

CITY OF CENTRAL

BY COUNCIL MEMBER EVANS

ORDINANCE NO. 2015 - 52

AN ORDINANCE TO AUTHORIZE THE MAYOR TO EMPLOY COUNSEL TO HANDLE THE CITY'S PUBLIC RECORDS REQUESTS; TO AMEND THE 2015-2016 FISCAL YEAR GENERAL FUND BUDGET TO APPROPRIATE FUNDS FOR THE RETENTION OF SUCH AN ATTORNEY; AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, the number of public records requests submitted to the City of Central has increased significantly in recent months; and

WHEREAS, the City of Central has received approximately forty-nine public records requests since July 1, 2015 ("Requests"); and

WHEREAS, there are numerous exceptions, exemptions, and limitations to the laws pertaining to public records; and

WHEREAS, numerous of the Requests that the City has received have requested documentation that may be excepted or exempted from, or otherwise limited as set forth in, the Louisiana Public Records Act, La. R.S. 44:1, *et seq.*; and

WHEREAS, it has taken the City Clerk an inordinate number of hours to review any records that are retrieved as being potentially responsive to such Requests in order to make a determination of whether such documents should be produced to the requestor in accordance with the Louisiana Public Records Act; and

WHEREAS, the Council of the City of Central desires to have the City retain an attorney to handle the City's public records requests; and

WHEREAS, La. R.S. 33:386 provides that a municipality may employ counsel to represent its interest should the occasion require.

BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1:

The Mayor of the City of Central is hereby authorized to employ counsel to handle the City's public records requests.

Section 2:

Legal (General Fund Account No. 000.415.45.330) is hereby increased by \$25,000.00 to provide for expenditures related to the retention of an attorney to handle the City's public records requests.

Section 3: Conflicts.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4: Severability.

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 5. Effective Date.

This Ordinance shall be effective upon publication in the Official Journal.

Introduced before the Council on November 24, 2015.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Ellis, Evans, Fralick, Messina, Vance

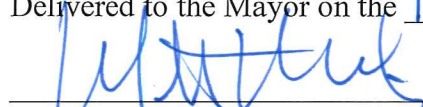
Against: None

Absent: None

Adopted the 8th day of December, 2015.

Signed the 11th day of December, 2015.

Delivered to the Mayor on the 14th day of December, 2015.



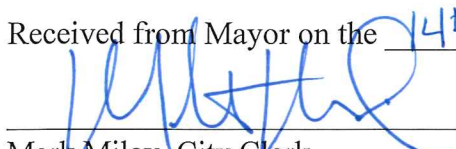
Mark Miley, City Clerk

Approved:



I.M. Shelton, Jr. Mayor

Received from Mayor on the 14th day of December, 2015:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 7th day of January, 2016.