

PUBLIC NOTICE

ST. LANDRY PARISH GOVERNMENT *PUBLIC HEARING*

THE ST. LANDRY PARISH COUNCIL HEREBY GIVES NOTICE THAT IT WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, SEPTEMBER 18TH, 2024**, AT OLD CITY MARKET LOCATED AT 131 W. BELLEVUE STREET, OPELOUSAS, LOUISIANA.

THE HEARING IS FOR THE PURPOSE OF RECEIVING ANY AND ALL OBJECTIONS FROM THE GENERAL PUBLIC IN CONNECTION WITH THE FOLLOWING:

5:30 p.m.

ORDINANCE NO. 2024-032

AN ORDINANCE TO DONATE IMMOVABLE PROPERTY LOCATED ON BERNICE STREET, OPELOUSAS, LOUISIANA, TO THE CITY OF OPELOUSAS FOR A SEWAGE TREATMENT STATION WHICH IS FOR A PUBLIC PURPOSE

WHEREAS, St. Landry Parish Government owns a parcel of land on Bernice Street in the City of Opelousas.

WHEREAS, the City of Opelousas needs to construct and operate a sewage treatment station on said parcel of land on Bernice Street in the City of Opelousas.

WHEREAS, the Constitution of the State of Louisiana Article VII, section 14, prohibits the donation of a political subdivision's funds, property, or things of value to a private or public person or entity unless the donation meets the requirements of the Louisiana Supreme Court in the "Cabela" case, Board of Directors V. All Taxpayers, et al, 938 So. 2d 11 (La. 2006). Said requirements in that case are that the transfer of property from the political subdivision to a person or entity must be for a public purpose that comports with the governmental purpose which the entity has legal authority to pursue, the expenditure or transfer of public funds or property, taken as a whole, does not appear to be gratuitous, and evidence must demonstrate that the public entity has a demonstrable, objective, and reasonable expectation of receiving a benefit or value at least equivalent to the amount expended or transferred.

WHEREAS, the transfer of the parcel of land to the City of Opelousas for the City to construct and operate a sewage treatment station serves a public purpose, and is not gratuitous, because it will be cost effective, efficient, and facilitate increased responsiveness to the needs of the citizens of Opelousas for the sewage treatment station servicing their sewage to be owned by the City of Opelousas. St. Landry Parish Government and the City of Opelousas have a demonstrable, objective, and reasonable expectation of receiving a benefit or value equivalent to

the property being conveyed.

BE IT ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT that the following property shall be conveyed by an Act of Donation to the City of Opelousas, and said property is described as follows:

A certain tract or parcel of ground, situated in the Bernice Lastrapes Subdivision in Opelousas, St. Landry Parish, Louisiana, described as starting at a point (which is the Northeast corner of the tract now described) on the South line of Bernice Street which is 100 feet Westerly on said street from the Northwest corner of lot transferred on February 19, 1971, under Original Act No. 553635 in Conveyance Book B-17, page 20 and from said starting point proceed a distance of 100 feet in a Southerly direction parallel to the West line of said lot sold on February 19, 1971, to the Southeast Corner of the property now being described, thence proceed in a Westerly direction and parallel to the South line of Bernice Street a distance of 43 feet to the Southwest corner of the property now being described, thence proceed in a Northerly direction a distance of 90 feet to the Northeast corner of a tract of land sold under Act No. 517889 in Conveyance Book D-15, page 601, to the Northwest corner of the property now being described, thence proceed Easterly along the South boundary line of Bernice Street a distance of 62 feet to the point of beginning.

This property bears Parcel Number 0103477000.

All machinery, equipment, and other movables, that are necessary and/or being used in the processing and treatment of sewage in and around the sewage treatment plant on the above described parcel of land are hereby conveyed and transferred to the City of Opelousas, and shall be conveyed in the Act of Donation.

BE IT FURTHER ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT that St. Landry Parish President Jessie Bellard is hereby authorized to sign any and all documents and conveyances that are necessary to transfer the above described parcel of land, and the machinery, equipment, and other movables, that are necessary and/or being used in the processing and treatment of sewage in and around the sewage treatment plant on the above described parcel of land to the City of Opelousas.

ORDINANCE NO. 2024-033

AN ORDINANCE TO REQUIRE ROAD DISTRICTS SUB-1 ROAD DISTRICT 11-A, ROAD DISTRICT 12 OF WARD 2, AND ROAD DISTRICT 1 OF WARD 3, TO SUBMIT TO THE ST. LANDRY PARISH COUNCIL ALL INVOICES AND RECEIPTS FOR PAYMENT FOR WORK PERFORMED ON THE ROADS IN THOSE ROAD DISTRICTS IMMEDIATELY AFTER THE PAYMENTS ARE MADE

BE IT ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT THAT ROAD DISTRICTS SUB-1 ROAD DISTRICT 11-A, ROAD DISTRICT 12 OF WARD 2, AND ROAD DISTRICT 1 OF WARD 3, SHALL SUBMIT TO THE ST. LANDRY PARISH COUNCIL ALL INVOICES AND RECEIPTS FOR PAYMENT FOR WORK PERFORMED ON

THE ROADS IN THOSE ROAD DISTRICTS IMMEDIATELY AFTER THE PAYMENTS ARE MADE.

ORDINANCE NO. 2024-034

AN ORDINANCE TO AMEND SECTION 18-85 OF CHAPTER 18 OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO CHANGE THE WORDING IN SECTION 18-85 (c) TO READ “50 lots or 5 acres, whichever is lesser...”

WHEREAS, Article I, Section 1-06 of the St. Landry Parish Home Rule Charter states that the parish government shall have the power to pass all ordinances necessary to promote, protect, and preserve the general welfare, safety, health, peace, and orderly conduct of the parish, and this includes the power to pass ordinances on all subject matters not inconsistent with the constitution or denied by state law;

BE IT ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT THAT SECTION 18-85 (c) OF CHAPTER 18 OF THE ST. LANDRY PARISH CODE OF ORDINANCES SHALL BE AMENDED AND NOW READ AS FOLLOWS:

Sec. 18-85. - Standards for subdivision proposals.

(a) All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall be consistent with this article and sections [18-2](#), [18-3](#), and [18-4](#).

(b) All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, shall meet floodplain development permit requirements of sections [18-31](#) and [18-61](#); and the provisions of this article.

(c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to [section 18-30](#) or [18-60\(a\)\(8\)](#).

(d) All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.

(e) All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

ORDINANCE NO. 2024-035

An Ordinance to Establish Rules and Controls to Ensure the Accountability and Transparency of St. Landry Parish’s Local Governmental Entities.

- WHEREAS, the St. Landry Parish Home Rule Charter Section 8-07(A) provides, “The parish council shall have general power over any special district or local agency previously created by the governing authority of St. Landry Parish or hereafter created by the council, including, without limitation, the power to abolish the agency and require prior approval of any charge, tax levy, or bond issue by the agency;”
- WHEREAS, Article VI, Section 15 of the Constitution of the State of Louisiana provides, “The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish the agency and require prior approval of any charge or tax levied or bond issued by the agency;”
- WHEREAS, Louisiana Revised Statute Section 33:1415(B) provides, “In any case where the governing authority of any parish or municipality shall have created or established, or shall hereafter create or establish, any board, commission, agency, district, office, government of any entity whatever, having governmental functions, power or authority, such governing authority is hereby authorized to provide appropriate budgetary and fiscal controls over said agency or entity.... The parish or municipality shall exercise such other budgetary and fiscal controls as are necessary and proper to ensure the maximum feasible coordination of government on the local level;”
- WHEREAS, Louisiana Revised Statute Section 42:12 provides, “It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy;”
- WHEREAS, Louisiana Revised Statute Section 42:1102(18) and (19) define “public servant” as including public employees, elected officials, and appointed officials;
- WHEREAS, Louisiana Revised Statute Section 42:1170(A)(3)(a)(i) requires public servants to “receive a minimum of one hour of education and training on the Code of Governmental Ethics during each year of his public employment or term of office;”
- WHEREAS, Louisiana Revised Statute Section 42:343(A)(1) requires public servants to “receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office;”
- WHEREAS, Louisiana Revised Statute Section 42:1267(B)(1) states that each “local agency shall identify employees or elected officials who have access to the agency's information technology assets and require those employees and elected officials to complete cybersecurity training. Each new state and local agency official or employee with access to the agency's information technology assets shall complete this training within the first thirty days of initial service or employment with the agency.”
- WHEREAS, Louisiana Revised Statute Section 33:1415(A) provides, “Where a parochial or municipal governing authority is given the power to appoint members to boards or commissions, whether presently or hereafter created, the governing authority shall also have the power to remove and replace the members or commissioners;” and,
- WHEREAS, the St. Landry Parish Government considers accountability and transparency of the utmost importance for the meetings and operations of local governmental entities.

BE IT ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT that the following Ordinance establishes rules and controls to ensure St. Landry Parish’s local

governmental entities maintain accountability and transparency for the Parish citizens' knowledge and benefit.

1. Annual Financial Review or Audit Required.
 - a. All special districts and local agencies previously created or hereafter created by the governing authority of St. Landry Parish shall, within 120 days of the beginning of each calendar year, conduct a financial review or audit of the preceding year's operations, expenditures, holdings, and debts.
 - b. The financial review or audit must be performed by a licensed Certified Public Accountant, and the report of the financial review or audit must be provided to the St. Landry Parish Government within 180 days of the beginning of each calendar year.
 - c. If the St. Landry Parish Government does not receive a report of the financial review or audit within 180 days, as required herein, the St. Landry Parish Government may retain a Certified Public Accountant to perform the financial review or audit, and may charge the non-reporting entity for all expenses incurred for the financial review or audit and for the preparation of the required report.
 - d. If the St. Landry Parish Government retains a Certified Public Accountant to conduct the financial review or audit of the non-reporting entity, the non-reporting entity must provide (or allow the review of) all information and documentation required by the Certified Public Accountant to fully and properly conduct the financial review or audit
2. Video Recording of Public Meetings Required.
 - a. All special districts and local agencies previously created or hereafter created by the governing authority of St. Landry Parish shall record by video all public meetings, including committee meetings. Proceedings conducted in Executive Session are not subject to this requirement.
 - b. The video recordings of the public meetings must be delivered or transmitted to the St. Landry Parish Government within seventy-two (72) hours of the meeting.
 - c. The St. Landry Parish Government shall upload and post the videos of the meetings for public viewing. The method and means of posting the videos for the public shall be at the sole discretion of the St. Landry Parish Government, and may change from time to time, after public notice.
 - d. The failure of any St. Landry Parish special district or local agency to record public meetings by video and to deliver or transmit such records to the Parish Government shall provide the Council cause to conduct a review or investigation of the special district or local agency, and the Council may take any action authorized by the Charter, Code of Ordinances, or Louisiana law that it deems appropriate based on its finding.
3. Education and Training Required.
 - a. All public servants, board members, and commissioners of any special districts or local agencies previously created or hereafter created by the governing authority of St. Landry Parish shall be required to receive a minimum of one hour of education and training on the Code of Governmental Ethics during each year of his public employment or term of office, in accordance with the mandates of the Louisiana Code of Ethics, including La. Rev. Stat. § 42:1170.
 - b. All public servants, board members, and commissioners of any special districts or local agencies previously created or hereafter created by the governing authority of St. Landry Parish shall be required to receive a minimum of one hour of education and training on

preventing sexual harassment during each full calendar year of his public employment or term of office, in accordance with La. Rev. Stat. § 42:343.

ORDINANCE NO. 2024-036

AN ORDINANCE TO SELL ADJUDICATED PROPERTY TO AN ADJOINING LANDOWNER OF THE ADJUDICATED PROPERTY AS PER LA R.S. 47:2202 (B)

WHEREAS, Louisiana Revised Statute 47:2202 B. states that the governing authority of each political subdivision may allow an adjoining landowner to purchase adjudicated property for any price set by the governing authority without public bidding at a public meeting of the governing authority; provided, that the governing authority determines that the adjoining landowner has maintained the adjudicated property for a period of one year prior to the sale. Such a sale shall be deemed a public sale.

WHEREAS, the St. Landry Parish Government has determined that Edwin Patrick Manuel is the adjoining landowner of adjudicated property and has maintained said adjudicated property for a period of one year or more, and thus, Edwin Patrick Manuel may purchase the adjudicated property through a public sale without public bidding.

BE IT ORDAINED BY THE COUNCIL FOR ST. LANDRY PARISH GOVERNMENT that the following adjudicated property shall be sold by public sale to Edwin Patrick Manuel, an adjoining land owner to the adjudicated property who maintained said adjudicated property for one year or more, without public bidding, for a price set by St. Landry Parish Government of, as per LA R.S. 47:2202 B., at the assessed value of \$3,000 and said adjudicated property is described as follows:

1 LOT IRREGULAR IN SHAPE (0.199AC) IN THE NE/4 OF THE NW/4 OF SEC 34 T-65 R-1W 708569 (V-27-153) 947218 (J-41-458)

This adjudicated property bearing parcel number 8602320500 in the St. Landry Parish land records.

BY ORDER OF ST. LANDRY PARISH COUNCIL

/s/ Wayne Ardoin, Chairman

Sherell Jordan, Council Clerk
St. Landry Parish Council
P.O. Drawer 100, Opelousas, LA 70570
Telephone Number: 337-942-6863

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Sherell Jordan or Karen Barlow at 337-942-6863 describing the assistance that is necessary.