

Tommy Lasseigne, Council Chairman

Sheila Boudreaux, Council Clerk

May 11, 2007

Greater Lafourche Port Commission
P. O. Drawer 490
Galliano Louisiana 70354

RE: ORDINANCE NO. 4039 (SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT)

Dear Sir/Madam:

The Lafourche Parish Council convened in Regular Session on April 24, 2007, enacted Ordinance No. 4039 (see attached), amending Chapter 24 of the Code of Ordinances of the Lafourche Parish Council to create Sub-Chapter "Z", Sections 24:1400 through 24:1406, as it pertains to the South Lafourche Beachfront Development District and provide for related matters. Said ordinance was adopted May 2, 2007 and will become effective on May 20, 2007.

By copy of this letter to Lee Prosperie, he will be aware of the creation of the South Lafourche Beachfront Development District and will assume responsibilities of maintaining said Board.

Also by copy of this letter to the Lafourche Parish Finance Department, the Director will be aware of its responsibilities as stated in SECTION 24:1407 FINANCE:

A. The Lafourche Parish Government Finance Department shall oversee the finances of the Lafourche Beachfront Development District, including any and all public revenue sources in compliance with and under the guide of the parish's fiscal policies, purchasing, accounting, and audit functions.

B. The Board Chairman and Secretary-Treasurer shall submit a budget to the Lafourche Parish Government no later than the 30th day of June each year. The budget, when presented to the Lafourche Parish Government, will be accompanied by a resolution of approval and/or support from the Lafourche Beachfront Development District Board. This budget will be approved via the budget process.

C. The Lafourche Parish Finance Department will create a fund within the parish budget specifically for the Lafourche Beachfront Development District.

If I may assist you with any further Legislative matters, please contact me at (985) 446-8427, ext. 244, by fax at (985) 449-4012 or e-mail at councilclerk@lafourchegov.org.

Sincerely,

LAFOURCHE PARISH COUNCIL



Sheila B. Boudreaux
Council Clerk

emd/sbb

cc: Cullen Curole, Parish Administrator
Lee Prosperie, IT Analyst
Shannon Chiasson, Finance Director

Attachment

Charlotte A. Randolph	Parish President	Mark Atzenhoffer	District 5
Tyrone Williams	District 1	Lindel Toups	District 6
Michael Delatte	District 2	Phillip Gouaux	District 7
Michael Matherne	District 3	Brent Callais	District 8
Tommy Lasseigne	District 4	Daniel Lorraine	District 9

The following ordinance was submitted for introduction by Mr. Mark Atzenhoffer in regular session convened on November 14, 2006.

PROPOSED ORDINANCE

The following Ordinance, having been previously introduced and published, as offered for final adoption by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer.

ORDINANCE NO. 4039

ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE LAFOURCHE PARISH COUNCIL TO CREATE SUB-CHAPTER "Z", SECTIONS 24:1400 THROUGH 24:1406, AS IT PERTAINS TO THE SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT AND PROVIDE FOR RELATED MATTERS.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on April 24, 2007.

SECTION 1. Sub-Chapter "Z" of Chapter 24 of the Code of Ordinances of the Lafourche Parish Council is hereby created as follows:

SECTION 24:1400: South Lafourche Beachfront Development Districts; Creation; powers; domicile

- A. Acting, pursuant to Title 33, Sections 7571 et seq. of the Louisiana Revised Statutes, the Lafourche Parish Council hereby forms and creates the South Lafourche Beachfront Development District, hereinafter referred to as the District, which shall be comprised of the area from which commissioners of the Greater Lafourche Port Commission may be elected pursuant to La. R.S. 34: 1651 et. seq., provided that the District shall extend into the corporate limits of a municipality within such area only upon the consent of its governing body.
- B. The District shall constitute a body corporate and a political subdivision of the state.
- C. The domicile of the District shall be located at the main office of the South Lafourche Government Annex.

SECTION 24:1401. Objects and purposes.

The objects and purposes of the District shall be to maintain and preserve beaches for use and enjoyment of the citizens and to develop, operate and maintain recreational facilities and provide for related activities to promote recreation, outdoor activities and water sports on beaches within the District for the residents of the District and visitors to the District.

SECTION 24:1402. Beach; definition

For the purpose of this Ordinance, a "beach" shall be defined as any sandy, rocky, or graveled shore that borders the Gulf of Mexico.

SECTION 24:1403. Board of Commissioners; appointment and tenure; organization; secretary-treasurer; compensation

- A. The District shall be governed by a board of five commissioners who shall be qualified voters and residents of the District. One (1) individual shall be appointed from the area in Council District 8, one (1) individual shall be appointed from Council District 9, one (1) individual ~~will be recommended to the Lafourche Parish Council by the Parish President as a District At Large appointment to the Board~~ **shall be appointed from Council District 7**, one (1) individual will be recommended to the Lafourche Parish Council by the Greater Lafourche Port Commission for appointment to the Board, and one (1) individual will be recommended to the Lafourche Parish Council by the Town of Golden Meadow for appointment to the Board. Any current elected official referenced above may serve as a Board of Commissioner in lieu of appointing a representative.

- B. The five commissioners initially appointed shall be appointed for terms of one, two, three, four, and five years, respectively, and they shall serve until their successors shall have been appointed and qualified. All commissioners thereafter appointed at the expiration of such respective terms shall be appointed by the parish governing authority or authorities for terms of five years. Any vacancy which otherwise occurs shall be filled by appointment of the parish governing authority or authorities for the unexpired term. In making such appointments the requirements that the board of commissioners shall include at least one qualified voter and resident of each municipality which has been included in the district by consent of its governing authority shall apply.
- C. The board of commissioners shall elect one of its members as chairman and one as vice chairman at its first meeting. Special meetings may be held at such time and place as specified by the call of the chairman of the board or by resolution of the board of commissioners. The board of commissioners shall also select one person as secretary-treasurer who shall not be a member of the board but shall be a qualified voter and resident of the District. He shall furnish such bond as may be required by the board of commissioners. The premium on the bond shall be paid out of funds of the District. The secretary-treasurer shall receive such salary and office expense allowance, if any, as shall be fixed and determined by the board of commissioners. He shall serve at the pleasure of the board. The members of the board of commissioners shall each receive a per diem of 40 dollars for each meeting they attend. Such per diem shall be paid out of the funds of the Districts.

SECTION 24:1404. Powers and duties of the District

- A. The District, acting through its board of commissioners, shall have the following powers and duties:
 - (1) To incur debt.
 - (2) To enter into contracts.
 - (3) To sue and be sued.
 - (4) To buy and sell.
 - (5) To acquire by purchase, gift, expropriation, or otherwise every type and species of property and servitudes, rights of way, and flowage rights necessary to its purpose.
 - (6) To acquire equipment, buildings, and physical facilities.
 - (7) To lease, build, operate, and maintain any works, structures, facilities, or equipment intended to accomplish the purposes of the District.
 - (8) To perform any duty related to the operation of District facilities, which it deems necessary and convenient to carry out its purpose.
 - (9) To enter into contracts or agreements with the state or any agency thereof for the lease, operation, maintenance, or management of state lands or property.
 - (10) To do and perform any and all acts in its corporate name which are necessary or proper for carrying out the objects and purposes for which the District is created.
- B. The functions of the District constitute essential governmental functions of the state and all of the property of the District and income from bonds or other debt issued by the District shall be exempt from taxation.
- C. The District shall have the authority to cooperate and contract with the government of the United States or any department or agency thereof and to accept gifts, grants, and donations of property and money there from. It shall have the authority to cooperate with the state of Louisiana or any political subdivision, department, agency, or corporation of the state for the construction, operation, and maintenance of facilities designed to accomplish the purposes for which the District is created on any basis, including the matching funds and by participating in projects authorized by any federal or state law as it shall see fit.

SECTION 24:1405. Ad valorem tax; user fees

- A. Subject to the approval of the electors of the District as herein provided, the board of commissioners of the District may levy and collect annually an ad valorem tax under the authority of Article VI, Section 30 of the Constitution of Louisiana. The tax may be of any amount and for such number of years as provided in the proposition submitted to the electors to authorize its levy. The avails of this tax shall be used for the construction, acquisition, improvement, operation, or maintenance of facilities or other public improvements related to the purposes for which such district was created. Such tax may be levied after approval by the favorable vote of a majority of the electors of the District voting on the proposition in an election held for the purpose.
- B. The board of commissioners of the District may fix, maintain, collect, and revise rates, charges, and rentals for the equipment and facilities of the district and the services rendered thereby.
 - 1. All rates, charges, and rentals are either fixed or maintained, collected or revised for equipment and facilities of the District and the services rendered must be ratified by the Lafourche Parish Council by resolution.

SECTION 24:1406. Zoning and development of property

The District shall have the authority to enact ordinances necessary for the zoning and development of property located in the District. However, such ordinances shall only apply to property that is a beach as defined in this ordinance.

SECTION 24:1407. Finance

- A. The Lafourche Parish Government Finance Department shall oversee the finances of the Lafourche Beachfront Development District, including any and all public revenue sources in compliance with and under the guide of the parish's fiscal policies, purchasing, accounting, and audit functions.
- B. The Board Chairman and Secretary-Treasurer shall submit a budget to the Lafourche Parish Government no later than the 30th day of June each year. The budget, when presented to the Lafourche Parish Government, will be accompanied by a resolution of approval and/or support from the Lafourche Beachfront Development District Board. This budget will be approved via the budget process.
- C. The Lafourche Parish Finance Department will create a fund within the parish budget specifically for the Lafourche Beachfront Development District.

SECTION 2. If any section, part, paragraph, sentence or clause of this ordinance shall be held invalid by and court of competent jurisdiction, such holding shall not affect any other section, paragraph, part, sentence or clause of this ordinance.

SECTION 3. All Ordinances or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said Council, was then submitted to an official vote as a whole. The vote thereon being as follows:

YEAS:	Mr. Michael Delatte	Mr. Phillip Gouaux
	Dr. Tommy Lasseigne	Mr. Brent Callais
	Mr. Mark Atzenhoffer	Mr. Daniel Lorraine

NAYS:	Mr. Tyrone Williams
	Mr. Michael Matherne
	Mr. Lindel Touns

ABSENT:	None
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SECTION 6. This Ordinance shall become effective on the 10th day after final publication.

Tommy Lasseigne
TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

Sheila B. Boudreaux
SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

May 1, 2007, at 2:00 p. m.

APPROVED: ✓

UNAPPROVED: _____

VETOED: _____

Charlotte Randolph
Lafourche Parish President

Returned to the Council Clerk on

5/2/07, at 12:00 p. m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 4039, enacted by the Assembled Council in Regular Session on April 24, 2007, at which meeting a quorum was present, and was finally adopted on May 2, 2007.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 3rd, DAY OF May, 2007.

Sheila B. Boudreaux
SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: 5/10/07

DATE EFFECTIVE: 5/20/07