

PUBLISHED MAY 7, 2015 AND POSTED AT PARISH COMPLEX BY MAY 11, 2015

AGENDA

ST. TAMMANY PARISH COUNCIL SPECIAL MEETING

THURSDAY, MAY 14, 2015 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Richard E. Tanner, Chairman

Invocation by

Pledge of Allegiance by

**Roll Call: Marty Dean
Dennis Sharp
James A. (Red) Thompson
R. Reid Falconer, AIA
Martin W. Gould, Jr.
Jacob (Jake) Groby
Richard E. Tanner
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Jerry Binder
Richard Artigue
Thomas (T.J.) Smith, Jr.**

1. Resolution C.S. No. C-4349 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Capital Assets. (Stefancik)

2. Review and Discussion regarding Recommendations to Amend the St. Tammany Parish Home Rule Charter submitted to the Council by the St. Tammany Parish Home Rule Charter Committee. (Tanner)

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-4349

COUNCIL SPONSOR: STEFANCIK

PROVIDED BY: FINANCE ON BEHALF OF GRANTS
& OFFICE OF HOMELAND SECURITY AND
EMERGENCY PREPAREDNESS

RESOLUTION TO AMEND ORDINANCE C.S. NO. 14-3246 TO MAKE CHANGES TO THE CAPITAL ASSET LIST
- CAPITAL ASSETS

WHEREAS, St. Tammany Parish Government has identified additional capital improvements, capital assets and grant awards for the Fiscal Year 2015; and

WHEREAS, in accordance with Section 4 of Ordinance C.S. No. 14-3246 which allows St. Tammany Parish Government to amend said ordinance by resolution, we submit the following amendments to the Capital Improvements Section.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to amend Ordinance Council Series No. 14-3246 - 2015-2019 Capital Improvement Budget and Program, to make changes to the Capital Improvements List of said ordinance as follows, to wit:

Section II: Capital Assets

Project Title	2015 Original Budget	Amendment to Date	This Amendment	Revised Budget
404-38 FY 2013 SHSP GRANT				
Manual Transfer Switch (2014)	0.00	(64,655.00)	0.00	(64,655.00)
NEC MultiSync Flat Panel Displays	0.00	68,654.25	(68,654.25)	0.00
Flat Panel Displays	0.00	0.00	68,654.25	68,654.25
	0.00	3,999.25	0.00	3,999.25
404-39 FY 2014 SHSP GRANT				
NEC MultiSync Flat Panel Displays	0.00	75,494.25	(75,494.25)	0.00
Flat Panel Displays	0.00	0.00	75,494.25	75,494.25
	0.00	75,494.25	0.00	75,494.25

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Resolution No.
Page 2 of 2

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 14TH DAY OF MAY 2015, AT A SPECIAL MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

ADMINISTRATIVE COMMENT
CAPITAL IMPROVEMENTS - MAY 2015 SPECIAL MEETING

RESOLUTION TO AMEND ORDINANCE C.S. NO. 14-3246 TO MAKE CHANGES TO THE CAPITAL ASSET LIST
- CAPITAL ASSETS

404-38 FY 2013 SHSP GRANT

Funding Source:	Office of Homeland Security
NEC MultiSync Flat Panel Displays Flat Panel Displays	Remove NEC Multisync Flat Panel Displays and replace with Flat Panel Display Monitors as recommended by Dept. of Technology.

404-39 FY 2014 SHSP GRANT

NEC MultiSync Flat Panel Displays Flat Panel Displays	Remove NEC Multisync Flat Panel Displays and replace with Flat Panel Display Monitors as recommended by Dept. of Technology.
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St. Tammany Parish Government

Legal Department

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Kelly M. Rabalais, Executive Counsel
email: kmrabalais@stpgov.org

Pat Brister
Parish President

INTEROFFICE MEMORANDUM

DATE: Thursday, April 16, 2015

TO:

FROM: Kelly M. Rabalais, Executive Counsel
Legal Department

CC:

RE: Home Rule Charter Amendment Recommendations

Following are the recommendations to amend the St. Tammany Parish Home Rule Charter and which Councilman Tanner proposes to discuss at the May 14th council meeting:

Proposition #6

Section 3-09. Powers and Duties of the President.

A. The president as chief executive officer of the Parish government shall have the following powers and duties:

(1) See that all laws, provisions of this charter and acts of the council, subject to the president's direction and supervision, are faithfully executed.

~~(2) Appoint and suspend or remove for just cause all Parish government employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by this charter or other personnel rules adopted pursuant to this charter. The president may authorize any administrative officer who is subject to the president's direction and supervision to exercise these powers with respect to subordinates in the officer's department, office or agency.~~

(2)(3) Direct and supervise the administration of all departments, offices and agencies of the Parish government, except as otherwise provided by this charter.

(3)(4) Prepare and submit the annual operating budget and five (5) year capital improvement budget to the council.

(4)(5) Sign contracts for projects, equipment, professional services and materials and supplies specifically identified in the approved operating and capital improvement budgets or as specifically identified by ordinance. Contracts for projects, equipment, professional services or materials and supplies not so identified shall be submitted to the council for approval.

(5)(6) Submit to the council and make available to the public, within ninety (90) days after the end of the fiscal year, a complete report on the finances and administrative activities of the Parish government as of the end of the fiscal year.

(6)(7) Make such other reports as the council may reasonably request to enable the council to conduct its functions.

(7)(8) The president shall attend all meetings of the council and keep the council fully advised as to the financial condition and future needs of the Parish government and make such recommendations to the council concerning the affairs of the Parish government as deemed desirable.

(8)(9) Perform such other duties as are specified in this charter or may be required by the council, not inconsistent with this charter.

Proposition #7

Section 4-02. Chief Administrative Officer.

- A. The president shall appoint a chief administrative officer who shall serve at the pleasure of the president. The chief administrative officer shall, subject to the direction of the president, supervise all departments, offices, and agencies of the Parish government under the direction and supervision of the president except the legal department and perform such other functions as may be directed by the president, ~~including but not limited to maintenance and upkeep of the computer informational system, building maintenance, public access TV channel, building supervision, and personnel information.~~
- B. The chief administrative officer at the time of appointment shall have a master's degree in public administration or a related field from an accredited college or university, and at least ~~three years experience~~ years experience as a chief administrative officer or head of a major department, or higher, in a governmental organization.

Article 4 Section 04, 05, 06, 07, 08, 09, 10 be amended as follows:
Section 4-04.

Department of Finance.

- ~~A. The director of the department of finance shall direct and be responsible for:~~
- ~~(1) Collection (except where specifically otherwise provided for by law) and custody of all monies of the Parish government from whatever source.~~
 - ~~(2) Assistance to the president in the preparation of the annual operating budget.~~
 - ~~(3) Maintenance of a record of indebtedness and the payment of the principal and interest of such indebtedness.~~
 - ~~(4) Ascertaining that funds are available for payment of all contracts, purchase orders and any other documents which incur a financial obligation for the Parish government, and that such documents are in accordance with established procedures.~~
 - ~~(5) Disbursement of Parish funds.~~
 - ~~(6) Administration of a uniform central accounting system for all Parish departments, offices and agencies.~~
 - ~~(7) Preparation of a monthly statement of revenues and expenditures which shall be completed and made available for public inspection not later than thirty (30) days after the end of each month.~~
 - ~~(8) Procurement of all personal property, equipment, materials, supplies and services required by the Parish government under a central purchasing system for all departments, offices and agencies in accordance with applicable state law, council policy and administrative requirements.~~
 - ~~(9) Investment of idle funds, as permitted by law.~~
 - ~~(10) Preparation of all intergovernmental grant applications on behalf of the Parish government and informing departments, offices and agencies of all relevant local, state and federal programs.~~
 - ~~(11) Maintenance of an inventory of all Parish real and personal property.~~
 - ~~(12) Administration of Parish insurance programs and policies.~~
 - ~~(13) Other such activities as may be directed by the president.~~

Section 4-05. Department of Public Works.

- ~~A. The director of the department of public works shall direct and be responsible for:~~
- ~~(1) Construction and maintenance performed by the Parish government on roads, sidewalks, bridges and drainage facilities.~~
 - ~~(2) Monitoring all contract construction work.~~
 - ~~(3) Operation of facilities for the repair and maintenance of Parish government vehicles and equipment.~~
 - ~~(4) Monitoring and regulating utility operations within Parish rights-of-way.~~
 - ~~(5) Providing flood zone determination.~~
 - ~~(6) Other such activities as may be directed by the president.~~

Section 4-06. Department of Engineering.

- ~~A. The director of the department of engineering shall direct and be responsible for:~~
- ~~(1) Planning, designing and overseeing construction of certain public improvements.~~
 - ~~(2) Reviewing development of subdivisions.~~
 - ~~(3) Surveying and mapping.~~
 - ~~(4) Securing permits from the U.S. Army Corps of Engineers.~~
 - ~~(5) Reviewing requests for permission to enter Parish rights-of-way.~~
 - ~~(6) Engineering services to all departments and agencies.~~
 - ~~(7) Applying for and overseeing the expenditure of state and federal grants for Parish infrastructure improvements.~~
 - ~~(8) Other such activities as may be directed by the president.~~

~~Section 4-07. Department of Development.~~

- ~~A. The director of the department of development shall direct and be responsible for:~~
- ~~(1) Preparation and maintenance of a comprehensive long range plan for Parish wide development, including an overall plan for land use by public, commercial, and residential interests; traffic and transportation issues; economic and demographic growth; water and drainage concerns; and such other items as may be directed by the Parish Council.~~
 - ~~(2) Airport administration.~~
 - ~~(3) Solid waste disposal.~~
 - ~~(4) Development of plans for economic growth of the Parish, including transportation activities.~~
 - ~~(5) Community development block grants.~~
 - ~~(6) Other such activities as may be directed by the president.~~
- ~~B. The Long Range Plan in item (1) above shall be presented by the Director to both the Parish Council and the Planning and Zoning Commissions in January of each year to assure coordination of efforts and allow for public input.~~

~~Section 4-08. Department of Planning and Permits.~~

- ~~A. The director of planning and permits shall direct and be responsible for:~~
- ~~(1) Regulating land use and building and development of subdivisions within the unincorporated areas of the Parish.~~
 - ~~(2) Interpretation of land use controls.~~
 - ~~(3) Maintaining and updating the St. Tammany Parish Land Use Map.~~
 - ~~(4) Issuing building permits.~~
 - ~~(5) Enforcing building codes and zoning ordinances.~~
 - ~~(6) Other such activities as may be directed by the president.~~

~~Section 4-09. Department of Community Action.~~

- ~~A. The director of the department of community action shall direct and be responsible for:~~

- ~~(1) Providing information and processing applications for community service programs, including but not limited to weatherization, mortgage and rental assistance, utility assistance and heat relief.~~
- ~~(2) Developing homeless shelter assistance programs.~~
- ~~(3) Administering food stamp office, food and commodities distributions and emergency food bank.~~
- ~~(4) Other such activities as may be directed by the president.~~

Proposition #8A

Section 4-511. Parish Departments

~~Other Departments.~~

—Except as otherwise provided by this charter, all Parish government departments, offices and agencies and functions in existence, whether established via Parish Ordinance or discretion of Parish president on the effective date of this charter, insofar as they do not conflict with this charter, shall continue in existence as organized on that date until reorganized in accordance with the section on “Administration Reorganization.”

Proposition #8B

Section 4-612. Administration Reorganization.

- A. The president may propose to the council the creation, change, alteration, consolidation or abolition of Parish departments, offices and agencies and the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies, including those provided for in this charter.
- B. Upon receipt of the president’s proposed plan of reorganization, the presiding officer of the council shall cause to be introduced an ordinance to implement the proposed reorganization plan. The ordinance shall follow the same procedure as provided in the section on “Ordinances in General” of this charter.
- C. The reorganization plan submitted by the president shall become effective if the council fails to act on the proposed reorganization within ninety (90) days of its submission to the council.

Proposition #9

Section 5-02. Operating Budget Preparation and Adoption.

- A. ~~At least ninety (90) days prior~~ to the beginning of each fiscal year the president shall submit to the council, at the regularly scheduled Council meeting held in the month of October, a proposed operating budget in the form required by this charter. At the meeting of the council at which the operating budget is submitted, the council shall order a public hearing and shall cause to be published in the official journal, at least ten (10) days prior

to the date of such hearing, the time and place thereof, a general summary of the proposed budget and the times and places where copies of the proposed budget are available for inspection. At the time and place so advertised, the council shall hold a public hearing on the budget as submitted. Changes in the proposed operating budget by the council shall be by the favorable vote of at least a majority of the authorized membership of the council. Upon final adoption, the budget shall be in effect for the budget year and copies shall be filed with the clerk of the council. The budget as final adopted shall be reproduced and sufficient copies shall be made available for use by all offices, departments and agencies of the Parish government. Copies shall be available for public use in the office of the clerk of the council. Additional copies may be purchased at cost by the public.

- B. Upon failure of the council to adopt a budget before the end of the current fiscal year, the budget for the prior year shall continue in effect until amended by the council.

Proposition #11

Proposition 1 retain current law Article 2 Section 01 (A):

- A. The legislative power of the Parish government shall be vested in a council consisting of fourteen (14) members, or such other number of council members as may be determined by the electorate, elected from single-member districts for four (4) year terms, one from and by the qualified electors in each district as defined in section "Election of Officials."

(or)

Proposition 2 amend Article 2 Section 01 (A) to include term limits:

- A. The legislative power of the Parish government shall be vested in a council consisting of fourteen (14) members, or such other number of council members as may be determined by the electorate, elected from single-member districts for four (4) year terms, one from and by the qualified electors in each district as defined in section "Election of Officials." A person who has served as a council member for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for a member of the council for the succeeding term.

(or)

Proposition 3 amend Article 2 Section 01(A) to include term limits and members at large:

- A. The legislative power of the Parish government shall be vested in a council consisting of fourteen (14) members, or such other number of council members as may be determined by the electorate, 12 (twelve) members elected from single-member districts, and 2 (two) members elected at-large by the qualified electors in each district. A person who has served as a council member for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for the same office for the succeeding term.

Maybe/Possibilities

Section 2-01. Composition, Qualifications and Election.

~~C. A council member shall have been legally domiciled and shall have actually resided for at least one (1) year immediately preceding the time established by law for qualifying for office in a area which, at the time of qualification, is within the district from which elected.~~

C. A council member shall have been legally domiciled and shall have actually resided for at least two (2) years immediately preceding the time established by law for qualifying for office in an area which, at the time of qualification, is within the Parish. A council member also shall have actually resided for at least one (1) year immediately preceding the time established by law for qualifying for office in an area which, at the time of qualification, is within the district from which elected.

Section 2-05. Compensation.

A. The annual salary of a council member shall be set by ordinance. ~~and shall be \$1,200 per month.~~

B. The council may, by ordinance, change the salary of council members, provided that no ordinance increasing the salary shall be adopted during the last year of a term and provided further that a change shall not become effective during the current term of the council members adopting the ordinance.

C. Council members shall, upon presentation of properly documented receipts, be reimbursed for reasonable expenses incurred in carrying out official duties of the office, in accordance with travel and expense policies established by the council by ordinance.

Section 2-06. Prohibitions.

C. Except as specifically provided in this charter, neither the council nor any of its members shall remove, direct or supervise and administrative officers or employees whom the president or any subordinates of the president are empowered to appoint. However, council members shall have the authority to consult with and discuss problems and issues with administrative officials at the level of ~~supervisor~~ director and above.

Section 2.08. Investigations.

A. The council may make investigations into the affairs of the Parish government and the related conduct of any Parish official, officer, employee, department, office, or agency. For this purpose the council may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Investigations shall be for a specified purpose submitted in writing and may be undertaken only by the affirmative vote of a majority of the authorized membership of the council. Any person who fails or refuses to obey any lawful order of the council may be cited for

contempt. No council member shall vote on any matter under such investigation in which said council member has a conflict of interest.

B. The Council, by a majority vote of the authorized membership of the council, shall have the power to issue a subpoena, subpoena duces tecum or a document subpoena for service of process by the appropriate law enforcement agency. Should it be necessary to enforce any subpoena, subpoena duces tecum or document subpoena issued by the Council, and after a majority vote of the authorized membership of the council authorizing enforcement, a formal action shall be instituted in the 22nd Judicial District Court for the Parish of St. Tammany, State of Louisiana for enforcement of the subpoena or subpoena duces tecum or document subpoena. It shall be within the sole discretion of the district judge assigned to the hearing for the enforcement of the subpoena or subpoena duces tecum or document subpoena to set the remedy for any non-compliance.

Section 3-03. Qualifications.

A. The president shall be at least eighteen (18) years of age and a qualified elector of the Parish at the time of qualification and shall have been legally domiciled and shall have actually resided within the Parish for at least five (5) ~~three (3)~~ years immediately preceding the time established by law for qualifying for office.

B. The president shall continue to be legally domiciled and to actually reside within the Parish during the term of office. Should the legal domicile or actual residence of the president change from the Parish, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter.

No

Section 2-04. Vacancy in Council Office.

A. The office of a council member shall become vacant upon death, resignation, removal from office in any manner authorized by law, forfeiture of office, failure to take office, notification by the Secretary of state or as otherwise provided in this charter and not inconsistent with state law.

B. A vacancy on the council shall be filled by appointment within fifteen (15) days after the vacancy occurs by a person meeting the qualifications for that office by the favorable vote of a majority of the remaining members of the council.

C. If one (1) year or less of the unexpired term remains when the vacancy occurs, the appointee shall serve out the remainder of the term.

D. If the vacancy occurs more than one (1) year before the expiration of the term, the appointee shall serve until the office is filled by the vote of the qualified electors voting in an election called by the council for that purpose and the person elected assumes the office. In such case, the council, within fifteen (15) days after the vacancy occurs, shall call an election to fill the vacancy. The election shall be held according to the timetable and procedures established by state law for the filling of vacancies in elected local offices.

Section 3-08. Compensation.

A. At beginning of each term of the president, the annual compensation of president shall be set at \$1,000.00 per year higher than the compensation received by the highest paid among the ST. Tammany Sheriff, Assessor and Clerk of Court. The salary of the president shall be adjusted accordingly on January 1st of each year. Compensation as used herein is comprised of salary, retirement benefits and medical health care benefits.

B. The president shall be eligible for health and hospital insurance, retirement benefits, and any other such benefits which are available to employees of the Parish government and to three weeks of vacation each year.

C. The president shall, upon presentation of properly documented receipts, be reimbursed for reasonable expenses incurred in carrying out the official duties of the office.

D. The president, in carrying out the official duties of the office, shall have the option of using an automobile provided by the Parish government or to use the president's personal automobile and to be reimbursed for mileage in accordance with mileage reimbursement authorized by the United States Internal Revenue Service.