

## **CHARTER COMMISSION MEETING MINUTES**

**MONDAY, OCTOBER 11, 2010**

**705 W. University Avenue, Council Auditorium**

**Commission members in attendance:** Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, D. Keith Miller, Stephen J. Oats, Aaron Walker

**Absent:** Odon Bacque

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

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

**Administration staff in attendance:** 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 Aaron Walker was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members.  
There were no comments and/or announcements.

AGENDA ITEM NO. 4: Recognize Ed Abell – former Chairman of the 1991 Charter Commission (Pre-Consolidation)

Abell stated that the mission of the 1991 Charter Commission excluded the area municipality, could only include the City of Lafayette and could not prohibit annexation in the Parish. When the Charter was written the Commission was under the impression all municipalities would continue to annex property. Also, at that time, two-thirds of the people in Lafayette Parish resided in the City of Lafayette. When Consolidation took effect, City services were provided to other areas of the Parish through intergovernmental agreements. This move gave important services to residents outside the City that had been previously used to promote annexations in the City of Lafayette. The process by which the current Council and LPUA operated regarding utility matters was a big disappointment, as that was not the intent when the Charter was written.

After hearing recent discussions, he was unsure about how the issue of City representation should be handled; however, consideration should be given to how the Parish government would function given its limited funding. If the 1991 Commission did not have the enabling legislation excluding the area municipalities, Oats asked what Abell would have changed in their deliberations and Abell stated he would have considered a total consolidation, although inclusion of the area municipalities would have been a hard sell to the public given the identity felt among smaller communities.

Oats asked for Abell's thoughts on the current structure of the Lafayette Public Utilities Authority (LPUA) and Abell responded that there was never any question that the utility system would be ran solely by the 5-member Board. In hindsight, Oats asked what he would have recommended differently and Abell stated that the City of

Lafayette would be placed in a position where it could continue to grow.

Manuel asked generally what did not work in Consolidation and Abell stated that there was still not enough money to run Parish government and there had been no equalization of the tax structure. Lewis expressed concern regarding the succession plan and structure in the absence of the City- Parish President (with the Council Chair moving into the position) and Abell did not recall the reasoning, stating that it could have been a suggestion from the consulting firm. Walker asked if the '91 Charter Commission gave consideration on how the unincorporated area would fund itself and Abell responded that this was a reason to combine the governments and added that, it was thought, the merger would eliminate the duplication of services. Conque reminded that, when annexations occurred in the area municipalities, sales tax funds were lost that could otherwise be used to subsidize parish needs, such as the jail, courthouse, etc.

AGENDA ITEM NO. 5: Recognize Greg Davis – former Chairman of the 2010 Charter Committee who will speak about the Committee’s decision to Deconsolidate

Lewis asked Davis to explain the decision by the Committee to deconsolidate and Davis explained that the Committee acted swiftly given that the Legal Department had advised the board that any item for consideration would have to be on the Fall ballot for implementation by 2012. He supported the motion based on comments received from City of Lafayette residents who felt they had been disenfranchised, given that people who lived outside the City were making decisions for residents of City of Lafayette.

Citizens were not aware that residents of area municipalities were able to vote for the mayor of Lafayette and Council. It was his opinion that the people should choose their government structure. The motion to deconsolidate passed unanimously on the 9-member committee. However, the vote did not get a favorable vote from the Council, as a super-majority (6 votes) was needed to place the item on the ballot. The vote of the Council was 5 to 4 for deconsolidation.

Carson questioned whether deconsolidation would be feasible for Parish residents, given the funding limitations and budget of the parish and Davis noted that the funds for the City and Parish were separate and added that, if the government was separated, the parish would have the same amount of money to work with as it has today. Davis stated that funding should not be the determining factor in what governance structure was selected for Lafayette Parish. First and foremost, the consideration should be the wishes of the people. Further, the Parish could enter into an intergovernmental agreement with the City to provide the Administrative functions.

Carson noted that the Commission should not turn their backs on the Parish. Oats reminded that all the people of the City were residents of the Parish, while Parish residents were not a part of the City. It was his opinion that the City needed to be more in control of its own destiny. Bourgeois stated that the task was to find a way to provide the City of Lafayette with its autonomy without hurting the Parish. He faulted the City of Lafayette for not being more aggressive on annexations.

AGENDA ITEM NO. 6: Recognize Commissioner Bruce Conque to provide information on the Jacksonville Consolidation model

Conque gave a power point presentation noting that some of the major issues were related to redistricting and the population growth in the parish. There was a need to tweak the Charter, with the first task being to determine the structure of government. The City of Lafayette residents could lose their representative influence on the Consolidated Council beginning in 2012 following the results of the 2010 Census. Conque identified

three flaws with the current form of government, those being that 1) residents in area municipalities voted on issues impacting the City of Lafayette 2) all nine votes on the Council carried the same weight in matters related to the City and/or the Utilities System no matter the number of city residents that Council member represented (for example, District 6 represented 99% City residents and District 9 represented 7% city residents), and finally 3) 95% of the LCG budget was related to the City of Lafayette.

The upside of Consolidation was that the merger of the governmental functions and services worked well. The City of Jacksonville model could work well for Lafayette Parish. Conque proposed the creation of six (6) Urban Service Districts and one (1) General Service District. The Urban Districts would be for each municipality in the Parish, including Lafayette, Broussard, Carencro, Duson, Scott and Youngsville. The General District would be the unincorporated parish. Each Urban District would have its own elected Council and mayor. The General District would have an elected Council.

The proposal would not only provide the City of Lafayette with its own council and mayor and address the concerns related to the LPUA, but could protect the political integrity of the rural and urban citizens of Lafayette Parish. In closing, Conque stated that this was a broad stroke of a modified Jacksonville model. However, his priority would be an independent board for the City of Lafayette, although he would be open to hearing other options.

Lewis asked if the Parish would have a parish president and Conque responded negatively, adding that there would be an administrator to handle the business of the Council and Parish.

AGENDA ITEM NO. 7: General discussion from Commissioners regarding current Charter and possible changes thereto

Lewis stated that he thought the first order of deliberations should be to determine the structure of government for Lafayette Parish and asked for general comments from the Commissioners on same. Bourgeois stated that there was a lot of discussion on funding and that he had concerns with other municipalities voting on city issues. Carson concurred with the latter and added that the issue should be addressed in the Charter. Conque had already presented his proposal on governance under agenda item #6. It was Lewis' opinion that the City of Lafayette needed to have autonomy and should have a City Council, which would solve issues related to city zoning matters and the Lafayette Utilities System.

Both, Manual and Miller concurred with the fact that citizens of the small municipalities should not vote on city issues. Oats was glad to hear comments on the need for autonomy for the City of Lafayette. Further, there was a need to also respect the autonomy within the small towns. Walker stated that in 1996, he did not support Consolidation, as he envisioned the discrepancies coming to light today. On the matter of funding, he did not believe that the Commission should be addressing or making decision relative to same. He would consider Conque's plan and felt it was time to move forward with their deliberations. Manual took exception to the statement that the Commission should not address the funding issue. Lewis stated that the Commission should review the information and come up with recommendations on addressing the needed changes.

AGENDA ITEM NO. 8: General comments from the public on Consolidation

- Carroll Baudoin – stated that 30 years ago the issue of a consolidated government was considered and it was to be a true consolidation. The current form of government has proven to be unsuccessful for Lafayette Parish. One change that he felt should be discussed was in reference to giving the City of Lafayette its autonomy. The

Commission should not be concerned with who has money and who does not. As a citizen of the City of Lafayette, he asked that he be given the opportunity to vote on giving the City of Lafayette back its autonomy.

- Patrick Brasseaux – expressed concern that residents living in the five (5) area municipalities voted on issues related to consolidated government. Further, if a resident lived in one of the area municipalities, they should not be eligible to run for office for LCG, which represented the City of Lafayette and unincorporated parish.

AGENDA ITEM NO. 9: Next meeting date

The next meeting was scheduled for October 18. Lewis stated that Manual had requested the meeting be moved to the Briefing Room and advised that staff had been communicating with the Information Technology Department to determine if they could facilitate the move with the proper recording device. He would keep the Commission updated on the issue.

Oats reminded that he had requested a presentation from the Legal Department and Assistant City-Parish Attorney Vivian Neumann asked for input on what the presentation should highlight. Oats stated that the presentation should be similar to that of other departments. Carson emphasized that the Commission needed to be clear and specific to the public on their direction during deliberations. Oats added that the approach in making amendments would be preliminary until all the pieces were assembled. Thereafter, the Commission would get more input from the public based on the final draft document. Bourgeois asked that another email be forwarded to the newspaper with a request that they make a concerted effort in requesting public participation and comment on possible Charter revisions.

AGENDA ITEM NO. 10: Next meeting date

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