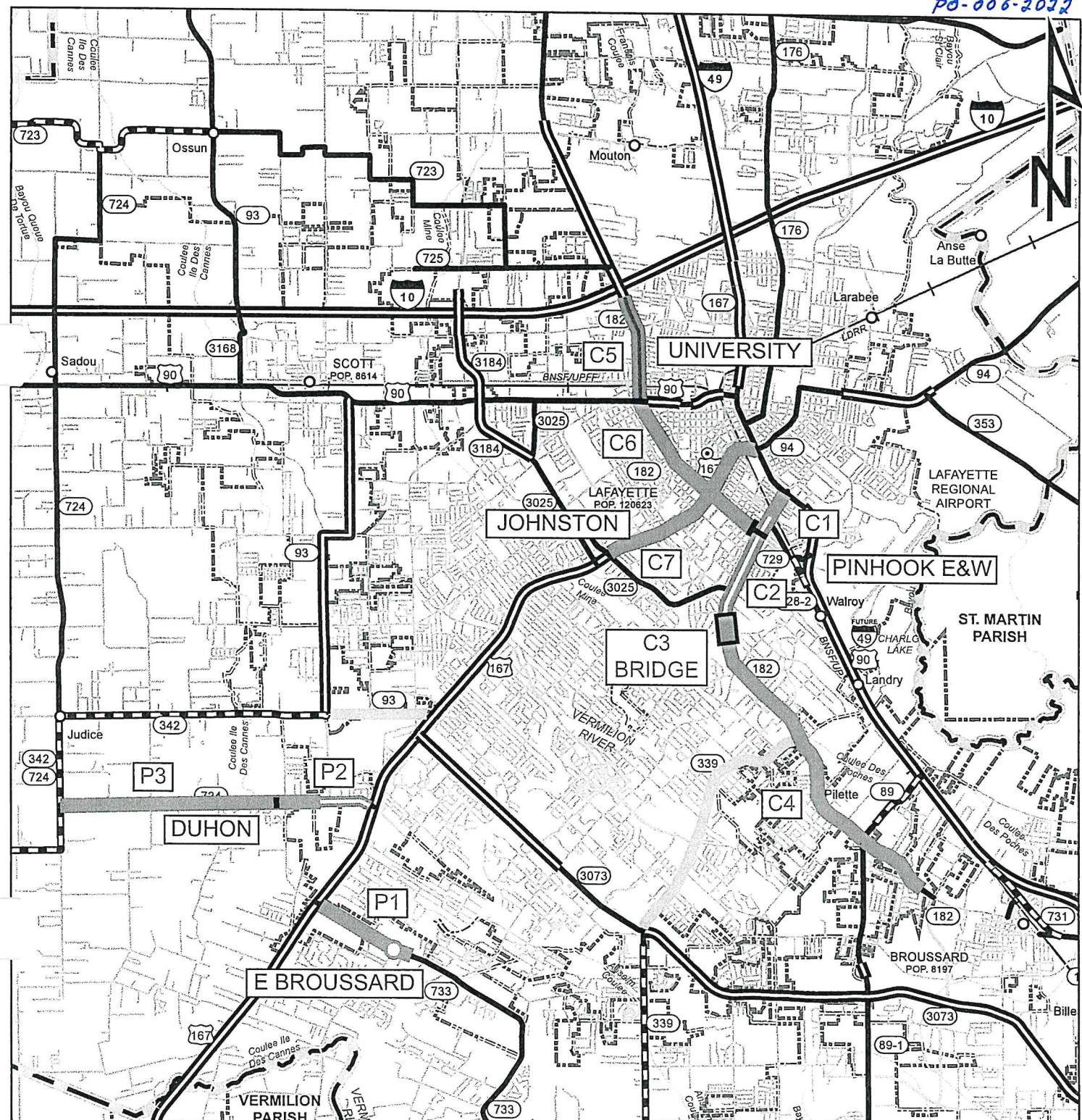
CONDITION II:

DOTD will provide \$2,717,539.00 in Road Transfer Credit for the portions of the state routes LA 733 (known as E Broussard Road) and LA 724 (known as Duhon Road) to be transferred to the Parish of Lafayette to be applied to the improvements in Condition III with any remaining balance of the Road Transfer Credit being applied, at DOTD’s sole discretion, towards the Parish of Lafayette’s share of funding under a program of the Department affecting the Parish of Lafayette.

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

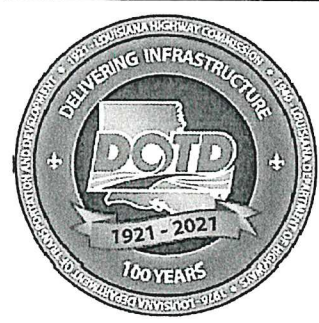
CONDITION III:

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 Parish of Lafayette’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: Parish 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 Parish of Lafayette.

LCPCG will also receive \$11,000,000 directly to complete two roundabout projects at the intersections of E Broussard @ Robley and Duhon @ Rue De Belier. DOTD will also provide \$2,717,539.00 in Road Transfer Credit for the construction of a 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.

A handwritten signature in black ink, appearing to read 'Warren Abadie'.

Warren Abadie, P.E.

Director of Traffic, Roads, & Bridges

WA:cs

LAFAYETTE PARISH COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An Ordinance of the Lafayette Parish 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 (1page)
- C) Parish Ordinance (2 pages)
- D) Attachment A (1 page)
- E) Attachment B (1 page)
- F) Lafayette Location Map (1 page)

5) FISCAL IMPACT:

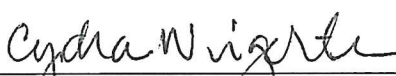
 X DOTD will provide \$11,000,000 directly LCPCG for the construction of two roundabout projects at the intersections of E Broussard @ Robely and Duhon @ Rue De Belier and \$17,444,646.00 in Road Transfer Credit

 No Fiscal Impact

RECOMMENDED BY:


Director of Traffic, Roads, & Bridges

APPROVED FOR AGENDA:


Chief Administrative Officer

LAFAYETTE PARISH COUNCIL MEETING

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REPLACEMENT
UPDATED
SUBMITTA FORM
35

5) FISCAL IMPACT:

 X DOTD will provide \$11,000,000 directly LCPCG for the construction of two roundabout projects at the intersections of E Broussard @ Robley and Duhon @ Rue De Belier and \$2,717,539.00 in Road Transfer Credit

 No Fiscal Impact

RECOMMENDED BY:

[Signature]
Director of Traffic, Roads, & Bridges

APPROVED FOR AGENDA:

[Signature]
Chief Administrative Officer

DISPOSITION OF ORDINANCE NO. PO-006-2022

1. This ordinance was introduced: February 1, 2022. YEAS: Tabor, Naquin, Carlson, Guilbeau, Rubin. NAYS: None. ABSENT: None. ABSTAIN: None. Final disposition by Council: February 15, 2022. YEAS: Tabor, Naquin, Carlson, Guilbeau, Rubin. 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 a.m. [Signature: Kevin L. Milk] 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. [Signature: Todd J. Hunsinger] 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. [Signature: Kevin L. Milk] CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on February 18, 2022.

