

CITY OF CENTRAL

BY COUNCILMEMBER FRALICK

ORDINANCE NO. 2015-53

**AN ORDINANCE TO AMEND THE 2015-2016 FISCAL YEAR GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS FOR GENERAL LEGAL SERVICES AND TO PROVIDE FOR RELATED MATTERS**

WHEREAS, the Council for the City of Central included funds for legal services related to general legal services in the 2015-16 Fiscal Year General Budget; and

WHEREAS, on August 10, 2015, three plaintiffs instituted a legal action against the Mayor of Central and four members of the Council for the City of Central, titled "*Mark David Freneaux, Michael Mannino, and Michael Stephens v. Inez M. Shelton, Jr. in his Individual Capacity, as well as His Official Capacity as the Mayor of the City of Central, Christopher Shane Evans in his Official Capacity as Councilman for the City of Central, Kim Fralick in her Official Capacity as Councilwoman for the City of Central, John Vance in his Official Capacity as Councilman for the City of Central, and Wayne N. Messina in his Official Capacity as Councilman for the City of Central,*" and assigned case number 641,442, in the 19<sup>th</sup> Judicial District Court, State of Louisiana ("Litigation"); and

WHEREAS, the City of Central has incurred attorneys' fees and costs of approximately \$110,000.00 in defending against that Litigation; and

WHEREAS, the Council for the City of Central recognizes that due to the Litigation, legal expenses for the City of Central are now higher than anticipated; and

WHEREAS, the Council for the City of Central wishes to increase the funds allocated to Legal Services; and

WHEREAS, the Council for the City of Central desires to amend the 2015-2016 Fiscal Year General Budget to properly appropriate necessary funds related to the above-stated matters.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

**Section 1.** Legal Services (General Fund Account No. 000.418.45.330) is hereby increased by \$110,000.00 to provide for the legal costs related to defending Litigation.

**Section 2. Conflicts**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 3. Severability**

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

**Section 4. Effective Date**

This Ordinance shall be effective upon publication in the Official Journal.

Introduced before the Council on November 24, 2015.

Approved by the Budget Committee on December 3, 2015.

Notice of public hearing was published in The Advocate on the 3rd day of December, 2015.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Ellis, Evans, Fralick, Messina, Vance  
Against: None  
Absent: None

Adopted this 8<sup>th</sup> day of December, 2015.

Signed this 11<sup>th</sup> day of December, 2015.

Delivered to Mayor on the 14<sup>th</sup> day of December, 2015:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
I. M. Shelton, Jr., Mayor

Received from Mayor on the 14<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 7<sup>th</sup> day of January, 2016.