

2016-0137

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B

An ordinance to provide for the reestablishment of the Board of Commissioners of the Sunset Drainage District to serve as the governing authority of the said District as previously existed prior to the St. Charles Parish Council becoming the governing authority.

- WHEREAS,** the St. Charles Parish Police Jury created the Sunset Drainage District as a reorganization of the St. Charles Municipal Drainage District, on May 6, 1924 as per Ordinance No. 4-17-24, and provided for said District to be governed by a Board of Commissioners; and,
- WHEREAS,** Louisiana Revised Statutes 38:1607 (c) provided a means for the St. Charles Parish Council to replace the Board of Commissioners of the Sunset Drainage District as the governing authority of the District by adopting an ordinance appointing and designating the St. Charles Parish Council as the governing authority of the District; and,
- WHEREAS,** the St. Charles Parish Council adopted Ordinance No. 13-8-5 which replaced the Board of Commissioners of the Sunset Drainage District with the St. Charles Parish Council as the governing authority; and,
- WHEREAS,** the St. Charles Parish Council failed in its duties and obligations as the governing authority of the District since the time it became the governing authority of the District; and,
- WHEREAS,** the Louisiana Attorney General Opinion No. 14-0087 advised the St. Charles Parish Council that it acquired all the functions and responsibilities previously performed by the Board of Commissioners of the Sunset Drainage District; and,
- WHEREAS,** the St. Charles Parish Council has failed and continues to fail in a number of its duties and obligations as the governing authority of the District and has done so since the time it became the governing authority of the District; and,
- WHEREAS,** the Louisiana Attorney General Opinion No. 15-0164 advised the St. Charles Parish Council that it as the governing authority of the Sunset Drainage District is required to hold at least one regular meeting on the second Monday of each month, unless the majority of its members vote to change the date; and,
- WHEREAS,** the St. Charles Parish Council as the governing authority of the District has never held a single meeting since becoming the governing authority; and,
- WHEREAS,** the reestablishment of Board of Commissioners of the Sunset Drainage District as the governing authority shall in no way have any effect on any existing cooperative endeavor agreements; and,
- WHEREAS,** it is the desire of the St. Charles Parish Council to provide for the reestablishment of the Board of Commissioners of the Sunset Drainage District to serve as the governing authority of the said District as previously existed prior to the St. Charles Parish Council becoming the governing authority; and,
- WHEREAS,** the appointment of the Board of Commissioners of the Sunset Drainage District shall be in accordance with the provisions set forth in Louisiana Revised Statute 38:1608.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Council, as the governing authority of the said District, is to be replaced by the Board of Commissioners of the Sunset Drainage District effective upon the date that all members of the Board of Commissioners are appointed to the Board by the St Charles Parish Council.

SECTION II. That all functions of St. Charles Parish Council as the governing authority of the District shall transfer to the Board of Commissioners of the Sunset Drainage District upon the Board being confirmed by the St. Charles Parish Council.

SECTION III. That the Director of Finance for the Parish of St. Charles shall remain as the Treasurer of said District and the St. Charles Parish Courthouse, 15045 River Road, Hahnville, Louisiana shall remain as the domicile of said District.

SECTION IV. That the Council Secretary shall remain as the Secretary of the District.

The foregoing proposed ordinance was Postponed Indefinitely per Council Rule 8 on May 2, 2016.