

**ACT No. 818**

Regular Session, 2014

HOUSE BILL NO. 457

BY REPRESENTATIVE PIERRE

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AN ACT

To amend and reenact R.S. 33:4720.171(F)(1) and (G), relative to Lafayette Parish; to provide relative to the North Lafayette Redevelopment Authority; to provide relative to the boundaries of the authority; to provide relative to the governing board of the authority; to change the membership of the governing board; to provide relative to the terms and qualifications of board members and their powers and duties; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4720.171(F)(1) and (G) are hereby amended and reenacted to read as follows:

§4720.171. North Lafayette Redevelopment Authority

\* \* \*

F.(1) The North Lafayette Redevelopment Authority shall be comprised of all of the territory included within House of Representatives District No. 44 and Councilmanic Districts 3 and 4 of the city of Lafayette ~~Councilmanic Districts 3 and 4 of the city of Lafayette~~ Districts 3 and 4 of the Lafayette City-Parish Council as geographically drawn on ~~July 14, 2008~~ August 1, 2014, but shall not include the area comprising the Commercial Core subdistrict of the Lafayette Centre Development District created by Act 116 of the 1992 Regular Session of the Legislature.

\* \* \*

1           G.(1)(a) The North Lafayette Redevelopment Authority shall be governed  
 2           by a board of commissioners, referred to in this Part as the "board", comprised of  
 3           ~~nine citizens~~ seven members, all of whom shall reside or be employed within the  
 4           geographical boundaries of the authority and ~~seven of whom~~ shall be qualified  
 5           electors of the city parish of Lafayette as follows:

6           (i) ~~Three commissioners~~ Two members shall be appointed by the Louisiana  
 7           state senator ~~representing~~ who represents Senate District 24 ~~or in case of~~  
 8           ~~reapportionment, the state senator representing the majority of the northern portion~~  
 9           ~~of the city.~~

10          (ii) ~~Two commissioners~~ One member shall be appointed by the Louisiana  
 11          state representative ~~representing~~ who represents House District 44 ~~or in case of~~  
 12          ~~reapportionment, the state representative representing the majority of the northern~~  
 13          ~~portion of the city.~~

14          (iii) One member shall be appointed by the Louisiana state representative  
 15          who represents House District No. 96.

16          ~~(iii)~~(iv) ~~One commissioner~~ member shall be appointed by the councilperson  
 17          ~~representing~~ who represents Council District 3 of the Lafayette City-Parish Council.

18          ~~(iv)~~(v) ~~One commissioner~~ member shall be appointed by the councilperson  
 19          ~~representing~~ who represents Council District 4 of the Lafayette City-Parish Council.

20          ~~(v)~~(vi) ~~One commissioner~~ member shall be appointed by the mayor-president  
 21          of the city of Lafayette, parish of Lafayette.

22          ~~(vi) One commissioner shall be the director of the Lafayette Economic~~  
 23          ~~Development Authority.~~

24          (b) ~~The elected officials referred to above shall meet within thirty days of~~  
 25          ~~July 14, 2008, and shall appoint the commissioners as prescribed above. Of the~~  
 26          ~~seven commissioners to be appointed by the elected officials, one commissioner~~  
 27          ~~shall be a member of the Greater Lafayette Chamber of Commerce, one shall be a~~  
 28          ~~member of the Greater Southwest Louisiana Black Chamber of Commerce, one~~  
 29          ~~commissioner shall be a member of a citizen's neighborhood association, one~~  
 30          ~~commissioner shall be an accountant, one commissioner shall be a representative of~~

1           ~~the banking industry, and one commissioner shall be a representative of the real~~  
2           ~~estate industry~~ appointing authorities referred to in Subparagraph (a) of this  
3           ~~Paragraph shall meet within sixty days after August 1, 2014, and shall appoint the~~  
4           ~~members as provided in Subparagraph (a) of this Paragraph.~~

5           ~~(c) Appointment of a commissioner at the expiration of the term of an~~  
6           ~~appointed commissioner, or appointment of a commissioner to fill the unexpired~~  
7           ~~term of a position vacated by a commissioner, shall be made by the elected official~~  
8           ~~who appointed the commissioner whose term expired.~~

9           ~~(d) A certificate of the appointment or reappointment of any commissioner~~  
10           ~~shall be filed with the clerk of the city-parish council for Lafayette Parish, and such~~  
11           ~~certificate shall be conclusive evidence of the proper appointment of such~~  
12           ~~commissioner.~~

13           ~~(2) The commissioners who are first appointed shall serve for terms as~~  
14           ~~follows: one for one year, one for two years, one for three years, two for four years,~~  
15           ~~and two for five years, respectively, from the date of their appointment as shall be~~  
16           ~~specified at the time of their appointment the respective terms to be determined by~~  
17           ~~lot. Thereafter the term of office shall be five years. A commissioner shall hold~~  
18           ~~office until his successor has been appointed and qualified.~~

19           ~~(3) Each board member shall be a citizen of the United States, a domiciliary~~  
20           ~~of and a qualified voter in the appropriate jurisdiction for at least one year preceding~~  
21           ~~the date of appointment, and shall remain a domiciliary of and a qualified voter of~~  
22           ~~such jurisdiction during the entirety of the term of office. Furthermore, each board~~  
23           ~~member shall be of good character and shall possess some skill, knowledge, or~~  
24           ~~experience that will prove useful in the accomplishment of the goals of the authority~~  
25           ~~as set forth in Subsection B of this Section.~~

26           ~~(4) The board shall establish rules and requirements relative to the~~  
27           ~~attendance and participation of members in its meetings, regular or special. Such~~  
28           ~~rules and regulations may prescribe a procedure whereby, should any member fail~~  
29           ~~to comply with such rules and regulations, such member may be disqualified and~~  
30           ~~removed automatically from office by no less than a majority vote of the remaining~~

1 ~~members of the board, and that member's position shall be vacant as of the first day~~  
2 ~~of the next calendar month. Any person removed under the provisions of this~~  
3 ~~Paragraph shall be ineligible for reappointment to the board, unless such~~  
4 ~~reappointment is confirmed unanimously by the board.~~

5 (5) ~~A vacancy on the board shall be filled in the same manner as the original~~  
6 ~~appointment. In such cases a majority of the remaining board members may appoint~~  
7 ~~an interim member to serve until a new member is confirmed.~~

8 (6) ~~Board members shall serve without compensation; however, the board~~  
9 ~~may reimburse any member for expenses actually incurred in the performance of~~  
10 ~~duties on behalf of the authority.~~

11 (7) ~~The board shall have power to organize and reorganize the executive,~~  
12 ~~administrative, clerical, and other departments and forces of the authority and to fix~~  
13 ~~the duties, powers, and compensation of all employees, agents, and consultants of the~~  
14 ~~authority.~~

15 (2)(a) Members shall serve terms of five years after initial terms as provided  
16 in this Subparagraph. Two members shall serve an initial term of one year, two shall  
17 serve two years, one shall serve three years, one shall serve four years, and one shall  
18 serve five years, as determined by lot at the first meeting of the board.

19 (b) A member shall hold office until his successor has been appointed and  
20 qualified.

21 (c) Members shall be eligible for reappointment. A certificate of the  
22 appointment or reappointment of any member shall be filed with the clerk of the  
23 Lafayette City-Parish Council, and such certificate shall be conclusive evidence of  
24 the proper appointment of any such member.

25 (d) Any member of the board may be removed for cause by the appointing  
26 authority. Any person removed for cause shall be ineligible for reappointment to the  
27 board unless such reappointment is confirmed by a unanimous vote of the  
28 membership of the board.

1           (e) Board members shall serve without compensation; however, the board  
2           may reimburse any member for expenses actually incurred in the performance of  
3           duties on behalf of the authority.

4           (3) Any vacancy in the membership of the board, occurring either by reason  
5           of the expiration of the term for which appointed or by reason of death, resignation,  
6           or otherwise, shall be filled in the manner of the original appointment. If the  
7           appointing authority responsible for the appointment of a member fails to fill a  
8           vacancy within thirty days, the remaining members of the board shall appoint an  
9           interim successor to serve until the position is filled by the appointing authority.

10          (4) The board may adopt bylaws or such other rules and regulations as it  
11          deems necessary for conducting its business affairs. The board may appoint and  
12          retain all employees it deems advisable and fix the powers, duties, and compensation  
13          of such employees. The board shall hold regular meetings and may hold special  
14          meetings as shall be provided in the bylaws.

15          ~~(8)~~(5) The board shall elect yearly from its number a chairman, a vice  
16          chairman, a secretary, and a treasurer and shall establish their duties as may be  
17          regulated by rules adopted by the board. The offices of secretary and treasurer may  
18          be held by the same person. ~~The board shall meet in regular session once each~~  
19          ~~month and also shall meet in special session as convened by the chairman or upon~~  
20          ~~written notice signed by three members.~~ A majority of the members of the board;  
21          ~~not including vacancies,~~ shall constitute a quorum for the conduct of business.

22          ~~(9)~~(6) All actions of the board shall be approved by the affirmative vote of  
23          a majority of the members of the board present and voting. However, no action of  
24          the board shall be authorized on the following matters unless approved by a majority  
25          of the total board membership:

26                 (a) Adoption of bylaws and other rules and regulations for conduct of the  
27                 authority's business.

28                 (b) Hiring or firing of any employee or contractor of the authority. This  
29                 function may by majority vote be delegated by the board to a specified officer or

1 committee of the authority, under such terms and conditions, and to the extent, that  
2 the board may specify.

3 (c) The incurring of debt.

4 (d) Levy of taxes and call for any tax or other election.

5 (e) Adoption or amendment of the annual budget.

6 (f) Sale, lease, encumbrance, or alienation of immovable property,  
7 improvements, or movable property with a value of more than fifty thousand dollars.

8 ~~(10)~~(7) Vote by proxy shall not be permitted. Any member may request a  
9 recorded vote on any resolution or action of the authority.

10 ~~(11)~~(8)(a) The board shall cause minutes and a record to be kept of all its  
11 proceedings, and it shall select a newspaper of general circulation within its  
12 territorial jurisdiction as its official journal in which it shall publish its minutes and  
13 in which it shall publish all official notices required by law. Except as otherwise  
14 provided in this Paragraph, the authority shall be subject to the Public Records Law,  
15 the Open Meetings Law, and the Code of Governmental Ethics.

16 (b) Notwithstanding the provisions of R.S. 42:14, until thirty days prior to  
17 the date the board is scheduled to consummate a final sale or lease of any immovable  
18 property owned by the authority, the board may meet in executive session to discuss  
19 negotiations between the authority and any prospective seller, purchaser, lessor or  
20 lessee of that property. R.S. 44:31 through 35 shall not apply to any records related  
21 to the negotiations of or to the terms of such a sale or lease until thirty days prior to  
22 the date the board is scheduled to consummate a final sale or lease. The board shall  
23 give written public notice of its intention to consummate a final sale or lease at least  
24 thirty days prior to the date on which the board intends to take such action. This  
25 notice shall comply with the procedural provisions of R.S. 42:19. Notwithstanding  
26 any other provision of this Part to the contrary, that portion of documents evidencing  
27 proprietary information or trade secrets of either the authority or the seller,  
28 purchaser, lessor, or lessee shall not be subject to the Public Records Law for any  
29 reason ~~whatsoever~~.

30 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           Section 2. The terms of all members of the board of commissioners of the North  
2 Lafayette Redevelopment Authority serving on the effective date of this Act shall terminate  
3 on the effective date of this Act; however, such members shall remain in office until the  
4 board members are appointed as provided in this Act and take office. The members of the  
5 board of commissioners of the North Lafayette Redevelopment Authority shall be appointed  
6 and shall take office as provided in this Act and shall serve terms of office as provided in this  
7 Act.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_