

§9080.1. McKendall Estates Neighborhood Improvement District

A. Creation. There is hereby created within the parish of Orleans, as more specifically provided in Subsection B of this Section, a body politic and corporate which shall be known as the McKendall Estates Neighborhood Improvement District, referred to in this Section as the "district". The district shall be a political subdivision of the state as defined in the Constitution of Louisiana.

B. Boundaries. The district shall be comprised of the area of the parish of Orleans lying within the following perimeter: Parcel of ground bounded by Bullard Avenue, Dwyer Road, Jahncke Road or Canal (side), and Lake Forest Boulevard (side).

C. Purpose. The district is established for the primary object and purpose of promoting and encouraging the beautification, security, and overall betterment of the area included within the district.

D. Governance. (1) The district shall be governed by a board of commissioners, referred to in this Section as the "board", consisting of seven members as follows:

(a) The president of the governing board of the McKendall Estates Homeowners Association shall be a member.

(b) The vice president of the governing board of the McKendall Estates Homeowners Association shall be a member.

(c) Five members shall be appointed by the governing board of the McKendall Estates Homeowners Association from a list of nominations submitted by the membership of the McKendall Estates Homeowners Association.

(2) All members of the board shall be members of the McKendall Estates Homeowners Association and own property within the district.

(3) Members serving pursuant to Subparagraph (1)(c) of this Subsection shall serve three-year terms after serving initial terms as provided in this Subparagraph. One member shall serve an initial term of one year; two members shall serve an initial term of two years; and two members shall serve an initial term of three years, as determined by lot at the first meeting of the board.

(4) The members of the board shall select from among themselves a president and such other officers as they deem appropriate. The terms and responsibilities of officers shall be as provided by the bylaws of the board.

(5) The minute books and archives of the district shall be maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(6) The duties of the officers shall be fixed by bylaws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. It shall hold regular meetings as shall be provided for in the bylaws and may hold special meetings at such times and places within the district as may be prescribed in the bylaws.

(7) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available through the board's secretary to members of the district.

(8) The members of the board shall serve without compensation.

E. Power and duties. The district, acting through its board of commissioners, shall have the following powers and duties:

(1) To receive and expend funds collected pursuant to Subsection F of this Section and in accordance with a budget adopted as provided by Subsection G of this Section.

(2) To enter into contracts with individuals or entities, private or public.

(3) To provide or enhance security patrols in the district, and to provide for improved lighting, signage, or matters relating to the security of the district.

(4) To enter into contracts and agreements with one or more other districts for the joint security, improvement, or betterment of all participating districts.

(5) To provide for such services and make such expenditures as the board deems proper for the upkeep of the district.

(6) To perform or have performed any other function or activity necessary or appropriate to carry out the purposes of the district.

F. Parcel fee. The governing authority of the city of New Orleans may impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection.

(1) The amount of the fee shall be as requested by duly adopted resolution of the board. The fee, however, shall not exceed three hundred dollars per parcel, per year.

(2) The fee shall be imposed on each parcel located within the district.

(3) For purposes of this Section, "parcel" means a lot, a subdivided portion, or an individual tract.

(4) The owner of each parcel shall be responsible for payment of the fee.

(5)(a) The fee shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district who vote on the proposition at an election held for that purpose in accordance with the Louisiana Election Code. The amount of the fee may be changed by duly adopted resolution of the board, not to exceed the maximum amount authorized as provided in this Subsection. No other election shall be required except as provided by this Paragraph.

(b) The initial election on the question of the imposition of the fee shall be held at the same time as a regularly scheduled election in the city of New Orleans.

(c) If approved, the fee shall expire on December 31, 2014, but the fee may be renewed if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in Subparagraph (a) of this Paragraph. Any election to authorize the renewal of the fee shall be held only at the same time as the mayoral primary election for the city of New Orleans. If the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed eight years.

(6) The fee shall be collected at the same time and in the same manner as ad valorem taxes on property subject to taxation by the city are collected.

(7) Any parcel fee which is unpaid shall be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

(8) The proceeds of the fee shall be used solely and exclusively for the purpose and benefit of the district; however, the city may retain one percent of the amount collected as a collection fee. The proceeds shall 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. The proceeds shall be paid out by the Board of Liquidation, City Debt, solely for the purposes provided in this Section 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.

G. Budget. (1) The board shall adopt an annual budget in accordance with the Local Government Budget Act, R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the governing authority of the city of New Orleans.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

H. Miscellaneous provisions. (1) It is the purpose and intent of this Section that the additional law enforcement personnel and their services provided for through the fees authorized by this Section shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans Police Department.

(2) If the district ceases to exist, any funds of the district shall be transmitted to the governing authority of New Orleans and shall be used for the purpose of promoting and encouraging the

beautification, security, and overall betterment of the area included within the district.
Acts 2008, No. 248, §1, eff. June 17, 2008.