

## CHARTER COMMISSION MEETING MINUTES

WEDNESDAY, JANUARY 19, 2011

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, Stephen J. Oats, Aaron Walker

**Absent:** None

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

**Council Members/Staff in attendance:** Council Members Jay Castille and Keith Patin and Council Clerk Norma Dugas

**Administration staff in attendance:** City-Parish President Joey Durel, Chief Administrative Officer Dee Stanley, Chief Financial Officer Becky Lalumia and Director of Lafayette Utilities System Terry Huval

(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 Greg Manuel was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members

Lewis recognized Ottinger, who introduced recently appointed City-Parish Attorney, Mike Hebert. Hebert will begin his new post February 1, 2011, with the resignation of Ottinger taking effect that same date.

AGENDA ITEM NO. 4: Presentation and decision on percentages for initiatives and referendums

Lewis recognized University of Louisiana at Lafayette Political Science student Justin Cantu. Cantu was a senior and provided the findings of his research with reference to initiatives and referendums. He further suggested Charter amendments. An *initiative* is a process by which citizens can place a new law before the electorate. A *referendum* is a process whereby existing law is approved or rejected by vote of the electorate. Both affect ordinances and charter amendments, with the timeline to gather signatures being within a 60-day period. For both ordinances and charter amendments, the existing charter required that 15% of signatures be collected of the total number of registered voters of the City-Parish government on referendums. Cantu then gave a comparison of the percentages required in other communities, with some having a lower threshold for a referendum.

Proposed changes to the existing charter were recommended. For the “tweaked” charter, Cantu recommended that the 15% requirement remain “as is” and suggested that the time to collect signatures be increased from 60 days to 120 days. On referendums and charter amendments, the percent of signatures required would be lowered from 15% to 10%. Further, a distinction should be made between ordinances pertaining to only city residents and those affecting non-incorporated residents. In closing, it was suggested that clarification be made



**Charter remaining “as is”** and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Miller, Oats, Walker

NAYS: None

ABSENT: None

ABSTAIN: None

*The motion was unanimously approved.*

It was suggested that the election for an initiative or referendum be called at the next regular meeting, in lieu of a special meeting, to save on the cost of an election. Ottinger noted that citizens could become upset with having to wait until the next regular meeting. Bacque suggested that a special election be allowed only in cases when signatures collected were 5% above the threshold. Referring to Charter amendments, Ottinger reminded that the Attorney General opined that an amendment to the Charter would be handled via a Charter Commission and questioned whether the proposed provision would be enforceable.

A motion was offered by Oats, seconded by Bacque **to identify a preliminary Charter amendment that an issue would be placed on the ballot at the next regular scheduled election; a special election may be called only when an additional 5% of signatures has been collected above the required threshold set to call an election** and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Miller, Oats, Walker

NAYS: None

ABSENT: None

ABSTAIN: None

*The motion was unanimously approved.*

AGENDA ITEM NO. 5: Presentation by Mike Hefner regarding demographic solutions to charter

Hefner stated that the area of specialty his work concentrated on was in reapportionments and redistricting. He noted that the data from the 2010 Census would not be released until after February 1. Bacque asked who determined how the districts would be drawn and Hefner stated that the Council working with the School Board determined the districts, which would then be submitted to the Justice Department for approval. It was recommended that the Lafayette Parish School Board districts be established with the typical 9-member board. The redistricting process usually begins with creating the minority districts in keeping with the Voting Rights Act. Once submitted to the Justice Department, they have the option to approve it or send it back to the governing authority for changes.

Under the Consolidated form of government, Hefner presented a proposed map that would provide for a 9-member Council where five (5) members would be totally City representatives, with the remaining four (4) being parish representatives. City representatives would be required to live in the City; and Parish representatives in the parish. If an item on the agenda related only to the City of Lafayette, those 5-members would discuss and vote on that issue. This method would give the City of Lafayette autonomy. All nine (9) members would vote for all other matters.

Carson asked if the new census data could present numbers that would allow for this scenario and Hefner stated that he did not think the numbers would be so skewed that this method would not work. If the census data would be made available by late February, he could have an idea on whether this method would work. Conque asked why the new data and new map could not be used for the upcoming 2011 election and Hefner stated that

although there would be deadlines to meet, it could possibly be done. However, the School Board may have to seek legislation should they want to retain the typical 9-member districts currently in place, in order to maintain a district makeup consistent with particular school zones. Conque noted that the new redistricting plan had to be approved five days prior to qualifying; and Hefner reminded that the proposed plan had to be submitted to the Justice Department 60 days prior to that date to allow sufficient time for review. Ottinger added that if the planned was approved prior to qualifying, the 5-member City Council Members would not be allowed to vote on city only matters, given the Council would still be operating under the existing charter. Oats asked that with the addresses of the Council Members and School Board members be plotted on the map in their respective districts and that same be provided to Commissioners.

AGENDA ITEM NO. 6: Discussion of salary of Mayor

Lewis showed a chart identifying the salaries of elected officials in the parish. Bacque reminded that the decision should also apply to the salary of the Lafayette Consolidated Government City-President's salary. Oats suggested that the salary be the same as the Clerk of Court (\$136,560). Conque recommended that the baseline be \$125,000, similar to executives in Lake Charles and East Baton Rouge Parish. Walker stated that the responsibility of the position should dictate the salary. Under the separate Charter, the mayor would have the same responsibility as in the existing charter, with the consolidated functions remaining as is. As recommended in a previous Charter meeting, Bourgeois noted that he did not necessarily feel that the mayor should be the highest paid elected official in the parish.

An initial motion was offered by Bourgeois, seconded by Carson **to identify a preliminary Charter amendment to set the Mayor's salary at \$128,000.**

A substitute motion was offered by Bacque, seconded by Carson **to identify a preliminary Charter amendment to set the salary of the Mayor (and City-Parish President) the same as the Sheriff's salary at the time the Charter becomes effective** and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Miller, Oats, Walker

NAYS: None

ABSENT: None

ABSTAIN: None

*The motion was unanimously approved.*

AGENDA ITEM NO. 7: General comments from the public on Consolidation

Dale Brasseaux asked if the Parish would have their own attorney and Lewis responded affirmatively. Brasseaux then asked if the people would vote on whether to leave the government consolidated or to separate the government. Oats stated that the Commission had taken a preliminary vote to work on two separate tracks, one being to build two separate Charters (a City and Parish) and the second to tweak the existing Consolidated Charter. A decision had not yet been made on how it would be presented to the voters. Bacque made a motion to place the two options on the ballot to give the voters a choice, and then withdrew the motion. Ottinger reminded that all actions taken thus far by the Commission were preliminary in nature. Once a final decision was made by the Commission, the action would go directly to the Council to call an election.

AGENDA ITEM NO. 8: Next meeting date

The next meeting was scheduled for Monday, January 24, 2011.

AGENDA ITEM NO. 9: Adjourn

There being no further business, the meeting adjourned at 7:45 p.m.