

ORDINANCE NO. JO-044-2021

A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AMENDING JOINT ORDINANCE NO. JO-049-2020 REORGANIZING THE LAFAYETTE AIRPORT COMMISSION BY ADJUSTING AN APPOINTMENT TO THE BOARD

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: LEGISLATIVE INTENT Pursuant to Section 7-07 of the Lafayette City-Parish Consolidated Government Home Rule Charter, on or before June 1, 2020, the Lafayette City Council and the Lafayette Parish Council, jointly, shall, by ordinance, create, consolidate, merge, abolish, reorganize, or reaffirm any administrative boards or commissions in existence on that date. Accordingly, the Lafayette City Council and the Lafayette Parish Council do hereby reorganize the Lafayette Airport Commission under the terms and conditions contained in this joint ordinance.

SECTION 2: PRESENT COMMISSION As of the effective date of the Lafayette City-Parish Consolidated Government Home Rule Charter, there was in existence a joined Lafayette Airport Commission for the City and Parish of Lafayette, last reorganized pursuant to Ordinance No. O-026-1996, Ordinance No. JO-011-2020, and Ordinance No. JO-049-2020.

SECTION 3: NAME The Commission shall continue to be known as the Lafayette Airport Commission.

SECTION 4: NUMBER OF MEMBERS The Commission shall consist of seven (7) members. Any member to be appointed must be a registered voter and domiciled in Lafayette Parish, Louisiana at the time of his/her appointment and he/she must remain a registered voter and domiciled in the Parish of Lafayette, Louisiana during his/her term of office. All members shall serve at the pleasure of the appointing authority.

SECTION 5: METHOD OF APPOINTMENT The Mayors of the City of Broussard, City of Carencro, Town of Duson, City of Scott and City of Youngsville, collectively and jointly shall have one (1) direct appointment. The Lafayette Mayor-President shall have one (1) direct appointment. The Lafayette City Council shall have three (3) appointments, two (2) of which will be made by the City Council as a whole and the final appointment shall be a direct appointment from City Council District 5. The Lafayette Parish Council shall have two (2) appointments, and both members appointed by the Lafayette Parish Council must reside outside of the corporate limits of any municipality in the Parish of Lafayette.

A) **AFFIRMATION OF CURRENT TERMS OF MEMBERS OF THE PRESENT AIRPORT COMMISSION AND SUBSEQUENT APPOINTMENTS TO THE REORGANIZED LAFAYETTE AIRPORT COMMISSION** Unless earlier

terminated at the pleasure of the appointing authority pursuant to Section 5(B) of this joint ordinance, members currently serving on the present Airport Commission shall continue to serve until the expiration date of their current term, with the exception that the member who was previously the African American appointee, pursuant to Ordinance No. O-026-1996, will now be the City District 5 direct appointment.

- B) **AFFIRMED AND SUBSEQUENT APPOINTMENTS** All members whose terms are affirmed herein, and all those appointed hereinafter, shall serve at the pleasure of the appointing authority and shall otherwise continue to serve until the expiration date of the term for which they are appointed. All appointments shall be made by the designated appointing authority for a term of four (4) years from the date of appointment.
- C) **TERM LIMITS** Members of the Airport Commission shall serve no more than three (3) consecutive terms, but in no case shall the service by a member of the Commission exceed 12 consecutive years. In the case of the affirmed appointments of those members currently serving on the present Airport Commission, prior service on the Commission shall be counted toward this term limitation.
- D) **UNEXPIRED TERM** Service of one-half (1/2) or more of an unexpired term shall be considered a term within the meaning of this limitation.
- E) **REAPPOINTMENT AFTER TERM LIMIT SERVED** In order for an individual to be considered for reappointment to this Commission on which that individual previously served the maximum length of time allowed, a period of four (4) years must elapse since the last day of service of that individual on this Commission before said individual can be reappointed.

SECTION 6: COMPENSTION OF MEMBERS The members of the Lafayette Airport Commission shall not receive any compensation for their services, but will be allowed reimbursement for actual and necessary expenses in connection with their duties as members of said Commission.

SECTION 7: ORGANIZATION, QUORUM FOR COMMISSION The Lafayette Airport Commission, as reorganized, shall, at its first meeting and annually thereafter, elect a Chairman, Vice-Chairman and a Secretary-Treasurer from its membership. The term of office of each officer shall be for one (1) year. Four (4) members of said Commission shall constitute a quorum for all purposes.

SECTION 8: MEETINGS The Commission shall meet regularly once a month on a date and at a time and in a place to be decided by the Commission. The Commission shall meet in special meetings at any time on the call of the Chairman, the Lafayette Mayor-President, the Lafayette City Council, the Lafayette Parish Council or on the written request of any four (4) members of the Commission. Any commission member who misses three (3) consecutive regular meetings or four (4) regular meetings in a 12-month period shall be considered as having resigned; and in that instance, the appointing authority shall appoint another qualified citizen to fill the unexpired term of the resigned member, which said appointee shall be appointed by the same appointing authority as the resigned member. The Commission may make its own rules and regulations concerning the conduct of its meetings. All meetings of the Commission shall be open to the public, as provided by law.

SECTION 9: REPORTS The Commission shall keep an accurate record of all of its meetings and shall, at least annually, give to the Lafayette City Council and the Lafayette Parish Council both a written and oral report of the Commission's activities for the prior year. The Commission shall provide to the Lafayette Clerk of the Council copies of the minutes of each of its meetings.

SECTION 10: SERVICE OF PROCESS ON COMMISSION The service of all legal documents, citations, etc. on the Lafayette Airport Commission shall be made on the Chairman of the Commission, or in his absence on the Vice-Chairman, at the domicile of the Commission which is located at the Lafayette Regional Airport, Lafayette, Louisiana.

SECTION 11: COMMITTEES The Commission shall have the power to designate and appoint, from among its members, various committees with such powers and duties as the Commission may prescribe, provided that said powers and duties do not violate any law of the State of Louisiana, the Parish of Lafayette, the City of Lafayette or the Lafayette City-Parish Consolidated Government.

SECTION 12: POWERS AND DUTIES

- A) The Lafayette Airport Commission shall have full power and authority to administer the Lafayette Airport in all respects, pursuant to and not inconsistent with La. R.S. 2:601 *et seq.* ("Airport Authorities Law"), including the fixing of all salaries of all employees, the expending of all funds available to it for improvements and maintenance, and generally to do everything necessary for the progressive and efficient operation of the Lafayette Airport.

- B) The Lafayette Airport Commission shall have full and complete charge and control of the maintenance and operation of the Lafayette Airport, the right to sue and be sued, make and enter into contracts, employ a Director for said airport and such other employees as in the judgment of the Commission may be necessary for the efficient and proper operation of said airport.
- C) The Lafayette Airport Commission shall exact from the Director appointed by it a surety bond written by an insurance company authorized to do business in the State of Louisiana to guarantee the faithful performance of his/her duties as such. The Commission shall, likewise, have the right and power to exact like bonds of any of its other employees. Premiums of said bonds shall be paid by the Commission.
- D) The Lafayette Airport Commission shall have the ability to enter into contracts in its own name and make purchases on behalf of the Lafayette Airport. All purchases or contracts made or entered into by said Commission shall be done pursuant to La. R.S. 38:2211 *et seq.* as amended, and any other laws applicable to the expenditure of money by the Airport Commission.

SECTION 13: AUDIT As to any audit to be performed with reference to the Lafayette Airport and/or the Lafayette Airport Commission and its operation of the Lafayette Airport, the Lafayette City Council and the Lafayette Parish Council shall, jointly, by ordinance, (1) select and designate the auditor for the Commission; (2) determine the cost of any such audit; and (3) determine how the cost of such audits shall be paid. Furthermore, the Lafayette City Council and the Lafayette Parish Council will have the right, jointly, by ordinance, to designate a private auditor to make any audit, which they desire, concerning the financial affairs of this Commission.

SECTION 14: BUDGET The annual proposed budget of the Commission, if any exists, shall be submitted by the Commission to the Lafayette Mayor-President no later than 60 days before the end of the Commission's fiscal year. The Lafayette Mayor-President shall have the proposed budget reviewed and shall submit his/her findings, if any, to the Lafayette City Council and the Lafayette Parish Council, together with his/her recommendations, if any within 30 days after his/her receipt of the proposed budget. The Lafayette City Council and the Lafayette Parish Council shall, jointly, by resolution, approve each annual budget for this Commission and shall have the ability to approve and/or deny any part or portion of the proposed budget of this Commission.

SECTION 15: LEGAL REPRESENTATION The Lafayette City-Parish Attorney, or his/her designee, shall serve as the legal advisor to this Commission.

SECTION 16: FUNDS TRANSFERRED TO COMMISSION

- A) All monies presently on hand and being managed by the present Airport Commission shall be turned over to the Lafayette Airport Commission, as herein reorganized, for the specific purpose of operating and maintaining the Lafayette Airport.
- B) All funds of the Lafayette Airport Commission, as reorganized, shall be deposited by the Commission into its designated depository and said funds shall only be withdrawn on properly presented vouchers and/or checks counter-signed by any two (2) of the Commissioners of said Lafayette Airport Commission, the Director, or any other employees specifically designated by Resolution of said Commission.

SECTION 17: LANDS ADMINISTERED BY COMMISSION The Lafayette City Council and Lafayette Parish Council hereby ratify and affirm the submission of all lands under the administration of the present Lafayette Airport Commission, as well as all lands constituting the present Lafayette Airport, into the custody and control of the Lafayette Airport Commission, as reorganized, for administration, to be used for such purposes as will promote the proper operation, maintenance, and development of the Lafayette Airport.

SECTION 18: GENERAL POLICY The Lafayette Airport Commission, as reorganized, shall be subject to the general policy for all boards, commissions and/or agencies established in any resolution by the Lafayette City-Parish Council and/or any joint resolution by the Lafayette City Council and the Lafayette Parish Council.

SECTION 19: SEVERABILITY Should any portion of this joint ordinance be declared unconstitutional by any Court of competent jurisdiction; the remaining clauses will remain in full force and effect.

SECTION 20: EXISTING CONTRACTS NOT AFFECTED This joint ordinance is adopted subject to all existing contracts between the present Airport Commission, before it is reorganized and/or restructured by this joint ordinance, and any other person or governmental body except as may be herein repealed.

SECTION 21: REPEAL All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed, including but not limited to, Ordinance No. O-026-1996 of the Lafayette City-Parish Council, Ordinance No. JO-011-2020 of the Lafayette City Council and the

Lafayette Parish Council, and Ordinance No. JO-049-2020 of the Lafayette City Council and the Lafayette Parish Council.

SECTION 22: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

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CITY COUNCIL MEETING
AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** A joint ordinance of the Lafayette City Council and the Lafayette Parish Council amending Joint Ordinance No. JO-049-2020 reorganizing the Lafayette Airport Commission by adjusting an appointment to the board.

2) **ACTION REQUESTED:** Adoption of ordinance

3) **REQUESTED ACTION OF LAFAYETTE CITY-PARISH COUNCIL:**

A) INTRODUCTION: 07-20-2021

B) FINAL ADOPTION: 08-03-2021

4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Ordinance

B) Submittal Form

5) **FISCAL IMPACT:**

_____ Fiscal Impact (Explain)

X No Fiscal Impact

AUTHORED BY:
/s/ Glenn Lazard
GLENN LAZARD, DISTRICT 5
LAFAYETTE CITY COUNCIL

/s/ AB Rubin
AB RUBIN, DISTRICT 5
LAFAYETTE PARISH COUNCIL

DISPOSITION OF ORDINANCE NO. JO-044-2021

1. This ordinance was introduced: July 20, 2021
YEAS: Tabor, Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: K. Naquin
ABSTAIN: None

Final disposition by **Parish Council**:
August 3, 2021
YEAS: Tabor, K. Naquin, Carlson, Guilbeau
NAYS: None
ABSENT: Rubin
ABSTAIN: None

This ordinance was introduced:
YEAS: Lewis, A. Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by **City Council**:
YEAS: Lewis, A. Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

AMEND – 08/03 Made recommended clarification in Section 5(A).


2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on July 23, 2021.
3. This ordinance was presented to the Mayor-President for approval on August 4, 2021, at 11:50 o'clock a.m.


ASST. CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 6 day of August, 2021, at 11:45 o'clock a.m.
- B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.


MAYOR-PRESIDENT

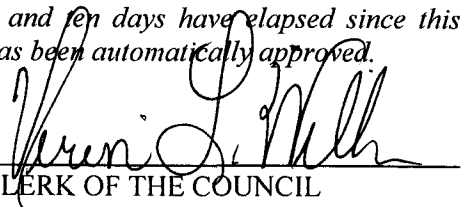
5. Returned to Council Office with/without veto message on August 6, 2021, at 3:30 o'clock p.m.

6. Reconsideration by Council (if vetoed):

On _____, 2021, the Councils did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2021, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.


CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on August 6, 2021.