

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 924 by Representative Wesley Bishop

DISTRICTS/ECONOMIC DEVEL: Creates the Downman Road Economic Development District in Orleans Parish

Synopsis of Senate Amendments

1. Excludes from the district's jurisdiction any property owned, operated, or administered by the board of commissioners of the Port of New Orleans.

Digest of Bill as Finally Passed by Senate

Proposed law creates the Downman Road Economic Development District as a political subdivision of the state in the parish of Orleans. Provides that the governing authority of the city of New Orleans shall have such power and control over and responsibility for the functions, affairs, and administration of the district as provided in proposed law. Provides for district boundaries which include all of the territory included within the geographical boundaries of the New Orleans Lakefront Airport. Excludes from the district's jurisdiction any property owned, operated, or administered by the board of commissioners of the Port of New Orleans.

Proposed law provides that the district is governed by a 10-member board of commissioners. Provides that the board is composed as follows:

- (1) The state representative who represents House District No. 99, or his designee.
- (2) Two members appointed by the state representative who represents House District No. 99. Each member shall own a business located within the boundaries of the district.
- (3) The state senator whose district encompasses all or a greater portion of the area of the district, or his designee.
- (4) The mayor of the city of New Orleans, or his designee.
- (5) The member of the governing authority of the city of New Orleans whose district encompasses all or a greater portion of the area of the district, or his designee.
- (6) The president of the Pines Village Neighborhood Association.
- (7) The president of the Melia Neighborhood Association.
- (8) The president of the Rosedale Neighborhood Association.
- (9) The president of the Kenilworth Neighborhood Association.

Proposed law requires each designee to be a resident of the district and a qualified voter of the city of New Orleans. Provides that appointed members serve at the pleasure of the appointing authority and each designee shall serve at the pleasure of his respective designating authority.

Proposed law requires the board to elect from its number a chairman, a vice chairman, a treasurer, and such other officers as it may deem appropriate. Provides that the duties of the officers shall be fixed by bylaws adopted by the board. Requires the board to adopt such rules and regulations as it deems necessary or advisable for conducting its business.

Proposed law requires board members to serve without compensation but provides that they shall receive travel allowance as reimbursement for expenses incurred while attending to the business of the district. Authorizes any member of the board to serve on the board of a private entity that enters into contracts with the district provided that the member does not receive compensation from the private entity.

Proposed law provide for the powers and duties of the district. Provides that all services to be furnished within the district may be furnished, supplied, and administered by the city of New Orleans through its regularly constituted departments, agencies, boards, commissions, and instrumentalities as appropriate in the circumstances.

Proposed law authorizes the board to enter into contracts with the city of New Orleans in order to provide services and provide, construct, or acquire capital improvements or facilities. Provides that the cost of any such services, capital improvements, and facilities may be paid to the city of New Orleans from the proceeds of the special tax levied upon real property within the district, or from the proceeds of bonds, as the case may be.

Proposed law provides that when the service sought is not ordinarily provided by the city of New Orleans, with the prior approval of the mayor and the city council, the board may contract with other entities for such services. Requires that the cost of such specially contracted services be paid for by the board with its funds budgeted therefor.

Proposed law authorizes the city council of New Orleans, subject to voter approval, to levy and collect, for a term not to exceed 50 years a special ad valorem tax. Provides that the tax shall be levied and collected in the same manner and at the same time as all other ad valorem taxes on property subject to taxation by the city are levied and collected. Provides that any tax levied shall be subject to the homestead exemption as provided by the constitution.

Proposed law requires that the proceeds of the tax be used solely and exclusively for the purposes and benefit of the district. Requires that the proceeds be paid over to the Board of Liquidation, City Debt, day by day as the same are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. Further requires that the tax proceeds be paid out by the Board of Liquidation, City Debt, solely for the purposes of the district provided upon warrants or drafts drawn on the Board of Liquidation, City Debt, by the appropriate officials of the city and the treasurer of the district.

Proposed law authorizes the city of New Orleans, when requested by resolution adopted by the board, approved by a resolution of the city council, and by resolution adopted by the Board of Liquidation, City Debt, to incur indebtedness for and on behalf and for the sole and exclusive benefit of the district. Additionally authorizes the city, subject to the same procedure, to issue at one time, or from time to time, negotiable bonds, notes, bond anticipation notes, renewal notes, revenue bonds, short-term revenue bonds, refunding bonds, interim certificates, certificates of indebtedness, certificates of participation, debentures, warrants, commercial paper, short-term loans, and other obligations or evidences of indebtedness. Provides that the principal of, premium if any, and interest on such debt shall be payable from the proceeds of the special tax authorized, levied, and collected pursuant to the provisions of proposed law or from any other sources available to the district. Provides that such bonds shall not constitute general obligations of the state, the parish of Orleans, or the city of New Orleans. Provides that no bonds shall be issued unless and until the maximum amount of the bonds has been approved by a majority of the electors voting thereon in the city of New Orleans in an election called for that purpose. Provides further with respect to such bonds.

Proposed law authorizes the district to acquire, to lease, to insure, and to sell real property within its boundaries. Additionally authorizes the district to advance to the city of New Orleans funds for payment for services rendered by the city pursuant to a contract between the district and the city.

Proposed law provides that if the board determines it is in the best interest of the taxpayers

and that completion of public improvements and facilities in its plans will be expedited, the design and construction phases of any project may be combined. Requires the board to adopt and promulgate rules for administering design-build contracts and provides for procedures. Authorizes the board to utilize a competitive request for proposals process to select a design-build contractor. Provides procedure for such selection.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2740.70.1)