

OFFICIAL PROCEEDINGS  
CITY OF MORGAN CITY  
APRIL 27, 2021

The Mayor and City Council of Morgan City, Louisiana, met at 6:00 pm (local time) in regular session, this date, in the City Court Building, Highway 182 East, Morgan City, Louisiana.

There were present: Honorable Lee Dragna, Mayor; and Council Members Ron Bias, Steve Domangue, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: None

Also present were Mr. Charlie Solar, Jr., Chief Administrative Officer and Mr. Paul Landry, City Attorney.

The invocation was given by Pastor Marty Harden, Bethel Pentecostal Fellowship.

Positive Image recipients for the month of April were introduced. Zan Alcina, Hunter Bella, Ethan Blanco and Reid Lodrigue were presented awards for their accomplishments and were congratulated by the Mayor and Council.

Mayor Dragna stated that the Cajun Coast Visitors and Convention Bureau was holding a Bayou Shopping Day on Saturday, May 8, 2021 in Morgan City. They had requested closure of Freret Street from Front Street to First Street to allow for a musician to play and guests to set up chairs and enjoy the music. A motion to approve the request was made by Mr. Stephens, seconded by Mr. Domangue and voted unanimously in favor.

Mr. Bill Goessl with the St. Mary Detachment Marine Corps League requested use of the area under the bridge from First Street to Federal Avenue on July 23, 2021 and July 24, 2021 to hold the Bayou BBQ Bash. A motion to approve the request was made Mr. Domangue, seconded by Mr. Hymel and voted unanimously in favor.

The minutes of the March 23, 2021 and April 15, 2021 meetings were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Pastor Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending April 30, 2021.

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**MONTHLY FINANCIAL STATEMENTS**

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**DATE:** April 27, 2021  
**TO:** Mayor and Council  
**FROM:** Deborah Garber  
**RE:** Comments related to summary of revenues and expenses compared to budget for the period ended March 31, 2021.

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Attached is a summary that compares our actual revenues and expenses to our operational budget for our major funds subject to budgetary control for the period ending March 31, 2021. The following comments are related thereto:

**General and Ancillary Funds:** Actual total revenues continue to be over budget by \$99,826. Sales taxes in General Fund were over budget by \$78,000. Operating expenses are below budget by \$81,926. The net loss, after transfers, of \$285,414 is a favorable variance of \$181,752 compared to the budget.

**Utility Fund:** Actual revenues remain under budget but only by \$29,953. The operational expenses are also under budget but only by \$239,269. The net income, after transfers, of \$131,833 creates a favorable variance for a change of \$247,955.

**Sanitation and Sewer Fund:** The operating revenues are \$30,659 over budget, with total operating expenses under budget by \$45,120. The net income, after transfers, of \$290,026 leaves another favorable variance of \$75,841.

Respectfully submitted,  
/s/ Deborah Garber  
Deborah Garber  
Finance Director

**CITY OF MORGAN CITY  
CONSOLIDATED STATEMENT**

Actual Revenues and Expenses Compared to Budget  
Period Ended March 31 2021

	<b>MARCH 2021</b>	<b>MARCH 2021</b>	
<b>GENERAL AND ANCILLARY FUNDS</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>VARIANCE</b>
<b>REVENUES</b>			
General Fund	1,519,037	1,437,350	81,687
Recreation Fund	20,673	23,428	(2,755)
Library Fund	3,502	3,634	(132)
Auditorium Fund	9,572	20,570	(10,998)
Lake End Park Fund	216,410	168,356	48,054
State Prisoner Fund	98,982	115,012	(16,030)
Total Revenues	1,868,176	1,768,350	99,826
<b>EXPENSES-OPERATIONAL</b>			
General Fund	2,535,413	2,515,888	19,525
Recreation Fund	65,936	110,149	(44,213)
Library Fund	17,755	27,606	(9,851)
Auditorium Fund	102,256	114,611	(12,355)
Lake End Park Fund	168,441	205,765	(37,324)
State Prisoner Fund	101,789	99,497	2,292
Total Expenses	2,991,590	3,073,516	(81,926)
<b>TRANSFERS</b>			
Transfers from Funds	925,000	925,000	0
Transfers to Funds	(87,000)	(87,000)	0
Net Transfers	838,000	838,000	0
<b>EXCESS NET OF TRANSFERS</b>	<b>(285,414)</b>	<b>(467,166)</b>	<b>181,752</b>
<b>UTILITY FUND</b>			
Total Revenues	4,906,489	4,936,442	(29,953)
Total Expenditures	3,979,176	4,218,445	(239,269)
Net			
Excess	927,313	717,997	209,316
Net Transfers and non-oper.	(795,480)	(834,119)	38,639
Excess net of transfers	131,833	(116,122)	247,955
<b>SANITATION AND SEWER FUND</b>			
Total Revenues	735,330	704,671	30,659
Total Expenses	719,616	764,736	(45,120)
Net			
Excess	15,714	(60,065)	75,779
Net Transfers/non-operating expenses	274,312	274,250	62
Excess net of transfers and non-operating	290,026	214,185	75,841

A motion to accept the financial statement was made by Mr. Tamporello, seconded by Pastor Bias, and voted unanimously in favor.

Mr. Anthony Governale, Planning & Zoning Director, gave a brief Flood Damage Prevention Progress Report (copy on file).

Mr. Governale stated that the Planning & Zoning Commission had met on April 14, 2021 to take up an application to rezone property located at 8305 Hwy 182 East and denied the request. Only one parcel was located within the City limits. The parish did meet and approved the moving of the property line. No action needed to be taken by the City Council. Mr. Tamporello stated that there were some Park Road residents in the audience that may want to address the Council. Alfie Ratcliff said that he was not sure what was planned for the property but if it was going to be a dirt bike trail like was discussed on the streets, the police department would be busy with complaints. Recently, the property owner had a big truck that ran through the property and his yard flooded more since he had started running vehicles on the property. A motion to table the situation was made by Mr. Tamporello, seconded by Mr. Domangue and voted unanimously in favor.

Mr. Pete Lawton, Compliance Officer, stated that the property at 310 5<sup>th</sup> Street had been secured and he wished to have more time to reach the property owners. The property at 313 Iowa Street/ 711 Ditch Avenue had caught fire in December and several letters had been sent to the property owner requesting that the house be secured. Mrs. Crystal Barber and her son Chad Arabie addressed the Council regarding the property. Mrs. Barber stated that her mother owned the house and she had passed away three years ago. Her will left the property to both Mrs. Barber and Mr. Arabie, but a succession needed to be completed. She was trying to get the money to pay the attorney and needed her son to meet with her and an attorney, but he was not cooperating. The house caught fire on Christmas Eve morning. Nothing had been done on the house because they were advised by an attorney not to do anything until pictures could be taken. The plan was to file a suit against the City because they felt that the electrical lines were too close to the house and caused the fire. City Attorney Paul Landry stated that no matter the status of the succession, the City could still condemn the property. Mrs. Barber said that the suit could not be filed until a succession was completed and she asked for more time to remove some things from the house. Mayor Dragna stated that the house was very close to the sidewalk and the alley and could easily get bumped by a car and fall down. He wanted to ensure citizen safety. He asked Mrs. Barber how much time was needed to remove things from the house. Pastor Bias asked if the house could safely be entered. She stated that they had walked through the house before. Mayor Dragna suggested that two weeks be given to allow removal of personal property from the house. A motion was made by Pastor Bias to condemn the house at 313 Iowa/ 711 Ditch Avenue after giving the owners two weeks to remove any personal belongings, seconded by Mr. Hymel and voted unanimously in favor. 1330 Oil Tank Alley, had nothing done to it, the grass had not been cut, and the two smaller houses needed to be demolished as soon as possible because they were in bad shape. No action needed to be taken because the council had previously voted to condemn the houses. 514 Federal Avenue had been completely torn down by Sid Moffett. Nothing had been done on 107 Oak Street but he did have a bid from Joey Billiot to demolish it. The owner came and got a demolition permit, cut the grass but did nothing toward the tear down and was not returning his calls. He said that he would move forward with that demolition. He stated that on the Table Five property they demolished one of the trailers and were continuing to work on cleaning up the property. Mr. Stephens asked if the noise issue at Table Five had been resolved. Mayor Dragna stated that the Police Department had met with the owners and they were really cooperative. Captain Liner stated that they had had a few complaints, but the owners had actually been self-reporting any issues. Officers had gone and sat in Mrs. Carrie's home to hear the noise level. The bar had moved speakers inside the building and that seemed to have rectified the problem so far. Mr. Stephens asked Mr. Lawton about the Greenwood Street property. Mr. Lawton said that the owner had secured a permit to demolish the house but ran into a problem and did not have proper license to do the work. They let him begin tearing it down, but he would have to have drawings before he could rebuild.

The next matter on the agenda was the reallocation of funds for the Sewer Department; whereupon,

Mr. Hymel offered the following Resolution, who moved for its adoption.

#### RESOLUTION NO. R: 21-16

WHEREAS, \$175,000 has been allocated to the Water Sewer and Gas Department for the installation of a generator at the Federal and Bowman lift station; and

WHEREAS, through the cooperation of the Morgan City Harbor and Terminal District and the City an emergency generator has been procured; and

WHEREAS, the LA 70 lift station needs to be completely refurbished, including electrical, control panels, pumps, guide rails, check valves and access hatches; and

WHEREAS, the cost of this refurbishment would be \$50,000 and includes a five-year warranty on any repairs.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of Morgan City, Louisiana, that it hereby approves the reallocation of \$50,000 to be used for the complete refurbishment of the LA 70 lift station.

Mr. Domangue seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Domangue, Bias, Stephens, Tamporello  
NAYS: None  
ABSENT: None

The resolution was therefore declared approved and adopted this 27<sup>th</sup> day of April, 2021.

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Lee Dragna  
Mayor

ATTEST:

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Debbie Harrington  
Clerk

Mayor Dragna stated that the City had declared a Ferrara Firetruck surplus and the Town of Berwick was in need of the truck and a Cooperative Endeavor Agreement needed to be executed; whereupon,

Pastor Bias offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 21-17

WHEREAS, the City of Morgan City and the Town of Berwick are governmental entities authorized to enter into cooperative endeavor agreements pursuant to La. Const. Art. VI, Sec. 20 and Art. VII, Sec. 14 (c); and

WHEREAS, the City has declared a 1996 Ferrara Freightliner VIN#1FV6JLC84TH818184 surplus; and

WHEREAS, the Town of Berwick is in need of the 1996 Ferrara Freightliner.

NOW THEREFORE IT BE RESOLVED, by the City Council, the governing authority of the City of Morgan City, Louisiana that the Mayor be, and he is hereby authorized and empowered to execute a cooperative endeavor agreement between the City of Morgan City and the Town of Berwick for the donation of a 1996 Ferrara Freightliner.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Bias, Tamporello, Domangue, Hymel, Stephens  
NAYS: None  
ABSENT: None

The resolution was therefore declared approved and adopted this 27<sup>th</sup> day of April, 2021.

/s/ Lee Dragna  
Lee Dragna  
Mayor

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Mayor Dragna stated that a Civil Service issue had come up and the services of an attorney may be needed. Mr. Tamporello suggested that a cap of \$10,000 should be placed on the authorization; whereupon,

Mr. Tamporello offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R:21-18

WHEREAS the City of Morgan City, may need of the services of an attorney-at-law to perform certain designated work for a Civil Service investigation; and

WHEREAS, the Council has put a cap of \$10,000 on the cost of the attorney.

NOW THEREFORE BE IT RESOLVED by the city council, the governing authority of the City of Morgan City, that it authorizes the Mayor to execute any documents necessary to retain an attorney for the Civil Service investigation, if needed, up to \$10,000.

Pastor Bias seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Bias, Domangue, Hymel  
NAYS: None  
ABSTAIN: Stephens  
ABSENT: None

The resolution was therefore declared approved and adopted this 27<sup>th</sup> day of April, 2021.

/s/ Lee Dragna  
Lee Dragna  
Mayor

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

The next matter on the agenda was the website design agreement. Mayor Dragna stated that right now the City had about six or seven different websites and most were not linked together. He said that they put bids out and one came back from the current company that did the webpage. Most department heads did not want to work with the present provider. The quotes were basically equal, but the current company alleged that the City owed them some back payments that were disputed by the department head. This drove up the total price. He said since it was considered a professional service, no bids were required. Mr. Courtney Long of Schola Designs & Consultation, LLC had also submitted a proposal to build the website for \$50,000. Mayor Dragna said he and a few other employees had attended a workshop for Mr. Long to show them his capabilities. He said that everyone present was impressed with the presentation. He said he would like to see the council authorize the contract with several changes suggested by the City Attorney.

Mr. Landry stated that there was some language that needed to be changed in the contract and Mr. Long already had those suggestions. Pastor Bias asked if this would be a major upgrade. Mr. Long stated that this would be a completely new site and he would start from scratch. Mr. Stephens asked if the city had received quotes. Mayor Dragna stated that the other bid was close but requested back payments for work the city felt was not completed. Mr. Hymel asked if we were still under any type of contract with the current provider. Mr. Landry said that he was only aware of some emails back and forth from the provider claiming he is owed money, but no other action had been taken. Mr. Hymel felt it was a great idea to put everything on one master website. Pastor Bias asked what the cost was. Mayor Dragna said it was \$45,000 total and the other proposal was \$44,000 plus back payments. Mr. Long had done a web audit and showed employees where the site could be improved. He used a platform called Webflow so the City would have the capability to make its own changes and not have to call for every change, and this would save the City money. Mayor Dragna said that putting pictures up is not enough for a website today. He felt they needed videos and the ability to advertise and promote the City, and currently the calendar was not even updated regularly. Mr. Stephens asked Mr. Long if he was familiar with or had ever used Word Press. Mr. Long said that he was not an expert but had but he had a team of nine designers and his field was basically brand development and strategy portion of the site. They would work collectively to build the site. Mr. Tamporello said that when he searched Schola Designs he could only find a Facebook page but no website. He asked if Mr. Long had done any other city websites. Mr. Long said he had not but he had the capability. He said his job was to come in and create three points of interest as far as the City was concerned. Awareness through design, create a revenue stream to make it more efficient for the City. Mr. Tamporello agreed that the site needed to be updated but his main concern was that only one person was allowed to give presentations. He was aware of other computer companies and would like to see a couple of bids and presentations before making any decision. He did not think a decision needed to be made right away. Mr. Long disagreed. He said he had friends across the nation go to the city website and look at it. They all felt we were really behind and, in his opinion, it was a priority. Mr. Tamporello said he would like to see it begin within the next 90 days but did not feel comfortable voting on something with only one price and presentation. He would like to see the city get two or three viable quotes and/or presentations. Mayor Dragna understood what Mr. Tamporello was saying, but said that he was not a technical person who could write an RFQ. He made a couple of calls explaining what he was looking for, but did not contact Cypress Tech. He said the City would have to hire someone to write an RFQ so an apples to apples comparison could be made. He did not want to spend more money on the RFQ. Mr. Long stated that his first process would take about 90 days. He was all inclusive and did not just jump at things. He would take into account governmental factors and the citizens. He would build a brand that the citizens could believe in. The first 60 to 90 days he would be in the community having workshops to actually build the framework of what they were going to build and to be transparent in the process. Pastor Bias said we were dealing with an antiquated website and the lower bidder city employees refused to work with. He said we may need to put out a few more feelers. It may be a good idea to let Mr. Long make a presentation to the Council. Mr. Stephens said we were looking to spend \$45,000 and had two prices and a general RFP would be how many pages, the price per page the platform used and would the city have priority for changes. He said he was not ready to jump on this immediately. Mr. Long asked them to keep in mind that the price did include all content, video and photography and to be fair please include everything. Mr. Stephens stated that he spoke to the person who did Walk On's Restaurant web page and it cost \$60,000. He understood it was as restaurant and was different. He would like to see RFP and presentations to have some idea of what is out there before making a decision. Mayor Dragna said that he was not prepared to write an RFQ himself because he knows nothing about it. The city could look for someone to write it, but it may be expensive. Mr. Tamporello also said he would like to see the presentation. Pastor Bias asked how many people could attend at once and still be legal. Mr. Landry said according to the sunshine laws, a quorum could not meet in private. Mr. Long said if they councilmembers could come to him at his office, he would give the presentation to them in small groups. Mr. Charlie Solar said that he was very impressed with the presentation and thought the city needed a new site as soon as possible. Mayor Dragna said that he would share Mr. Long's contact information with the Council. Pastor Bias said he would like to table the issue and see the presentation and, in the meantime, it would be a good idea to get other bids. Mr. Long said he was not in the business of educating his competition, and if it was going to go out for bid, he would rather not share his presentation. A motion to table the subject until after the presentation was made by Pastor Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

The first reading of the 2021 Millage Ordinance was opened. No definitive action was necessary.

The first reading of the Declaration of Surplus and Sale of property adjacent to 1811 Front Street was opened. No definitive action was necessary.

The public hearing was opened for the Morgan City Development District Ordinance. No one appeared for or against said ordinance; whereupon,

This ordinance was introduced with a first reading on March 23, 2021. Published by title on March 29, 2021.

Mr. Hymel offered the following ordinance, who moved for its adoption.

ORDINANCE NO. 21-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MORGAN CITY, LOUISIANA TO CREATE ARTICLE V, SECTION 34-125, OF CHAPTER 34, TO SET FORTH THE FORMATION, RULES AND REGULATIONS OF THE MORGAN CITY MORGAN CITY DEVELOPMENT DISTRICT.

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Chapter 34 of the code of ordinances of the City of Morgan City is amended by adding thereto Article V, Morgan City Development District, said section to read as follows:

Chapter 34  
Civic and Cultural Affairs  
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Article V  
Morgan City Development District

**Section 34-125**

A. There is hereby created a body politic and corporate which shall exist in perpetuity and be known as Morgan City Development District, hereafter in this Section referred to as the "district". The district shall be composed of all of the territory located within the city of Morgan City, as now incorporated or hereafter annexed or as acquired by the city of Morgan City. The district shall be a political subdivision of the state as defined in the Constitution of Louisiana. The district, acting through its board of commissioners as the governing authority of the district, is hereby granted all of the rights, powers, privileges, and immunities accorded by laws and the Constitution of Louisiana to political subdivisions of the state, including but not limited to the power to incur debt and issue revenue and general obligation bonds, to issue certificates of indebtedness, to issue bonds and certificate anticipation notes, to issue refunding bonds, and the power of taxation, subject to the limitations hereinafter provided.

B. The district is created for the objectives and purposes of:

(1) Accepting title from or contracting with the city of Morgan City concerning any or all immovable and movable property and improvements owned or acquired by the city of Morgan City.

(2) Acquiring land, immovable and movable property, and improvements from any other sources, entities, or persons.

(3) Utilizing any land, immovable and movable property, and improvements to enhance economic benefits generated in the city of Morgan City through diversified activities, including but not limited to:

(a) Planning land use and development to foster creation of new jobs, economic development, industry, health care, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, housing development, conservation, residential development, and subdivision development.

(b) Constructing, operating, and maintaining facilities, improvements, and infrastructure, including buildings, roads, bridges, drainage, and utilities.

(c) Planning, developing, building, constructing, operating, regulating, maintaining, selling, and transferring any residential or subdivision land, real and personal property, and improvements.

C.(1) The district shall be governed by a board of commissioners, hereafter in this Section referred to as the "board", consisting of five members appointed by the mayor of the city of Morgan City and confirmed by the city council.

(2) Each member appointed to the board shall be a citizen of the United States, a domiciliary of and a qualified voter in the city of Morgan City for at least one year preceding the date of appointment, and shall remain a domiciliary of and a qualified voter in the city of Morgan City during the entirety of the term of office.

(3) The term of office of members of the board shall be four years. All initial appointees shall serve four-year terms.

(4) Any member who misses fifty percent of the board's meetings, regular or special, in any calendar year shall be disqualified and removed automatically from office and his position shall be vacant as of the first day of the next calendar month. Such vacated position shall be filled by appointment of the mayor and confirmed by the city council for the balance of the vacated term. The former member shall not be eligible for reappointment until expiration of the balance of the vacated term.

(5) The mayor may remove any board member for any reason, including but not limited to failure to attend board meetings, subject to the approval of the other four board members. The removal process shall proceed to completion unless four board members object to the removal of the member by the second regular board meeting after the removal action was first initiated.

(6) Any vacancy in the membership of the board occurring by reason of the expiration of the term of office, death, resignation, disqualification, or otherwise shall be filled by appointment of the mayor and confirmed by the city council within sixty days after receipt of written notification of the vacancy. If the mayor and council fail to fill the vacancy within sixty days after receipt of written notification of the vacancy, the board shall appoint an interim successor to serve on the board until the position is filled by the mayor and council.

(7) Members of the board shall serve without compensation, shall have the power to organize and reorganize the executive, administrative, clerical, and other departments and forces of the district, and to fix the duties, powers, and compensation of all employees, agents, and consultants of the district. The board may reimburse any member for expenses actually incurred with the authorization of the board in the performance of duties on behalf of the district.

(8) The board shall elect yearly from its number, a chairman, vice chairman, secretary, and treasurer and shall establish their duties as may be regulated by rules adopted by the board. The offices of secretary and treasurer may be held by the same person. The board shall meet in regular session once each month and also shall meet in special session as convened by the chairman or upon written notice of three members. A majority of the commission members, not including vacancies, shall constitute a quorum. All actions of the board shall be approved by the affirmative vote of a majority of the members present and voting; however, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(a) Adoption of bylaws and other rules and regulations for conduct of the district's business.

(b) Hiring or firing of the district's administrator.

(c) The incurring of funded, general, or bonded debt.

(d) Levy of taxes and call for any tax or other election.

(e) Adoption or amendment of the annual budget.

(f) Sale, lease, or alienation of real property or improvements.

(9) Vote by proxy is not permitted. Any member may request a recorded vote on any resolution or action of the district.

(10) The board shall cause minutes and a record to be kept of all its proceedings, and it shall select a newspaper of general circulation within its territorial jurisdiction as its official journal in which it shall publish its minutes and in which it shall publish all official notices as are required by law.

(11) All meetings of the board shall be subject to state laws relative to open meetings including R.S. 42:14.

D. The exercise by the board of the powers conferred shall be deemed and held to be an essential governmental function of the state. As the exercise of the powers granted hereby will be in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, the district shall not be required to pay any taxes, including but not limited to sales and use

taxes, ad valorem, occupational licensing, income, or any other taxes of any kind or nature, or assessments upon any property acquired or used by the district under the provisions of this Section, or upon the income therefrom. Any bonds, certificates, or other evidences of indebtedness issued by the district and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state. The district shall not be deemed to be a public utility and shall not be subject in any respect to the authority, control, regulation, or supervision of the Louisiana Public Service Commission.

E. In addition to the powers and duties elsewhere granted in this Section, the board is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of its objectives and purposes, including but not limited to the following:

(1) To sue and be sued, and as such, to stand in judgment.

(2) To adopt, use, and alter at will a corporate seal.

(3) To acquire by gift, grant, purchase, or lease and to hold and use any property, immovable, movable, mixed, corporeal, or incorporeal, or any interest therein, necessary or desirable for carrying out the objects and purposes of the district.

(4) To sell, transfer, or convey any property acquired by it, or any interest therein, at any time to accomplish the objects and purposes of the district subject to applicable law.

Any such sale, transfer, or conveyance shall provide for a fair and equitable return of revenue to the district.

(5) To lease or sublease all or any portion of any property for a term not exceeding ninety-nine years at a fixed or variable rental subject to applicable law. Any such lease entered into shall provide for a fair and equitable return of revenue to the district.

(6)(a) To sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of or transfer to or with other political corporations of this state or private persons at public or private sale any residential or subdivision land, property, improvements, or portions thereof, including immovable property, which is, in the opinion of the board of commissioners, appropriate to accomplish the objectives and purposes of the district.

(b) Prior to any disposition or transfer of property pursuant to this Paragraph, a majority of the total board membership shall approve the disposition or transfer and fix the price and terms of the sale, lease, exchange, or other contract to be made with reference to the property. Such disposition or transfer shall not require advertisement or public bids nor require any notice to be published in a newspaper or to be posted in any public place.

(c) Any sale of industrial land shall be in accordance with laws providing for the disposition or transfer of such land.

(7) To convey to the United States, the state, or to any political subdivision of the state any land, property, right-of-way, easement, servitude, or other thing of value that the district may own or acquire for use by said governmental entity to accomplish the objectives and purposes of the district.

(8) To make and collect reasonable charges for the use of property of the district and for services rendered by the district and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the district when such facilities are offered for use by a public or by a private industrial, commercial, research, or other economic development entity or activity.

(9) To enter into contracts to achieve the district's objectives and purposes, including but not limited to contracts for professional and other services and for the purchase, lease, acquisition, sale, construction, operation, maintenance, and improvements of land, public works, and facilities, as the district may deem necessary or convenient to accomplish the objectives and purposes of the district, subject to R.S. 38:2211 et seq.

(10) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster creation of new jobs, economic development, industry, health care, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, housing development, and conservation.

(11) To acquire land and improvements by gift, grant, purchase, or lease to construct, operate, and maintain facilities, improvements, and infrastructure, including buildings, roads, bridges, drainage, and utilities, and to perform other functions and activities on property owned or leased by the district to accomplish the objectives and purposes of the district and to protect the public health and welfare.

(12) In its own name and behalf, to incur debt and issue general obligation bonds under the authority of and subject to the provisions of Article VI, Section 33 of the Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of Title 39 of

the Louisiana Revised Statutes of 1950, for the establishment, operation, and maintenance of district property or to carry out the other public purposes of this Section, and to issue revenue bonds, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment.

(13) To require and issue licenses.

(14) To levy annually and cause to be collected an ad valorem tax, provided that the amount, term, and purpose of said tax, as set out in a proposition submitted to a vote in accordance with the Louisiana Election Code, has been approved by a majority of the qualified electors voting in an election held for that purpose.

(15)(a) To levy and collect a sales and use tax within the boundaries of the district for such purposes and at such rate not exceeding one percent, as provided by the proposition authorizing its levy, which tax may exceed the limitation set forth in the Constitution of Louisiana, provided the proposition submitted to a vote in accordance with the Louisiana Election Code, has been approved by a majority of the qualified electors voting in an election held for that purpose.

(b) The tax shall be levied upon the sale at retail, the use, the lease or rental, the consumption, the distribution, and storage for use or consumption of tangible personal property, and upon the sales of services within the district, all as presently defined in R.S. 47:301 et seq.

(c) Except where inapplicable, the procedure established by R.S. 47:301 et seq., shall be followed in the imposition, collection, and enforcement of the tax, and procedural details necessary to supplement those Sections and to make them applicable to the tax authorized by this Paragraph shall be fixed in the resolution imposing the tax.

(d) The tax shall be imposed and collected uniformly throughout the district.

(e) Any tax levied under this Paragraph shall be in addition to all other taxes which the parish or any other political subdivision within St. Mary and St. Martin parishes are now or hereafter authorized to levy and collect.

(16) To develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and grant a security device affecting the movable and immovable property, servitudes, facilities, and works within the district under such terms and conditions as the district may deem necessary or appropriate for any public purpose, including industrial, residential, subdivision, and commercial development.

(17) After notice and public hearing to designate one or more project areas within the boundaries of the district, each of which designated project areas shall constitute a political subdivision of the state, governed by the board with the power to incur debt, issue certificates, issue revenue and general obligation bonds, as well as refunding bonds, and levy sales and use taxes within its boundaries, in the same manner and on the same conditions as the district is authorized to do within the boundaries of the district. Each designated area shall be given a name and designated as "Morgan City Development Subdistrict No. \_\_\_\_".

(18) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.

(19) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

F.(1) In addition to the authority granted by this Section or by other law, the district and any subdistrict of the district may issue revenue bonds to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements authorized in this Section, including energy and pollution abatement and control facilities and necessary property and appurtenances thereto; and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate contract to any enterprise locating or existing within the jurisdiction of the district, or the respective subdistrict, such sites, buildings, or facilities and appurtenances thereto, all or severally. The funds derived from the sale of such bonds may be disbursed in whole or in part upon delivery of the bonds as shall be provided in the contract between the district, or respective subdistrict, and the residential, commercial, research, industrial, or other enterprise to be aided, encouraged, or benefitted.

(2) Bonds issued under this Section shall be authorized by resolution of the district, or respective subdistrict, and shall be limited obligations of the district or respective subdistrict, the principal of and interest on which shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the project or facility to be

financed by the bonds or from the income and revenue derived from the sale, lease, or other disposition of any existing project or facility acquired, constructed, and improved under the provision of this Section; however, in the discretion of the district or respective subdistrict, the bonds may be additionally secured by mortgage or other security device covering all or part of the project from which the revenues so pledged may be derived. Any refunding bonds issued pursuant to this Subsection shall be payable from any source described in this Paragraph or from the investment of any of the proceeds of the refunding bonds authorized under this Section and shall not constitute an indebtedness or pledge of the general credit of the district or respective subdistrict within the meaning of any constitutional or statutory limitation of indebtedness and shall contain a recital to that effect. Bonds of the district or respective subdistrict shall be issued in such form, shall be in such denominations, shall bear interest, shall mature in such manner, and be executed by one or more members of the board of the body as provided in the resolution authorizing the issuance thereof. Such bonds may be subject to redemption at the option of and in the manner determined by the board in the resolution authorizing the issuance thereof.

(3) No bonds or other evidences of indebtedness may be issued under this Subsection without the prior approval of the State Bond Commission of the terms and provisions thereof.

(4) Bonds issued under this Subsection shall be issued, sold, and delivered in accordance with the terms and provisions of a resolution adopted by the board. The resolution shall be published in a newspaper of general circulation within the jurisdiction of the district or respective subdistrict, and for a period of thirty days after said publication, any interested citizen may bring an action to contest the bonds and the security therefor, as provided in the Constitution of Louisiana. If, after the expiration of thirty days, no suit has been filed, the issuance, sale, and security of the bonds shall be incontestable, and no court shall have authority to entertain any action questioning or contesting such matters.

(5) Bonds, certificates, or other evidences of indebtedness issued by the district or any subdistrict of the district under this Section are deemed to be securities of public entities within the meaning of Chapters 13 and 13-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in accordance with the provisions of Chapter 14 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as short-term revenue notes of a public entity under Chapter 15-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950.

G. No bonds, other debt obligations, or contracts of the district shall be a charge upon the income, property, or revenue of the city of Morgan City; nor shall any obligations of the district be obligations of the city of Morgan City.

H. The board shall be the appropriate governing body for all purposes provided in the Louisiana Enterprise Zone Act, R.S. 51:1781 et seq., within the area comprised of property owned and formerly owned by the district, and shall have the power to perform all acts specified by applicable laws and regulations to achieve such purpose.

## SECTION 2

Should any section, paragraph, sentence, clause, or phrase be declared unconstitutional or repealed for any reason, the remainder of the ordinance shall not be affected hereby. That all laws or parts of laws in conflict with this ordinance be and the same are hereby repealed. This ordinance shall take effect immediately after its passage within the time prescribed by law.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Stephens, Bias, Domangue, Tamporello

NAYS: None

ABSENT: None

Certified approved and adopted this 27<sup>th</sup> day of April, 2021.

Delivered to Mayor Dragna at 11:00 am, this 28<sup>th</sup> day of April, 2021.

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Approved this 28<sup>th</sup> day of April, 2021.

/s/ Lee Dragna  
Lee Dragna  
Mayor

Received from Mayor at 11:30 am on April 28, 2021

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Published: May 3, 2021

Mayor Dragna offered the name of Micah Allen for appointment to the Archives Commission; Tania Washington for appointment to the Board of Adjustments; Ryan Yager for appointment to the Cemetery Committee; Bobby Dufrene and Don Hicks for appointment to the Economic Development Committee; Alexis McIntyre for appointment to the Main Street Committee and Don Hicks for appointment to the Planning & Zoning Commission. He offered the name of Bryce Merrill and Angela Reynaud for reappointment to the Convention, Tourism and Culture Commission and Debora Price for reappointment to the Main Street Committee. A motion to concur in the appointments and reappointments was made by Mr. Tamporello, seconded by Mr. Domangue and voted unanimously in favor.

The Class "A" Liquor and Beer application for Urbano-Duran Pedro d/b/a Las Brisas, LLC, 7418 Highway 182 was the next matter on the agenda. A motion to approve the application was made by Pastor Bias, seconded by Mr. Stephens, and voted unanimously in favor.

There being no further business, a motion to adjourn was made by Mr. Tamporello, seconded by Mr. Hymel and voted unanimously in favor.

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

/s/ Lee Dragna  
Lee Dragna  
Mayor