

1 between the state, the City of New Orleans, and Jefferson Parish, all or any part of the
2 following described property:

3 That parcel of property located west of West Roadway Street and that parcel
4 located north of North Roadway Street and west of Breakwater Drive, within the area
5 dedicated in the above-referenced Acts, to wit:

6 That portion of the protection or revetment levee bordering on Lake
7 Pontchartrain, and lying between the west bank of the New Basin Canal on the east,
8 and the prolongation of the boundary line between the parishes of Orleans and
9 Jefferson on the west; all lands now lying under the waters of Lake Pontchartrain
10 between the protection or revetment levee on the south; the west bank of the New
11 Basin Canal on the east, the prolongation of the boundary line between the parishes
12 of Orleans and Jefferson on the west, and a line drawn parallel to and in front of said
13 protection or revetment levee, a distance of fifteen hundred feet therefrom on the
14 north; all lands now lying under the waters of Lake Pontchartrain in the rear or south
15 of the aforesaid protection or revetment levee on the north, the shore of Lake
16 Pontchartrain on the south, and the lands belonging to private persons on the east and
17 west.

18 (B) The lease authorized by Subsection A of this Section may be for any purpose
19 consistent with applicable zoning laws, except that no portion of the described property may
20 be leased for residential use.

21 Section 2. Sections 1 and 2 of Act No. 152 of the 2019 Regular Session of the
22 Legislature are hereby amended and reenacted to read as follows:

23 Section 1. The commissioner of administration, notwithstanding any other
24 provision of law to the contrary, is hereby authorized and empowered to lease any
25 interest, excluding mineral rights, the state may have to all or any portion of the
26 following described parcel of property to ~~the responsible offerer~~ one or more offerers
27 selected through a request for proposal developed and issued pursuant to a
28 cooperative endeavor agreement between the state, the City of New Orleans ~~Parish~~,
29 and Jefferson Parish:

30 A parcel of state owned land and water bottom located on the south
31 shore of Lake Pontchartrain on or adjacent to the boundary of Orleans Parish
32 and Jefferson Parish.

33 Section 2. (A) The state is authorized to lease the property described in
34 Section 1 of this Act either directly to the selected offerer or offerers or to the City
35 of New Orleans or a public benefit corporation of the City of New Orleans, who will
36 then be permitted to sublease the property to the selected offerer or offerers in
37 accordance with the terms of this Act.

1 (B) The commissioner of administration is hereby authorized to enter into
2 such agreements, covenants, conditions, and stipulations and to execute such
3 documents as necessary to properly effectuate any lease, excluding mineral rights,
4 to the property described in Section 1 of this Act, and as more specifically described
5 in any such agreements entered into and documents executed by and between the
6 parties ~~commissioner of administration and the selected responsible offerer~~ for a
7 term not to exceed ninety-nine years, in exchange for consideration proportionate to
8 the appraised value of the property. ~~The provisions of this Act shall apply to more~~
9 ~~than one responsible offerer if the cooperative endeavor agreement provides for~~
10 ~~dividing the property described in Section 1 into multiple leases.~~

11 (C) Notwithstanding any applicable zoning laws to the contrary, no portion
12 of the property described in Section 1 of this Act may be leased for residential use.

13 Section 3. 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 654 Engrossed

2024 Regular Session

Hilferty

Abstract: Authorizes the lease of certain public property in Orleans and Jefferson parishes to offerers selected through a request for proposal issued pursuant to a cooperative endeavor agreement between the state, the City of New Orleans, and Jefferson Parish, for any purpose allowed by zoning laws except residential use.

CITY AUTHORITY TO LEASE

Present law provides that the City of New Orleans is charged with maintaining certain public property in Orleans Parish dedicated by the state for public amusement and park purposes. (Act No. 209, 1906 R.S.; Act No. 9, 1910 R.S.)

Proposed law retains present law.

Proposed law specifies that the City of New Orleans is authorized to lease two smaller parcels within the dedicated property:

- (1) That portion of the dedicated property located west of West Roadway Street, an area commonly referred to as the parking lot, to the west of the green space commonly referred to as West End Park.
- (2) That portion of the dedicated property located north of North Roadway Street and west of that portion of Breakwater Drive existing north of North Roadway Street, which is a strip of land on the western border of the area commonly known as the municipal yacht harbor.

Proposed law prohibits the city from leasing the described parcels for residential use, but allows any other use consistent with applicable local zoning laws.

Proposed law further provides that any lease of the described parcels by the city must be authorized by the council of the City of New Orleans, which may prescribe terms and conditions for the lease.

Proposed law requires that the lessee of the described parcels be selected through a request for proposal that is developed and issued according to the terms of a cooperative endeavor agreement between the state, the City of New Orleans, and Jefferson Parish.

STATE AUTHORITY TO LEASE

Present law authorizes the state to lease certain water bottoms on the southern shore of Lake Pontchartrain along the parish line between Orleans and Jefferson parish to a lessee selected through a request for proposal developed and issued according to the terms of a cooperative endeavor agreement between the state, Orleans Parish, and Jefferson Parish. (Act No. 152, 2019 R.S.)

Proposed law changes one of the parties to the cooperative endeavor agreement from Orleans Parish to the City of New Orleans.

Proposed law adds land, in addition to water bottoms, to the property description in present law.

Proposed law further provides that the state may lease to the offerer directly or it may lease to the city or a public benefit corporation of the city, who would then sublease to the offerer directly.

Proposed law prohibits the state from leasing the described property for residential use, but allows any other use consistent with applicable local zoning laws.

Proposed law requires the reservation of mineral rights.

Effective upon signature by the governor.

(Amends Act No. 152 of the 2019 R.S., §§1, 2)