

**POSTED AT PARISH COMPLEX BY SEPTEMBER 21, 2015**

**MEETING NOTICE AND AGENDA**

**ST. TAMMANY PARISH COUNCIL SPECIAL MEETING**

**WEDNESDAY, SEPTEMBER 23, 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  
S. Michele Blanchard  
Thomas (T.J.) Smith, Jr.**

**SPECIAL ITEMS**

**1. Ord. Cal. No. 5398AA - Ordinance amending and re-enacting the St. Tammany Parish Home Rule Charter, subject to approval by the electorate of St. Tammany Parish; and otherwise providing with respect thereto. (Introduced 9/3/15)**

**2. Resolution C.S. No. C-4388 - Resolution ordering and calling a special election to be held on November 21, 2015 Parishwide in the Parish of St. Tammany, State of Louisiana, to submit to the electorate of the Parish various propositions for amendments to the St. Tammany Parish Home Rule Charter in accordance with Ordinance No. 5398AA, adopted September 23, 2015; and which authorizes the submission of an application to the Louisiana State Bond Commission for consent and authorization to hold the aforesaid election; and to provide for other related matters. (Tanner)**

**3. Ord. Cal. No. 5430 - Ordinance amending and re-enacting the St. Tammany Parish Home Rule Charter, subject to approval by the electorate of St. Tammany Parish; and otherwise providing with respect thereto. (Introduced 8/6/15) (Postponed 9/3/15)**

**4. Resolution C.S. No. 4408 - Resolution ordering and calling a special election to be held March 5, 2016 Parishwide in the Parish of St. Tammany, State of Louisiana, to submit to the electorate of the Parish a proposition for amendments to the St. Tammany Parish Home Rule Charter in accordance with Ordinance No. 5430, adopted September 23, 2015; and which authorizes the submission of an application to the Louisiana State Bond Commission for consent and authorization to hold the aforesaid election; and to provide for other related matters. (Dean)**

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5398AA                      ORDINANCE COUNCIL SERIES NO:  
COUNCIL SPONSOR: MR. TANNER                      PROVIDED BY: LEGAL DEPARTMENT  
INTRODUCED BY: MR. STEFANCIK                      SECONDED BY: MR. GOULD

ON THE 3 DAY OF SEPTEMBER , 2015

AN ORDINANCE AMENDING AND RE-ENACTING THE ST. TAMMANY PARISH HOME RULE CHARTER, SUBJECT TO APPROVAL BY THE ELECTORATE OF ST. TAMMANY PARISH; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Parish Council by Resolution Council Series No. C-4129A established a Charter Review Committee to review the St. Tammany Parish Home Rule Charter, and to provide recommendations for amendments to the Parish Council and Administration; and

WHEREAS, the Charter Review Committee held fourteen public meetings between September 30, 2014 and March 31, 2015; and

WHEREAS, the Parish Council held two public meetings reviewing the recommendations of the Charter Review Committee, on April 23, 2015 and May 14, 2015.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the following provisions are recommended as amendments to the St. Tammany Parish Home Rule Charter, and hereby submitted to the electorate of St. Tammany Parish for consideration and vote on ballot(s) and election date(s) to be called by resolution of the Parish Council.

**PART 1.** That Section 1-06 of Article I of the St. Tammany Parish Home Rule Charter is hereby amended to read as follows:

Section 1-06. Joint Cooperative Agreements.

For a public purpose, the St. Tammany Parish Government, through the office of the parish president, shall have the right, power and authority to enter into cooperative endeavor agreements, intergovernmental agreements, and/or memoranda of understanding with the state, other political subdivisions, the United States or its agencies and/or with any public or private association, corporation or individual.

**PART 2.** That Section 1-07 of Article I of the St. Tammany Parish Home Rule Charter is hereby amended to read as follows:

Section 1-07. Charter Review.

The council shall provide for the automatic review of this Charter at least once every fifteen (15) years through appointment of a Charter Committee consisting of at least eleven (11) members. The council by resolution shall provide for the method of appointment of members of the Charter Committee; provided, however, that at least two (2) council members shall be appointed to the then-current Charter Committee. Members of the committee shall serve without compensation and shall submit their recommendations for Charter amendments, if any, to the council.

**PART 3.** That Section 2-07(G) of Article II IS hereby amended to read as follows:

Section 2-07. Council Meetings and Rules.

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G. The council shall provide by ordinance a procedure whereby interested persons shall be given an opportunity to be heard at council meetings on any matter relating to Parish government and on the meeting agenda.

PART 4. That Section 2-14(C) of Article II is hereby amended to read as follows:

Section 2-14. Emergency Ordinances.

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C. Emergency ordinances shall be effective upon adoption and remain effective until the next regularly scheduled council meeting. At the next regular meeting of the council, the council, by a two-thirds vote of the authorized membership, may extend the effectiveness of the emergency ordinance for a period not to extend beyond the date of the next regular meeting of the council.

PART 5. That Section 2-19 of Article II is hereby deleted and Section 4-03 of Article IV is hereby amended to read as follows:

Section 4-03. Legal Department.

A. The president, without the necessity of council approval, shall appoint an Executive Counsel who shall serve at the pleasure of the president. The Executive Counsel shall (1) direct the Legal Department and its respective staff members, (2) serve as legal advisor to the president, parish employees and all departments, comprising Parish administration, (3) represent and/or direct representation for the parish president, parish employees and/or parish government in legal proceedings and (4) co-administer Parish litigation with council attorneys.

B. No Special legal counsel shall be retained by the Parish Government except by written contract for a specific purpose approved by the favorable vote of a majority of the authorized membership of the council. Such authorization shall specify the compensation, if any, to be paid for such services. Notwithstanding the foregoing, in matters involving a conflict between parish president and council, whether direct or indirect, the parish president shall have authority to retain outside legal counsel by written contract for the specific purpose giving rise to said conflict.

C. The operating budget for the Executive Counsel, Legal Department and the respective staff members of each of the foregoing shall be subject to the requirements of Article V.

PART 6. That Section 3-09 of Article III is hereby amended to read as follows:

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

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

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

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

PART 7. That Sections 4-02 of Article IV is hereby amended to read as follows:

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.

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 (3) years experience as a chief administrative officer or head of a major department, or higher, in a governmental organization.

PART 8. That Sections 4-04, 4-05, 4-06, 4-07, 4-08, 4-09, 4-10, 4-11, and 4-12 of Article IV are hereby amended, deleting Section 4-04 through 4-09 and renumbering said sections to read as follows:

Section 4-04. Personnel Policies and Procedures.

A. The parish president shall submit Personnel Policies and Procedures to the council as an ordinance. Such Personnel Policies and Procedures shall generally include, but not be limited to, (1) benefits (i.e.: leave time, insurances, post-employment health plan, deferred compensation, retirement system and any/all other), (2) compensation/salary (i.e.: compensation, overtime, compensatory leave, payroll deductions), (3) employment (i.e.: hours of work, position descriptions, assigned vehicles, hiring process, promotion/demotion, evaluations, classified/non-classified determinations, training, travel), (4) employment procedures/rules, and (5) conduct (i.e.: conduct, disciplinary action, grievance procedures, dress code, asset usage, ethics). All personnel policies, procedures and/or rules in effect as of the date of this Charter shall remain in effect until amended via ordinance, provided they do not conflict with this Charter.

Section 4-05. Parish 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."

Section 4-06. 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.

PART 9. That Section 5-02 of Article V is hereby amended to read as follows:

Section 5-02. Operating Budget Preparation and Adoption.

A. 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.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective immediately after adoption.

MOVED FOR ADOPTION BY:   SECONDED BY:

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A SPECIAL MEETING OF THE PARISH COUNCIL ON THE 23 DAY OF SEPTEMBER , 2015 ; AND BECOMES ORDINANCE COUNCIL SERIES NO .

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RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

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PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 10 , 2015

Published Adoption: \_\_\_\_\_, 2015

Delivered to Parish President: \_\_\_\_\_, 2015 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2015 at \_\_\_\_\_

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4388

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: LEGAL DEPARTMENT

RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 21, 2015 PARISHWIDE IN THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, TO SUBMIT TO THE ELECTORATE OF THE PARISH VARIOUS PROPOSITIONS FOR AMENDMENTS TO THE ST. TAMMANY PARISH HOME RULE CHARTER IN ACCORDANCE WITH ORDINANCE NO. 5398AA, ADOPTED SEPTEMBER 23, 2015; AND WHICH AUTHORIZES THE SUBMISSION OF AN APPLICATION TO THE LOUISIANA STATE BOND COMMISSION FOR CONSENT AND AUTHROIZATION TO HOLD THE AFORESAID ELECTION; AND TO PROVIDE FOR OTHER RELATED MATTERS.

WHEREAS, the Parish Council pursuant to Resolution Council Series No. C-4129A established a Charter Review Committee to review the St. Tammany Parish Home Rule Charter, and to provide recommendations for amendments to the Parish Council and Administration; and

WHEREAS, the Charter Review Committee held fourteen public meetings between September 30, 2014 and March 31, 2015; and

WHEREAS, the Parish Council held two public meetings reviewing the recommendations of the Charter Review Committee, on April 23, 2015 and May 14, 2015; and

WHEREAS, the Parish Council adopted Ordinance No. 5398AA on September 23, 2015 recommending amendments to the St. Tammany Parish Home Rule Charter to be submitted to the electorate.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES, that the following provisions are recommended as amendments to the St. Tammany Parish Home Rule Charter, and hereby submitted to the electorate of St. Tammany Parish for consideration and vote on ballot(s) and election date(s) as follows:

SECTION 1. Election Call: Subject to the approval of the Louisiana State Bond Commission and subject to and under the authority conferred by Section 7-01 of the St. Tammany Parish Home Rule Charter, the provisions of the Louisiana Election Code as amended (La. R.S. Title 18) and with Sections 5(c) and 22 of Article 6 of the Constitution of the State of Louisiana of the year 1974 and other constitutional and statutory authority supplemented thereto, an election be and the same is hereby called in order to be held Parishwide in the Parish of St. Tammany, State of Louisiana (the "Parish"), on Saturday, November 21, 2015 from 7:00 a.m. to 8:00 p.m. in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541), and that at said election there shall be submitted to all registered voters residing in the Parish, qualified and entitled to vote at said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following propositions, to wit:

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 1

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the authority of the St. Tammany Parish Government to enter into cooperative endeavor agreements and intergovernmental agreements by amending Section 1-06 of Article I of the St. Tammany Parish Home Rule Charter to read as stated in Part 1 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 2

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the automatic review of the St. Tammany Parish Home Rule Charter once every fifteen (15) years through the appointment of a Charter Committee by the St. Tammany Parish Council, by amending Section 1-07 of Article I of the St. Tammany Parish Home Rule Charter to read as stated in Part 2 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 3

Shall the St. Tammany Parish Home Rule Charter be amended to require the St. Tammany Parish Council to adopt an ordinance providing a procedure whereby interested persons shall be given an opportunity to be heard at councils meetings on any matter relating to Parish Government and on the meeting agenda, by amending Section 2-07 of Article II of the St. Tammany Parish Home Rule Charter to read as stated in Part 3 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 4

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the length of time which an emergency ordinance may remain in effect, by amending Section 2-14 of Article I of the St. Tammany Parish Home Rule Charter to read as stated in Part 4 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 5

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the legal representation of the St. Tammany Parish Government and the creation of the Legal Department, by amending Section 4-03 of Article IV of the St. Tammany Parish Home Rule Charter to read as stated in Part 5 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?"

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 6

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the powers and duties of the Parish President of St. Tammany Parish, by amending Section 3-09 of Article III of the St. Tammany Parish Home Rule Charter to read as stated in Part 6 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 7

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the appointment, duties, and qualifications of the chief administrative officer, by amending Section 4-02 of Article IV of the St. Tammany Parish Home Rule Charter to read as stated in Part 7 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 8

Shall the St. Tammany Parish Home Rule Charter be amended provide for personnel policies and procedures, parish departments, and administrative reorganization, by amending Sections 4-04 through 4-12 of Article IV of the St. Tammany Parish Home Rule Charter, deleting Sections 4-04 through 4-09, and renumbering said sections to read as stated in Part 8 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?



ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 9

Shall the St. Tammany Parish Home Rule Charter be amended to provide for the preparation and adoption of the operating budget, by amending Section 5-02 of Article V of the St. Tammany Parish Home Rule Charter to read as stated in Part 1 of St. Tammany Parish Ordinance No. 5398AA as adopted on September 23, 2015?

SECTION 2. Publication and Notice of Election. That there shall be published in the St. Tammany Farmer, a weekly newspaper of general circulation within the Parish, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for election, notice of said election, which notice shall be substantially in accordance with the Notice of Election annexed hereto as EXHIBIT "A" and incorporated herein by reference, the same as if it were set forth in full.

SECTION 3. Canvass. The St. Tammany Parish Council, acting as governing authority of the Parish, shall meet on December 3, 2015 in the St. Tammany Parish Council Chamber, 21490 Koop Drive, Mandeville, LA 70471, and shall then and there in open and public session proceed to examine and count the votes, examine and canvass the returns, and declare the results of said election.

SECTION 4. Polling Places; Commissioners. In accordance with R.S. 18:1285(A)(1)(a)(i), all polling places situated in the Parish be and the same are hereby designated as the polling places at which to hold said election. As authorized in R.S. 18:1286(B), the Commissioners-in-Charge and the Commissioners authorized to be selected by the Board of Election Supervisors to serve at the election on Saturday, November 21, 2015, are hereby designated as the Commissioners-in-Charge and Commissioners to serve at the polling places designated for this election.

SECTION 5. Designation of Commissioners and Commissioners-in-Charge. As required in R.S. 18:1286(B), the officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, shall hold said election as herein provided solely in compliance with the provisions of Parts II and V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and shall make due returns of said election for the meeting of the St. Tammany Parish Council, acting as the governing authority of the Parish of St. Tammany, to be held on December 3, 2015 in the St. Tammany Parish Council Chamber, 21490 Koop Drive, Mandeville, LA 70471. The compensation of said officers be and the same is hereby fixed at the sum prescribed by law. All registered voters in each precinct and residing in the Parish are entitled to vote at said election.

SECTION 6. Authorization of Parish Clerk. The Clerk of the St. Tammany Parish Council be and is hereby empowered, authorized and directed to arrange for and to furnish the election officers, in ample time for the holding of said election, all equipment, forms and other items which may be required in order to hold said election.

SECTION 7. Furnishing Election Call. Certified copies of this resolution shall be forwarded as soon as possible to be received on or before the forty-fifth day prior to the election, to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for the Parish of St. Tammany, State of Louisiana, and the Registrar of Voters in and for the Parish of St. Tammany, State of Louisiana, as notification of the election called in order that each may prepare for said election and perform the respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application be and the same is hereby formally made to the Louisiana State Bond Commission for consent and authority to hold an election in the Parish, as herein provided, said election to be held within the Parish of St. Tammany, State of Louisiana, on Saturday, November 21, 2015, under the provisions of Section 22 of Article 6 of the Constitution of the State of Louisiana for the year 1974, the Louisiana Election Code, as amended and other constitutional and statutory authority supplemental thereto, at which election there will be submitted to the electors of

said Parish qualified and entitled to vote at the said special election under the Constitution and laws of this State and under the Constitution of the United States the propositions set forth hereinabove; and that a certified copy of this resolution shall be forwarded to the Louisiana State Bond Commission on behalf of the Parish and of this Parish Council, together with a letter requesting the prompt consideration and approval of such application.

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

MOVED FOR ADOPTION BY: MR. GOULD; SECONDED BY: MR. BELLISARIO

YEAS: DEAN, SHARP, THOMPSON, FALCONER, GOULD, TANNER, CANULETTE, BELLISARIO, O'BRIEN, STEFANCIK, BINDER, BLANCHARD, SMITH (14)

NAY: (0)

ABSTAIN: (0)

ABSENT: (0)

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 6TH DAY OF AUGUST 2015 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

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RICHARD TANNER, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5430

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: DEAN/BELLISARIO

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: DEAN

SECONDED BY: BELLISARIO

ON THE 6 DAY OF AUGUST , 2015

AN ORDINANCE AMENDING AND RE-ENACTING THE ST. TAMMANY PARISH HOME RULE CHARTER, SUBJECT TO APPROVAL BY THE ELECTORATE OF ST. TAMMANY PARISH; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Parish Council pursuant to Resolution Council Series No. C-4129A established a Charter Review Committee to review the St. Tammany Parish Home Rule Charter, and to provide recommendations for amendments to the Parish Council and Administration; and

WHEREAS, the Parish Council has reviewed those recommendations and acted upon them; and

WHEREAS, the Parish Council wishes to add an additional provision setting forth term limits for the Parish Council.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the following provision is recommended as an amendment to the St. Tammany Parish Home Rule Charter, and hereby submitted to the electorate of St. Tammany Parish for consideration and vote on ballot(s) and election date(s) to be called by resolution of the Parish Council.

That Section 2-01(A) of Article II of the St. Tammany Parish Home Rule Charter is hereby amended to read as follows:

**Section 2-01. Composition, Qualifications, and Election**

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. This provision shall be applied prospectively and shall become effective for the term of office beginning January 2020.

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF SEPTEMBER, 2015; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: July 30, 2015

Published Adoption: \_\_\_\_\_, 2015

Delivered to Parish President: \_\_\_\_\_, 2015 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2015 at \_\_\_\_\_

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4408

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: COUNCIL ATTORNEY

RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD MARCH 5, 2016 PARISHWIDE IN THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, TO SUBMIT TO THE ELECTORATE OF THE PARISH A PROPOSITION FOR AMENDMENTS TO THE ST. TAMMANY PARISH HOME RULE CHARTER IN ACCORDANCE WITH ORDINANCE NO. 5430, ADOPTED SEPTEMBER 23, 2015; AND WHICH AUTHORIZES THE SUBMISSION OF AN APPLICATION TO THE LOUISIANA STATE BOND COMMISSION FOR CONSENT AND AUTHORIZATION TO HOLD THE AFORESAID ELECTION; AND TO PROVIDE FOR OTHER RELATED MATTERS.

WHEREAS, the Parish Council pursuant to Resolution Council Series No. C-4129A established a Charter Review Committee to review the St. Tammany Parish Home Rule Charter, and to provide recommendations for amendments to the Parish Council and Administration; and

WHEREAS, the Charter Review Committee held fourteen public meetings between September 30, 2014 and March 31, 2015; and

WHEREAS, the Parish Council held two public meetings reviewing the recommendations of the Charter Review Committee on April 23, 2015 and May 14, 2015; and

WHEREAS, the Parish Council has reviewed those recommendations and acted upon them; and

WHEREAS, the Parish Council wishes to add an additional provision setting forth term limits for the Parish Council; and

WHEREAS, the Parish Council adopted Ordinance No. 5430 on September 23, 2015 recommending amendments to the St. Tammany Parish Home Rule Charter to be submitted to the electorate.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the following provision is recommended as an amendment to the St. Tammany Parish Home Rule Charter, and hereby submitted to the electorate of St. Tammany Parish for consideration and vote on ballot(s) and election date(s) as follows:

SECTION 1. Election Call. Subject to the approval of the Louisiana State Bond Commission and subject to and under the authority conferred by Section 7-01 of the St. Tammany Parish Home Rule Charter, the provisions of the Louisiana Election Code as amended (La. R.S. Title 18) and with Sections 5(c) and 22 of Article 6 of the Constitution of the State of Louisiana of the year 1974 and other constitutional and statutory authority supplemented thereto, an election be and the same is hereby called in order to be held Parishwide in the Parish of St. Tammany, State of Louisiana (the "Parish"), on Saturday, March 5, 2016 from 7:00 a.m. to 8:00 p.m. in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541), and that at said election there shall be submitted to all registered voters residing in the Parish, qualified and entitled to vote at said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following propositions, to wit:

ST. TAMMANY PARISH CHARTER AMENDMENT  
PROPOSITION 1

Shall the St. Tammany Parish Home Rule Charter be amended to provide for term limits for the St. Tammany Parish Council by amending Section 2-01 of Article II of the St. Tammany Parish Home Rule Charter to read as stated in St. Tammany Parish Ordinance No. 5430 as adopted on September 23, 2015?

SECTION 2. Publication and Notice of Election. That there shall be published in the St. Tammany Farmer, a weekly newspaper of general circulation within the Parish, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for election, notice of said election, which notice shall be substantially in accordance with the Notice of Election annexed hereto as EXHIBIT "A" and incorporated herein by reference, the same as if it were set forth in full.

SECTION 3. Canvass. The St. Tammany Parish Council, acting as governing authority of the Parish, shall meet on April 7, 2016 in the St. Tammany Parish Council Chamber, 21490 Koop Drive, Mandeville, Louisiana 70471, and shall then and there in open and public session proceed to examine and count the votes, examine and canvass the returns, and declare the results of said election.

SECTION 4. Polling Places; Commissioners. In accordance with R.S. 18:1285(A)(1)(a)(i), all polling places situated in the Parish be and the same are hereby designated as the polling places at which to hold said election. As authorized in R.S. 18:1286(B), the Commissioners-in-Charge and the Commissioners authorized to be selected by the Board of Election Supervisors to serve at the election on Saturday, March 5, 2016, are hereby designated as the Commissioners-in-Charge and Commissioners to serve at the polling places designated for this election.

SECTION 5. Designation of Commissioners and Commissioners-in-Charge. As required in R.S. 18:1286(B), the officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, shall hold said election as herein provided solely in compliance with the provisions of Parts II and V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and shall make due returns of said election for the meeting of the St. Tammany Parish Council, acting as the governing authority of the Parish of St. Tammany, to be held on April 7, 2016 in the St. Tammany Parish Council Chamber, 21490 Koop Drive, Mandeville, Louisiana 70471. The compensation of said officers be and the same is hereby fixed at the sum prescribed by law. All registered voters in each precinct and residing in the Parish are entitled to vote at said election.

SECTION 6. Authorization of Parish Clerk. The Clerk of the St. Tammany Parish Council be and is hereby empowered, authorized and directed to arrange for and to furnish the election officers, in ample time for the holding of said election, all equipment, forms and other items which may be required in order to hold said election.

SECTION 7. Furnishing Election Call. Certified copies of this resolution shall be forwarded as soon as possible to be received on or before the forty-fifth day prior to the election, to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for the Parish of St. Tammany, State of Louisiana, and the Registrar of Voters in and for the Parish of St. Tammany, State of Louisiana, as notification of the election called in order that each may prepare for said election and perform the respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application be and the same is hereby formally made to the Louisiana State Bond Commission for consent and authority to hold an election in the Parish, as herein provided, said election to be held within the Parish of St. Tammany, State of Louisiana, on Saturday, March 5, 2016, under the provisions of Section 22 of Article 6 of the Constitution of the State of Louisiana for the year 1974, the Louisiana Election Code, as amended and other constitutional and statutory authority supplemental thereto, at which election there will be submitted to the electors of said Parish qualified and entitled to vote at the said special election under the Constitution and laws of this State and under the Constitution of the United States the propositions set forth hereinabove; and that a certified copy of this resolution shall be forwarded to the Louisiana State Bond Commission on behalf of the Parish and of this Parish Council, together with a letter requesting the prompt consideration and approval of such application.

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

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 23 DAY OF SEPTEMBER, 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 L. FORD, COUNCIL CLERK