

2014-0115

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

A resolution requesting that the Attorney General provide an Opinion as to the accuracy of the following statements subsequent to the St. Charles Parish Council having become the newly situated governing authority of the Sunset Drainage District and having assumed all functions of the previous governing authority: 1) that all property (buildings, tools, equipment, lands, canal bottoms, servitudes, right of ways, the Crawford Canal pumping station, etc.) owned by the Sunset Drainage District (SDD) prior to the Council becoming its governing authority, remains the property of the SDD, 2) that all said items owned by the SDD falls under the control and governance of the governing authority of the SDD, 3) that any agreements relative the SDD's property, the usage of the SDD property, and the functions of the SDD require approval and authorization from the governing authority of the SDD, and 4) that the St. Charles Parish Council is required to fulfill all of the duties, responsibilities, requirements, and obligations incumbent upon it as the governing authority of the Sunset Drainage District as defined in the applicable provisions of RS 38:1601 through 38:1681 and any applicable Parish ordinances.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request that the Attorney General provides an Opinion as to the accuracy of the following statements subsequent to the St. Charles Parish Council having become the newly situated governing authority of the Sunset Drainage District and having assumed all functions of the previous governing authority: 1) that all property (buildings, tools, equipment, lands, canal bottoms, servitudes, right of ways, the Crawford Canal pumping station, etc.) owned by the Sunset Drainage District (SDD) prior to the Council becoming its governing authority, remains the property of the SDD, 2) that all said items owned by the SDD falls under the control and governance of the governing authority of the SDD, 3) that any agreements relative the SDD's property, the usage of the SDD property, and the functions of the SDD require approval and authorization from the governing authority of the SDD, and 4) that the St. Charles Parish Council is required to fulfill all of the duties, responsibilities, requirements, and obligations incumbent upon it as the governing authority of the Sunset Drainage District as defined in the applicable provisions of RS 38:1601 through 38:1681 and any applicable Parish ordinances.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, HOGAN

NAYS: TASTET, WILSON, WOODRUFF, FLETCHER, FISHER-PERRIER

ABSENT: BENEDETTO, COCHRAN

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY ON APRIL 21, 2014.