

ORDINANCE NO. O-163-98

**AN ORDINANCE OF THE LAFAYETTE CITY-PARISH COUNCIL
MAKING A PRECINCT CHANGE TO COMPLY WITH THE LOUISIANA
ELECTION CODE, LA. R.S. 18:1, ET SEQ., BY DIVIDING PRECINCT 93 AND
CONSOLIDATING ONE PORTION OF PRECINCT 93 WITH PRECINCT 96**

BE IT ORDAINED by the Lafayette City-Parish Council that:

SECTION 1: LEGISLATIVE INTENT The Louisiana Election Code, La. R.S. 18:1, et seq., including but not limited to, La. R.S. 18:532(B)(3) provides that no precinct shall contain more than twenty-two hundred (2200) voters within its geographical boundaries and that the Parish governing authority shall divide such precincts by a visible feature in accordance with La. R.S. 18:532.1.

In order to comply with these provisions of the Louisiana Election Code, La. R.S. 18:1, et seq., it is necessary to divide Precinct 93 and consolidate one portion of Precinct 93 with Precinct 96 by a visible feature. The proposal to make this precinct change has been submitted for the required review and approval which has been received from the Louisiana Clerk of the House, the Louisiana Secretary of the Senate, and the Louisiana Commissioner of Elections. See Exhibits 1B, 1C and 2C which are attached hereto and made a part hereof.

SECTION 2: PRECINCT CHANGES The Lafayette City-Parish Council does hereby adopt and designate the following precinct changes for precincts within the Parish of Lafayette, State of Louisiana:

Precinct 93 will be divided by Coulee des Pouches southern lateral #1 (sometimes referred to as Merchant Boulevard project coulee lateral of Coulee des Pouches), and Darbonne Road.

Beginning at the Pinhook Road precinct boundary, thence following the Coulee lateral #1 in a southwest direction to its intersection with Darbonne Road, thence northwest along Darbonne Road to its intersection with the precinct boundary at Tolson Road.

The northwestern portion will remain known as Precinct 93. The election districts and polling location at Comeaux High School will remain the same.

The southeastern portion will become consolidated with and part of adjacent Precinct 96 which currently contains the same election districts. Precinct 96 polling location is at the SouthPark Fire Station and is more convenient for these voters being added there. The location is closer to their homes and this change would help ease the problems of long, confusing lines at the old Comeaux High School location.

SECTION 3: OTHER ACTION Once this Ordinance has been adopted, the City-Parish Legal Department will submit the Ordinance to the United States Department of Justice seeking Section 5 Preclearance under the Voting Rights Act of 1965, as amended. Furthermore, the City-Parish Legal Department will send a copy of the submission to the United States Department of

Justice to the Louisiana Secretary of State as required by the provisions of LA-R.S. 18:1941 et seq. Upon receipt of the Letter of Preclearance from the United States Department of Justice, the City-Parish Legal Department will also send a copy of the Preclearance to the Louisiana Secretary of State. Once the Ordinance has been finally approved, the City-Parish Legal Department will submit a copy of the Ordinance to the Department of Planning, Zoning and Permits with a request to have the Department adjust all voting precinct maps to reflect the changes made by this Ordinance.

SECTION 4: EFFECTIVE DATE This Ordinance shall become effective after the 1998 Congressional Elections and, in no event, not later than December 31, 1998, and only after Section 5 Preclearance has been received from the United States Department of Justice under the Voting Rights Act of 1965, as amended.

SECTION 5: REPEAL All Ordinances or Resolutions, or parts thereof, including but not limited to all Ordinances or Resolutions, or parts thereof, of the City of Lafayette and/or of the Parish of Lafayette, if any, in conflict herewith are hereby repealed.

FEB-05-1998 13:04

P.02/02

EXHIBIT

1-B



State of Louisiana
DEPARTMENT OF ELECTIONS & REGISTRATION
February 6, 1998

JERRY M. FOWLER
Commissioner of Elections

Mr. Steve Bernard
Registrar of Voters
1010 Lafayette St., Suite 313
Lafayette, LA 70501

Re: Submission of Precinct Boundaries for Review under R.S.
18:532.1 C (3) on behalf of the Lafayette City-Parish Council

Dear Mr. Bernard:

We are in receipt of your proposed change in polling place location for precincts 73 and 90 and proposed changes in several precinct boundaries in Lafayette Parish. This information was received on January 13, 1998.

Under the provisions of the above stated statute, this office is required to review and approve precinct boundary changes prior to implementation. The review for "same voting district" is approved as follows:

Pcts. 91 and 92 into 92
Line changes between pcts. 93 and 96
Pct. 94 into 94A and 94B

It should be noted that the legislature also is required to review and approve such changes prior to implementation so please provide necessary documentation to that office.

Please provide a copy of the letter of preclearance from the Department of Justice.

If we can ever be of assistance to you, please do not hesitate to call or write.

Sincerely

JERRY M. FOWLER

Marie Brewer
Marie Brewer
Assistant Director of
Registration

JMF:tmb

cc: Kathleen Randall
Donna Durand



0-163-9B
EXHIBIT

1-C

STATE OF LOUISIANA

ALFRED W. SPEER
CLERK, HOUSE OF REPRESENTATIVES

POST OFFICE BOX 44281
BATON ROUGE, LOUISIANA 70804-4281
(504) 342-7259

February 11, 1998

Mr. Steve Bernard
Registrar of Voters
Parish of Lafayette
1010 Lafayette Street, Suite 313
Lafayette, LA 70501

Re: Submission of Precinct Boundaries for Review under R.S. 18:532.1 (C)(2)

Dear Mr. Bernard:

We received your submission on behalf of Lafayette Parish of proposed changes in precinct boundaries on January 30, 1998. Your proposal would split Precinct 94 into 94A and 94B, realign the boundaries of Precincts 93 and 96, and merge Precincts 91 and 92 into Precinct 92.

We understand that the precinct mergers contained in your submission are part of your parish's response to the requirements of R.S. 18:532, regarding election precincts containing fewer than 300 voters.

We further understand that Commissioner Fowler's office has approved your parish's plan for the establishment of precincts with fewer than 300 voters and that this approval includes a review of whether the proposed precinct boundary changes conform to the provisions of state law requiring consolidated precincts to contain the same "voting districts."

We reviewed this submission and have determined that the proposed changes conform to state law governing the use of visible features as precinct boundaries, except as provided below.

Please send us a certified copy of the ordinance adopting these changes and a copy of the letter from the United States Department of Justice granting the parish "preclearance" of the changes. After we receive those materials, we will proceed to incorporate the changes into the legislative precinct data base.

Notwithstanding the approval granted above, please be advised that Act No. 1420 of the 1997 Regular Session, precleared by the United States Department of Justice on January 13 of this year, requires any precinct boundary that does not coincide with a visible feature to be changed by the parish governing authority to a visible feature.

Steve Bernard
February 11, 1998
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For example, precinct boundaries no longer will be allowed to remain on nonvisible corporate limits. As we have discussed with you, boundaries for a number of precincts in your parish, including those precincts whose visible features were approved above, will have to be further changed in order for your parish to be in compliance with Act 1420. Our office will provide further information and assistance in this matter.

Sincerely yours,

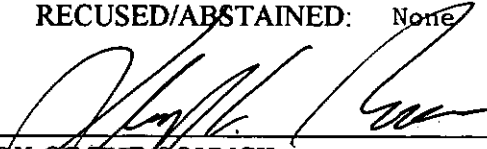


Kathleen Randall
Assistant Clerk
Louisiana House of Representatives

cc: Marie Brewer, Department of Elections and Registration

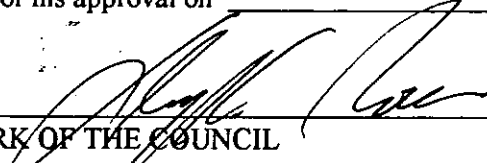
DISPOSITION OF ORDINANCE NO. 163-98

1. This ordinance was introduced: Final disposition by Council:
- | | |
|---|--|
| <p><u>June 2</u>, 1998</p> <p>YEAS: Ardoin, Castille, Williams,
Broussard, Trumps,
Schouest, Menard</p> <p>NAYS: None</p> <p>ABSENT: Benjamin, Alexander</p> <p>RECUSED/ABSTAINED: None</p> | <p><u>June 16</u>, 1998</p> <p>YEAS: Ardoin, Castille,
Benjamin, Broussard, Trumps,
Alexander, Schouest, Menard</p> <p>NAYS: None</p> <p>ABSENT: Williams</p> <p>RECUSED/ABSTAINED: None</p> |
|---|--|


CLERK OF THE COUNCIL

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on June 5, 1998


3. This ordinance was presented to the President for his approval on 1998 at _____ o'clock _____ m.


CLERK OF THE COUNCIL

4. Disposition by President:

I hereby:

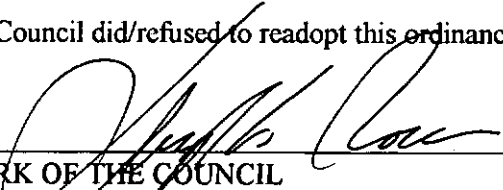
- A. Approve this ordinance; the 27 day of June, 1998, at 9:30 o'clock A m.
- B. Veto this ordinance, the _____ day of _____, 1998, at _____ o'clock _____ m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 1998, as noted in the attached veto message.


PRESIDENT

5. Returned to Council office with/without veto message on 6/22, 1998, at 11:25 o'clock _____ m.

6. Reconsideration by Council (if vetoed):

On _____, 1998, the Council did/refused to readopt this ordinance after the President's veto.


CLERK OF THE COUNCIL

7. Full Publication:

Full publication of this ordinance was made in the Advertiser on Thurs, June 25, 1998.

NOTE: If no approval nor veto of President appears, and ten days have elapsed since this ordinance was presented to him for action, the same has been automatically approved.