

2015 Regular Session

HOUSE BILL NO. 144

BY REPRESENTATIVE ARNOLD

DISTRICTS/SPECIAL: Provides relative to the powers and duties of the Algiers Development District

1 AN ACT

2 To amend and reenact R.S. 33:2740.27(H)(2), relative to Orleans Parish; to provide relative
3 to the Algiers Development District; to provide relative to the powers and duties of
4 the district; to authorize the district, for the purpose of facilitating development
5 within the district, to exercise powers granted to local governmental subdivisions to
6 approve the creation of nonprofit economic development corporations; and to
7 provide for related matters.

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

11 Be in enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:2740.27(H)(2) is hereby amended and reenacted to read as
13 follows:

14 §2740.27. The Algiers Development District; creation, composition, and powers;
15 levy of ad valorem taxes and issuance of bonds

16 * * *

17 H.

18 * * *

19 (2)(a)(i) Notwithstanding any other provision of law to the contrary, with
20 respect to any real or immovable property that is owned by the district and that either

1 was formerly owned by the United States Department of the Navy and known as
2 Federal City or is immediately contiguous thereto, the district may lease, insure,
3 mortgage or hypothecate, donate, or sell such property or otherwise contract with
4 respect to the management and development of such property in any reasonable
5 manner it deems necessary to fulfill its mission as a redevelopment authority. In
6 order to facilitate the redevelopment of Federal City property only, the district shall
7 not be required to follow any other provision of law applicable to the sale, lease, or
8 donation of property owned by a public body not otherwise governed by the
9 constitution including the public lease law, R.S. 41:1211 et seq., and the Public Bid
10 Law, R.S. 38:2211 et seq., relative to the disposition of immovable property or for
11 contracting with respect thereto and shall not be required to receive the approval of
12 any other public entity or agency with respect to any action taken pursuant to this
13 ~~Paragraph Subparagraph~~ to develop Federal City.

14 (ii) Notwithstanding the provisions of Item (i) of this Subparagraph, with
15 respect to the development of property pursuant to this ~~Paragraph Subparagraph~~, the
16 district shall be required to comply with all applicable zoning and permitting
17 ordinances of the city of New Orleans.

18 (iii) The contiguous property referred to in Item (i) of this Subparagraph
19 refers only to property owned by the district on April 1, 2013.

20 (b) Notwithstanding any other provision of law to the contrary, in order to
21 facilitate development within the district, including placing the property formerly
22 owned by the United States Department of the Navy and known as Federal City into
23 commerce, the district may exercise all powers granted to local governmental
24 subdivisions by Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as
25 amended. The district shall not be required to receive the approval of any other
26 public entity or agency with respect to any action taken pursuant to this
27 Subparagraph; however, with respect to the development of property by the district
28 pursuant to this Subparagraph, the district shall be required to comply with all
29 applicable zoning and permitting ordinances of the city of New Orleans.

1 ~~(b)~~(c) The district may delegate its authority to make decisions necessary to
2 carry out the provisions of this Paragraph to a committee composed in whole or in
3 part of district board members; however, the district may reserve any authority it
4 deems necessary.

5 ~~(e)~~(d) The assets and income derived from the development of property
6 pursuant to this Paragraph shall be used solely for the benefit of the district and all
7 projects within the district, including the Federal City project. The development of
8 property pursuant to this Paragraph shall be in accordance with a master plan
9 approved by the district, the joint development committee for the Federal City
10 project, the secretary of the Louisiana Department of Economic Development, and
11 the commissioner of administration.

12 * * *

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 144 Original

2015 Regular Session

Arnold

Abstract: Authorizes the Algiers Development District to exercise the same powers granted to local governmental subdivisions to approve the creation of nonprofit economic development corporations.

Present law creates the Algiers Development District as a special taxing district comprised of all territory within the 15th ward of Orleans Parish. Provides that for federal purposes of military base realignment, the district shall be considered a local redevelopment authority. Provides that the district shall be governed by a seven-member board of commissioners.

Present law provides for the powers and duties of the district including the power to acquire, to lease, to insure, and to sell real property within its boundaries. Additionally authorizes the district, with respect to immovable property owned by it and that either was formerly owned by the U.S. Dept. of the Navy and known as Federal City or is immediately contiguous thereto, to lease, insure, mortgage or hypothecate, donate, or sell the property or

otherwise contract with respect to the management and development of the property in order to fulfill its mission as a redevelopment authority.

Present law provides that in order to facilitate the redevelopment of Federal City property, the district shall not be required to follow any other provision of law applicable to the sale, lease, or donation of property owned by a public body not otherwise governed by the constitution or for contracting with respect to the property. Present law additionally provides that the district shall not be required to receive the approval of any other public entity or agency in order to take any action pursuant to present law to develop Federal City. Requires the district however, to comply with all applicable zoning and permitting ordinances of the city of New Orleans in developing property pursuant to present law. Additionally requires that property be developed in accordance with a master plan approved by the district, a joint development committee of Federal City, the La. Dept. of Economic Development, and the commissioner of administration.

Proposed law retains present law.

Present law (Chapter 27 of Title 33) authorizes in the state and each local governmental subdivision of the state the creation and organization of nonprofit economic development corporations. Prohibits any such corporation from organizing, transacting, conducting business, or exercising any power as may be granted by present law until the legislature or the governing authority of a local governmental subdivision declares a need for such a corporation.

Present law provides that any group of three or more persons may apply to the legislature of the governing authority of a local governmental subdivision of the state in writing for permission to organize and be designated an economic development corporation.

Present law defines a local governmental subdivision as any parish or municipality, port commission or port harbor and terminal district, or economic development district or authority created as a political subdivision of the state as defined in the state constitution.

Present law provides that the powers of such corporations include:

- (1) To acquire by purchase, lease, lease-purchase, option, gift, grant, bequest, or devise, any property which it may deem necessary to carry out the purpose and provisions of present law and to make capital improvements, acquire equipment, and provide funds for such purpose through cooperative endeavor agreements which may provide for the transfer of title to such property upon successful achievement of the goal set forth in such agreements.
- (2) To sell, convey, mortgage, lease, transfer, donate, option, exchange, or otherwise dispose of any property, or any interest therein, as the objects and purposes of the corporation may require to carry out the provisions of present law.
- (3) To issue revenue bonds secured by a pledge of any revenues of the corporation derived or to be derived by it from or held or to be held by it in connection with its undertaking of any economic development project, including loans, grants, or contribution of funds made or to be made to it in aid of any of its other activities or operations, including tax increments or sales tax increments, and to pay or cause to be paid from the proceeds of the issuance of such revenue bonds, all or a portion of the costs of an economic development project and to give local citizens preferential treatment in job development.
- (4) To borrow money and to apply for and to receive grants, loans, or advances.
- (5) To invest any funds not required for immediate use in property or securities in which public bodies may legally invest funds subject to their control.

- (6) To declare or designate, subject to the approval of the chief executive officer or governing authority of local governmental subdivision, areas of said governmental subdivision as economic development areas.
- (7) To prepare or cause to be prepared an economic development plan.
- (8) To enter into partnerships, joint ventures, and other relationships with any federal, state, or local governmental agency or with any private or public firm, partnership, corporation or other entity.
- (9) To delegate to a private development corporation or other entity any duties and responsibilities as the corporation deems necessary or convenient in order to carry out the purposes of present law.
- (10) To give local citizens preferential treatment in job development.

Proposed law retains present law and additionally authorizes the district, for purposes of facilitating development within the district, to exercise all powers granted by present law to local governmental subdivisions to approve the creation of nonprofit economic development corporations. Provides that the district shall not be required to receive the approval of any other public entity or agency with respect to any action taken pursuant to proposed law. Requires the district, however, to comply with all applicable zoning and permitting ordinances of the city of New Orleans with respect to the development of property by the district pursuant to proposed law.

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

(Amends R.S. 33:2740.27(H)(2))