

§9074. Spring Lake Subdivision Improvement District

A. Creation. The Spring Lake Subdivision Improvement District, hereinafter referred to as the "district", is hereby created as a special taxing district in the parish of Orleans.

B. Boundaries. The district shall be composed of the area of Orleans Parish located between Morrison Road on the north, the Lawrence Drainage Canal on the east, the I-10 Service Road on the south, and the St. Charles Drainage Canal on the west, comprising all of the Spring Lake Subdivision.

C. Purpose. The district is established for the primary objective and purpose of promoting and encouraging the beautification, security, and overall betterment of Spring Lake Subdivision.

D. Governance. In order for the orderly development and effectuation of the services to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the area, the affairs of the district shall be managed by a nine-member board of commissioners. The commissioners shall be both residents and real property owners in the district. The commissioners shall be appointed as follows:

(1) The board of directors of the Spring Lake Neighborhood Association, Inc. shall appoint five members.

(2) The mayor of New Orleans shall appoint one member.

(3) The member or members of the New Orleans city council who represent the area which comprises the district shall appoint one member.

(4) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.

(5) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member.

(6) 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.

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

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

(9) The members of the board shall serve without payment or receipt of any compensation.

E. Taxing authority. (1)(a) The city council of the city of New Orleans is hereby authorized to levy and collect the special taxes or fees, as authorized by the Spring Lake Subdivision Improvement District, as hereinafter specifically provided for a term not to exceed eight years, 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, a special ad valorem tax not to exceed five mills or fees not to exceed two hundred dollars upon all taxable real property situated within the boundaries of the Spring Lake Subdivision Improvement District.\* The election on the

question of the imposition of the fee may be renewed subject to the provisions of this Subparagraph. The tax or fee herein authorized shall be levied and collected only after the question of its imposition has been submitted to and approved by a majority of the registered voters of the district voting on the question at a regularly scheduled primary or general election to be conducted in accordance with the provisions of the Louisiana Election Code. No such tax or fee shall be levied until a plan requiring or requesting the levy of a tax or fee is finally and conclusively adopted in accordance with the procedures prescribed in this Section.

(b) The proceeds of said tax or fee shall be used solely and exclusively for the purposes and benefit of the district. 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 Spring Lake Subdivision Improvement District shall provide the Board of Liquidation, City Debt, the approved annual budget against which a quarterly advance disbursement will be provided based on projected expenditures. All such disbursements to the district and subsequent expenditures by the district shall be reconciled quarterly. The proceeds shall be paid out by the Board of Liquidation, City Debt, 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 and shall be used by the district solely for the purposes provided in this Section. The city may retain one percent of the amount collected as a collection fee.

(2) Notwithstanding any other provision in this Section to the contrary, no tax or fee authorized in this Section shall be levied until the maximum amount of the tax has been approved by a majority of the registered voters of the district voting on the question at a regularly scheduled primary or general election conducted in accordance with the Louisiana Election Code.

F. Budget. (1) The board of commissioners 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 New Orleans city council.

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

G. Plan. (1) The board shall prepare or cause to be prepared a plan or plans, which plan or plans together with the plan provided for in Subsection E of this Section shall be referred to collectively as the "plan". The plan shall specify the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district. The board shall conduct such hearings in accordance with the open meetings pursuant to R.S. 42:4.1 et seq., including provisions covering notice of meetings and written minutes.

(2) Any plan shall include the following:

(a) An estimate of the annual and aggregate cost of acquiring, constructing, or providing the services, improvements, or facilities set forth in such plan.

(b) An estimate of the aggregate millage or fees required to be levied in each year on the taxable real property within the district in order to provide the funds required for the implementation or effectuation of the plan for furnishing the services specified and for funding capital improvements or debt service, or both.

H. Miscellaneous provisions. (1) The district shall have the power to acquire, to lease, to insure, and to sell real property located within the geographical boundaries of the district in accordance with the plan of the district.

(2) The district may enter into a contract with the New Orleans Police Department, the Orleans Parish Levee Board Police, or with a private security company which has been certified by the superintendent of the New Orleans Police Department for the provision of security patrols in the district.

Acts 1998, 1st Ex. Sess., No. 143, §2, eff. May 5, 1998; Acts 1999, No. 1078, §2; Acts 1999, No. 1233, §2; Acts 2003, No. 1216, §1, eff. July 3, 2003.

\*As appears in enrolled bill.