

CITY OF ALEXANDRIA
ADMINISTRATION

Administrative Criteria for Use of Public Things, Requests for Funds, or Public Facilities
Alexandria City Ord. Sec. 26-1.1

OVERALL POLICY STATEMENT

The City of Alexandria expresses policymaking in the public interest, its release of information, and informative approach to the public on issues that affect the health, welfare, and safety of its employees and all citizens. This policy is adopted in the same spirit and is intended to promote a safe, transparent, and secure environment. This policy is a superseding omnibus policy authorized by state constitution, the Alexandria Home Rule Charter, and City Ordinance.

INTRODUCTION/PHILOSOPHY

It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy.

Government business should be open to public scrutiny, while fostering innovation, inclusiveness, and energy. When possible and in accord with other laws regarding personnel matters—and very select circumstances for litigation strategy, public safety or to protect private business competition—each contract, negotiation, or piece of business or legislation should be open to public scrutiny at all stages.

POLICY

1. The City of Alexandria adheres to its requirement that the funds, credit, property, or things of value of the City shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private, except that the use of public funds or property may, *subject to law*, be used for a public purpose.
2. If a public purpose exists, the subject-to-law requirement means the City of Alexandria *may* engage in cooperative endeavors with other political subdivisions, the State of Louisiana or its agencies, with the United States or

its agencies, or with any public or private association, corporation, or individual, if—(i) the expenditure or transfer of public funds or property is based on a legal obligation, duty, or foundation in law giving rise to the ability to legally contract (*e.g.* a valid statute, ordinance, charter or contract); (ii) the expenditure meets our analysis that it is for a public purpose and any purely private benefit is either incidental or substantially outweighed by the public benefit; and (iii) the expenditure creates such public benefit proportionate to the cost of the benefit (*i.e.* the amount expended by the City is met with a comparable return or real and substantial obligation to create a future return).

3. The City notes any “help” it gives must arise from a basis in law. These bases are not unlimited, but may include athletics; recreational activities; cultural or educational activities, such as collaborations with learning institutions, libraries, concerts, art museums and exhibits; parks and playgrounds; and other leisure time and cultural activities and functions of the city.
4. Public safety, educational collaboration, and help to the needy allow specialized cooperation. Economic and workforce development also provide opportunities for partnering if the scale is appropriate and does not involve improper enrichment of a private interest by using public things.
5. All cooperation described in this Policy does not allow “straight donations.”
6. You may be required to provide information through our Community Partnership Request Form (“CPR”). As per the CPR and as is required by law, the City must gain information whether a request to waive fees is for a “public purpose.” This means a benefit solely of a private nature—such as to private clubs, organizations, and so forth, not tied to performance of a public need or program—are presumptively disallowed by law and can subject public officials to criminal sanction. Any request should be tied to open public participation and overall community development. However, although there is a presumption, it can be overcome in certain cases. The City is concerned with its goal to benefit all citizens to the extent possible although benefits for a class of persons may be permissible. In this case, there is a benefit to all citizens because a pledge of City assets or waiver of funds does not disproportionately benefit a special class when compared to the benefit to the overall community. Thus, the requirement to provide data and information about your request, including financial data, past deliverables and their successes, and projected benefits is essential. The City uses these and other metrics to determine both the public purpose and “commensurate value” requirements. If you choose not to provide this required information, your request may be summarily dismissed.

7. Finally, your request may be denied in one fiscal year for a variety of reasons not related to its merits, such as fiscal funding restraints, other commitments, or because your request competes with City programming or other private programming in which a previous funding decision was made.

In addition to the fees, costs, and charges associated with administration of the above, Alexandria City Ordinance section 26-1, section 26-2, and section 26-3, among others, provide a list of *minimal* offsetting charges. These charges are a baseline, but do not include and cannot vary or alter administrative fees, costs, and charges required by La.Const.art. VII.