

CHARTER COMMISSION MEETING MINUTES

MONDAY, DECEMBER 6, 2010

705 W. University Avenue, Council Auditorium

Commission members in attendance: Odon Bacque, Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, D. Keith Miller

Absent: Stephen J. Oats, Aaron Walker

Charter staff members in attendance: Pat Ottinger (City-Parish Attorney) and Veronica L. Williams (Charter Commission Clerk)

Council Members/Staff in attendance: Council Chair Jay Castille, Council Member Don Bertrand and Council Clerk Norma Dugas

Administration staff in attendance: Director of Finance Becky Lalumia

(5:30 p.m.) AGENDA ITEM NO. 1: Call to order
Chair George Lewis called the meeting to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance
Commissioner Dale Bourgeois was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members
There was no comment from the Commissioners.

AGENDA ITEM NO. 4: Continuation of discussion of detailed issues on Governance

Lewis stated that the Commission would continue to work to address questions and build the models.

11. 2-05 A: Does the Commission want to continue to allow Council Members to participate by contributing the full premium amounts in the group insurance program even though they are part time?

Lewis noted that Council Members had the option to participate in the LCG Health Insurance Program. Bacque asked the premium amount and Lalumia responded that the Council Members were responsible for the entire premium amount, which was \$923/month for family coverage and \$354/month for single coverage. The consensus was to leave this portion of the Charter "as is".

12. 2-05 B: Does the Commission want to leave this Section as is or does the Commission want the Council members to be able to give themselves raises during their elected term of office as is now the case?

Lewis advised that the actual salary amount for Council Members will be reviewed at a later date. He noted that, in the existing charter, a Council Member could increase his/her own salary up to 10% at any time during their term, whether other LCG employees received a pay raise or not. There was a constitutional amendment recently approved that any legislative increases would not take effect until the next legislative term. Lewis

asked whether a change should be considered. In lieu of referring to the 10% cap, Conque recommended that the pay increase amount be tied to the cost-of-living increase given to employees. Lalumia further suggested that Council Members be eligible for the same general pay increase employees would receive. After further discussion and concurrence by several Commissioners, there was consensus to include language stating that...*the Council Members would be eligible for the same cumulative average pay increase given to employees for that 4-year term effective upon the commencement of the term of the next sitting Council, with the final vote for an increase being six months prior to the next term.*

A motion was offered by Bourgeois, seconded by Manuel **to identify a preliminary Charter amendment to draft the appropriate language for inclusion in the Charter stating that...the Council Members would be eligible for the same cumulative average pay increase given to employees for that 4-year term effective upon the commencement of the term of the next sitting Council, with the final vote for an increase being six months prior to the next term** and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel

NAYS: None

ABSENT: Oats, Walker

ABSTAIN: None

The motion was approved

13. 2-05 C: Conform this language to that in 3-08 C with reference to “vouchered expenses”.

Conque asked whether a mandate to address reimbursable expenses could be placed in the Charter and Ottinger responded that the Charter could provide for a mandate that would address expenses; however, the guideline would be established by a resolution of the Council. Conque then identified examples where misuses of expenses could occur, i.e., a food tab where there was consumption of alcohol, car rentals used for personal travel outside of government business and government credit card charges. In the existing Charter, there was no requirement that a guideline be established to address expenses. Lewis suggested that the Commission consider the inclusion of language stating...*at the beginning of each term the Council should adopt a resolution setting forth a reimbursement policy for Council Members.*

A motion was offered by Conque, seconded by Carson **to identify a preliminary Charter amendment to draft the appropriate language for inclusion in the Charter stating that...at the beginning of each term the Council shall adopt a resolution setting forth a reimbursement policy for Council Members**, and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel

NAYS: None

ABSENT: Oats, Walker

ABSTAIN: None

The motion was approved.

14. 2-07 C: Does State law still require the publication of minutes in the official journal or can the minutes be electronically posted on the website?

Lewis advised that after discussion with the Council Clerk the timeline was changed from 30 days to 7 days for publication of official actions of the Council. He then noted that the minutes had to be published in the official

journal. Ottinger read from the Open Meetings Law, which provided that “*All votes made by members of a public body shall be by voice and shall be recorded in the minutes, journal, or other official, written proceedings of the body, which shall be a public document.*” Ottinger stated that there was always the possibility, however, that a change could be made to the Open Meetings Law to catch up with technology, internet, etc. In anticipation of a future change to accommodate an alternate form of publication, it was suggested that language be added to the Charter that would track verbiage in the Open Meetings Law stating that “*In lieu of such recordation, dissemination of official actions of the council may be recorded in such other manner as might be permitted by applicable State law as same might be amended from time to time.*” In response to the question of the cost of Council recordations/publications, Lalumia responded that the yearly budget for the Council Office was \$60,000 per year, with the total LCG budget being \$250,000.

A motion was offered by Conque, seconded by Bourgeois **to identify a preliminary Charter amendment to include language tracking the Open Meetings Law stating that...“In lieu of such recordation, dissemination of official actions of the council may be recorded in such other manner as might be permitted by applicable State law as same might be amended from time to time”**, and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel

NAYS: None

ABSENT: Oats, Walker

ABSTAIN: None

The motion was approved.

15. 2-09: The annual audit is of the City and the Parish. How the “summary” publication was being handled since the audit document was hundreds of pages long?

Lalumia stated that the CPA firm provided the Council Clerk with a summary of the audit to publish, which was published in the official journal. Lewis asked whether the audit report and summary could be published on the website and Ottinger quoted State law regarding the requirement on audit publications. Lewis stated that the issue on publication of the audit would be researched further.

On another note, Conque asked whether there was any guideline for Council Members on attendance of meetings and Ottinger stated that he was not aware of any requirement; however, there were requirements for boards/commission members. Conque questioned whether a provision could be placed in the charter with reference to attendance and Ottinger responded that language could be added, but cautioned that the penalty should not refer to an expulsion, citing provisions in state law. The guideline, however, may include a penalty related to a fine or suspension of salary.

A motion was offered by Bacque, seconded by Conque **to identify a preliminary Charter amendment to include language that...at the beginning of each term the Council shall adopt a resolution setting forth an attendance policy for Council Members**, and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel

NAYS: None

ABSENT: Oats, Walker

ABSTAIN: None

The motion was approved.

16. 2-10 C: How could this Section be handled so that the Parish Council does not hire employees (other than the Clerk) and pays them more (or less) than employees hired by the City Council for performing the same job?

Lewis advised that this Section would be addressed at a later time.

17. 2-11: Should there be a requirement for approval of contracts in excess of some amount (only for major contracts)?

Lewis stated that this was related to contracts requiring Council approval via ordinance and Carson recalled that, in the former City government, all contracts had to go to the Council. Lalumia reminded that only contracts exceeding a certain amount had to go before the Council as long as funding had been identified in the budget. Lalumia noted that the existing procedure worked well and did not create the volume of work associated with ordinances/contracts.

18. 2-13B: Does the Commission still wish to allow line item vetoes? Also, a better definition was needed for "allocated costs".

There was discussion on line item vetoes and the ability to veto a parish appropriation for costs associated with the combined functions/services. Further discussion on this matter would be held at a future meeting.

19. 2-16B: Could the Commission simply require that the printed ordinance be posted on the Councils' website?

After discussion and clarification, there was consensus to leave the verbiage as is in the Charter.

20. 2-17: Section B talked about a vote of the people to approve levy of taxes and Lewis asked if TIFs should be included that would require approval of more than one-half (1/2) of the assessed property values in the proposed taxing district?

Lewis referred to a previous ordinance with reference to TIFs, where the businesses were never notified. Jay Castille clarified that the ordinance (which was later deferred) was to appropriate funds to begin the process of advertising and get public comment on the issue. The consensus at this time was not to make changes to this section of the Charter.

AGENDA ITEM NO. 5: General comments from the public on Consolidation

There were no comments from the public.

AGENDA ITEM NO. 6: Next meeting date

The next meeting was scheduled for Dec 13.

AGENDA ITEM NO. 7: Adjourn

There being no further business, the meeting adjourned at 7:40 p.m.