

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5800

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. SMITH

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 4 DAY OF MAY, 2017

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE
OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE III,
PARISH COUNCIL, TO MAKE CHANGES RELATIVE THERETO.

WHEREAS, the St. Tammany Parish Council created a workgroup comprised of Council members and citizens to review the St. Tammany Parish Code of Ordinances, Chapter 2, Administration, Article III, Parish Council and recommend changes thereto; and

WHEREAS, it is necessary to amend the Code of Ordinances to reflect the changes recommended by the workgroup.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the St. Tammany Parish Code of Ordinances, Chapter 2, Administration, Article III, Parish Council as amended as follows:

ARTICLE III PARISH COUNCIL

SEC. 2-030.00 Parish Council Salaries

1. The monthly compensation to be received by all elected members of the St. Tammany Parish Council shall be as follows:

On January 1, 2016, and every January 1st thereafter, council member salaries will increase by the average percentage increase of all St. Tammany Parish Government employees for that year as determined by the St. Tammany Parish Director of Finance.

Monthly Compensation for subsequent years shall remain at this level unless amended by the Council pursuant to Parish Charter Section 2-05(B).

2. Reimbursements

A. Council members are entitled to reimbursement for reasonable expenses incurred in carrying out their official duties.

B. Reimbursement shall be authorized only upon submission of properly documented receipts.

C. Authorized items for reimbursement:

1. Mileage shall be reimbursed for the use of a personal vehicle for out of parish business related travel. Mileage shall be based on the most current federal/state standard mileage rate. Reimbursement requests shall be documented from the vehicle's actual odometer reading or calculated using the recommended route of travel.

2. Expenses incurred for lodging and meals to attend out of parish government functions, when such lodging and meals are not prepaid by the parish.

3. Cellular Phone Stipend Program

A. Council members are entitled to a cellular phone stipend to cover the reasonable expenses incurred in the performance of their official duties.

B. Stipends will be paid in accordance with a multi-tier program with each tier representing an allotment of minutes and features necessary for council members to conduct business according to individual need.

C. Council Members will each be placed in a tier level of stipend according to the number of minutes and features they require after consulting with the Council Administrator.

D. The Council Administrator will review annually the tier level of stipend with each Council Member to confirm the appropriate amount of stipend is being paid according to actual minutes and features used during the previous year.

E. Council staff members requiring a cellular phone as part of their duties will also participate in this stipend program.

(Ord. No. 09-2017, adopted 03/05/2009; amended by Ord. No. 11-2452, adopted 02/03/2011; amended by Ord. No. 14-3210, adopted 10/02/2014)

SEC. 2-031.00 St. Tammany Parish Council Rules And Procedures

The following sections outline the St. Tammany Parish Council Rules and Procedures.

SEC. 2-031.01 Officers

A. A ~~Chairman~~ Chair shall be elected yearly by a majority vote of the Council. He/She shall preside over all meetings and be an ex-officio member of all committees. The ~~Chairman~~ Chair shall not be elected any earlier than the November Regular Monthly Meeting.

B. A ~~Vice-Chairman~~ Chair shall be elected yearly by a majority vote of the Council. The ~~Vice-Chairman~~ Chair shall serve in the absence of the ~~Chairman~~ Chair. The ~~Vice-Chairman~~ Chair shall not be elected any earlier than the November Regular Monthly Meeting.

C. There shall be a Sergeant-At-Arms appointed yearly by the ~~Chairman~~ Chair, whose duty is to keep order in the meetings.

E. There shall be a Parliamentarian appointed yearly by the ~~Chairman~~ Chair of the Council, whose job it is to keep a copy of Robert's Rules of Order and answer any procedure issues when called upon to do so. (Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94)

SEC. 2-031.03 Council Committees

A. There shall be the following Standing Parish Council Committees:

1. Agenda Review Committee

a. The Committee will review the agenda for each Regular Council Meeting and make recommendations to the full Council on those agenda items it elects. The Committee may also hear any other matter placed on its agenda by a committee member, as well as, upon written request by an interested person, delivered to the Council Administrator by 9:00 A.M. the Tuesday prior to the Committee meeting, such other item and or matter of relevance to St. Tammany Parish business upon unanimous vote of members present.

b. The Committee will be comprised of no more than seven (7) parish council members appointed annually by the Council Chairman Chair.

c. The Council ~~Vice-Chairman~~ Chair will serve as one of the no more than seven Committee members and as the Committee's ~~Chairman~~ Chair. In the event that the ~~Vice-Chairman~~ Chair or other member of

the Committee cannot attend a meeting, the Council ~~Chairman~~ Chair or other council member not an appointed regular committee member may sit in his/her stead.

(amended by Ord. No. 06-1371, adopted 09/07/2006)

d. Committee meetings will be held prior to all Regular Council Meetings on the date, time and place determined by the Council ~~Chairman~~ Chair.

e. Committee Meeting Notices will be posted at the Parish Government Administrative Complex and by other means as required by law.

2. Finance Review Committee

a. The Committee will review the Parish budget and any amendments thereto, any financial item which it elects to place on its agenda and make recommendations to the full Council regarding same.

b. The Committee will be comprised of no more than seven (7) parish council members appointed by the Council ~~Chairman~~ Chair.

c. The Council ~~Chairman~~ Chair will appoint one of the Committee members to serve as the Committee's ~~Chairman~~ Chair. In the event that the Committee ~~Chairman~~ Chair or other member of the Committee cannot attend a meeting, the Council ~~Chairman~~ Chair may designate another Council member to sit in his/her stead.

d. Committee meetings will be held at least quarterly prior to Regular Council Meetings with the ability of the Committee ~~Chairman~~ Chair to call special meetings upon giving proper legal notice.

B. In addition to the Standing Committees the Council ~~Chairman~~ Chair, or the Council by resolution, may create Special Ad Hoc Committees and Advisory Workgroups.

1. Special Ad Hoc Committees may be created to address a particular issue and make recommendations on that issue to the full Council. They will be made up of no more than seven (7) council members. Meeting notices will not be required for Ad Hoc Committee meetings.

2. Advisory Workgroups may be created to make advisory recommendations to the Parish Council on any matter. They may be made up of no more than seven (7) council members and any number of parish staff and lay persons. Meeting notices will not be required for Advisory Workgroup meetings.

(Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94; amended by Ord. No. 02-0457, adopted 03/07/2002; amended by Ord. No. 06-1256, adopted 03/02/2006; amended by Ord. No. 06-1371, adopted 09/07/2006; amended by Ord. No. 12-2731 adopted 05/03/2012)

SEC. 2-031.04 Agendas

A. Deadline - The ~~Wednesday~~ Tuesday two weeks prior to the Regular Council Meeting, at ~~9:00~~ 10:00 A.M. shall be established as the Regular Agenda Deadline. The Tuesday prior to committee meetings at 9:00 a.m. shall be established as the Committee Agenda Deadline.

B. Agenda of all Meetings shall be posted at the Government Complex ~~to give~~ no later than twenty-four (24) hours prior to the meeting in order to give notice to the public and shall be mailed to be received by Council members twenty-four (24) hours prior to the meeting.

C. Only those items on the meeting agenda can be voted on at that meeting.

D. Any item not on the a Regular Agenda can be considered ~~with ten (10) [affirmative] votes of the~~ Jury upon unanimous approval of the members present; any items not on a committee agenda can be considered with ~~a majority vote~~ unanimous approval of committee members present.

E. Any item on the Agenda may be moved up with ten (10) ~~[affirmative]~~ affirmative votes of the ~~Jury~~ Council; any item on the committee agendas can be moved up with a majority vote of committee members present.

(Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94)

SEC. 2-031.05 Agenda Format

A. Call to Order, Invocation, Pledge of Allegiance, and Roll Call.

B. Presentations

C. Resolution of Nominations/Appointments.

1. Appointments to parish-wide boards and commissions must lay over after nomination until the following council meeting, unless the rule is suspended by ten (10) votes of the Council.

2. Individual District nominations/appointments shall not require a lay over period.

C.D Consent Calendar:

1. Any item may be removed from the consent calendar by Council members, administration or the public for individual consideration prior to the adoption of the Consent Calendar. Any items not removed shall be introduced/adopted on consent by one motion, which motion shall restate the removed items.

~~1.2.~~ 2. The Minutes of the previous month's Meetings.

~~a. Waiving of the reading of the minutes, adoption as presented and authorization to publish in the Official Journal.~~

~~2.~~ 3. Ordinances for Introduction.

a. Ordinances for Introduction shall be introduced by title only, sponsored by a Council Member, shall not require public reading, and be presented in full written form when considered at Committee Meetings.

~~3.~~ 4. Resolutions (except those of appointments).

a. Resolutions shall be sponsored by a Council Member and shall not require public reading.

~~4.~~ Licenses and Permit Applications.

~~a. Granting of licenses and permits subject to Sheriff's Office approval if applicable, and meeting all Parish requirements.~~

~~5. Any item may be removed from the Consent Calendar for individual consideration prior to the adoption of the Consent Calendar. All items shall be removed together by one motion. Any items not removed shall be introduced/adopted on consent by one motion and vote.~~

~~D.~~ The remaining Order of business shall be taken as follows:

~~1.~~ 1. Appearers.

~~(1) All meetings of the Parish Council are open to the general public. Any person wishing to speak relative to an item on the agenda shall be allowed to do so upon consideration of that matter. A two (2) minute time limitation is established for each person wishing to speak for/against an item on the agenda.~~

~~(2). Appearers must be on the published Agenda which shall state the purpose for which they are appearing; said purpose shall not relate to an item previously listed on the Agenda.(Ord. No. 94-2066, adopted 04/15/94).~~

~~(3) Appearers wishing to discuss items not listed on a meeting agenda shall be considered upon receiving a unanimous vote of council members present. A three (3) minute time limitation is established for items not on the agenda.~~

~~(4) The Council Chairman Chair shall have the option of extending time limitations on issues when deemed necessary.~~

E. Appeals of Decisions of the Planning/Zoning Commission.

1. Appearers involved in the appeal process shall be allowed ~~five (5)~~ ten (10) minutes per side (for/against), with a ~~two (2)~~ three (3) minute rebuttal per side, a two (2) minute conclusion per side may be allowed if questions are asked by the Council. Large groups shall be required to select one or more specific individuals to share the total time allocation.

F. Ordinances for Adoption and Public Hearing.

1. All meetings of the Parish Council are open to the general public. Any person wishing to speak relative to an item on the agenda shall be allowed to do so upon consideration of that matter. A three (3) minute time limitation is established for each person wishing to speak for/against an item on the agenda.

~~1.~~ 2. All Ordinances for adoption at the Meeting must be on the Agenda, unless qualifying as an emergency under Section 2-14 of the Home Rule Charter.

a. ~~The Chairman~~ Chair shall read the Title of each Ordinance prior to consideration.

b. Ordinances adopted shall state the members voting , members absent, and the vote cast by each ~~[member]~~ member.

~~G. Resolution of Nominations/Appointments.~~

~~1. Appointments to parish-wide boards and commissions must lay over after nomination until the following council meeting, unless the rule is suspended by ten (10) votes of the Council.~~

~~2. Individual District nominations/appointments shall not require a lay over period.~~

~~H. G. Award of bids.~~

~~I. H. Matters for Discussion.~~ Discussion and other matters.

I. Appearers

1. Appearers wishing to discuss items not listed on a meeting agenda shall be considered upon receiving a unanimous vote of the Council members present. A three (3) minute time limitation is established for items not on the agenda.

2. The Council ~~chairman~~ chair shall have the option of extending time limitations on issues when deemed necessary.

J. Executive Session.

K. Off-The-Floor Agenda

a. Deadline - 10:00 a.m. on the Wednesday prior to the regular Council meeting shall be established as the deadline for the Off-The-Floor Agenda.

b. Format - Items will be placed on the Off-The-Floor Agenda in the order in which they are received in final form, and must each include an administrative comment stating the reasons for their placement on the agenda consistent with the following requirements:

1. Involving an issue of public health, safety and welfare; or
2. Of a time sensitive nature; or
3. Of an emergency nature.

c. Sponsor - All items Off-The-Floor must be sponsored by a council member who has been fully apprised of the subject matter of the item.

d. Procedure - Following the hearing of matters on the regular agenda, the Council may open the Off-The-Floor agenda upon the unanimous vote of council members present. The title of each item shall be read by the Chairman Chair prior to consideration.

~~L. Other Matters~~ Verbal Off-the-Floor

a. Items received after Off-The-Floor agenda deadlines may be individually considered at the end of the meeting upon a unanimous vote of council members present taken on each item after the sponsoring council member having read the title of the item and provided a description of the matter and the necessity for it being presented.

b. Ordinances presented by a council member at the end of the meeting must be in writing and in the form required for final adoption pursuant to Home Rule Charter Section 2-12. (Ord. No. 08-1927, adopted 09/11/2008)

SEC. 2-031.06 Suspension Of Rules

A. Suspension of ~~Police Jury~~ Council Rules and Procedures shall require ten (10) [affirmative] votes of the ~~Police Jury Council~~. (Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; Ord. No. 94-2066, adopted 09/15/94)

SECTION 2-031.07 Public Participation Rules

1. All videos taken at any public meeting held in the Council Chambers, except those by Parish staff, shall only be taken from an area designated in the Chambers for said purposes by the Chairman Chair.

2. All handheld signs brought into the Council Chambers by the public shall only be displayed in the area designated in the Chambers for said purposes by the Chairman Chair.

3. No solicitation of any kind may be conducted in the Council Chambers during any public meeting whatsoever.

4. Any violation of these rules will subject the offender to immediate removal from the Chambers. (Ord. No. 16-3636, adopted 12/01/2016)

SEC. 2-032.00 Roberts Rules

This Section Repealed by incorporation into Ord. No. 88-905, adopted 01/21/88 as Sec. 2-031.02 paragraph (F) supra.

SEC. 2-033.00 Rescission of an Appointee for Failure to Timely Return Oath

EDITORIAL NOTE:

This is a new section created by the authority of Ord. No. 96-2502, adopted 09/19/96.

1. After sixty (60) days from the date of appointment by the ~~Police Jury~~ Council to the membership of a political subdivision, it shall be cause for the rescission of the subject appointment, and said appointment shall be rescinded whenever the appointee fails to timely and properly execute and return to the ~~Police Jury~~ Council for processing his/her oath of office, all in a manner which is set forth or otherwise contemplated by the provisions of this ordinance.

2. Whenever an appointment to the membership of a board of a political subdivision is rescinded in a manner as set forth in Section 1 of this ordinance, the ~~Police Jury Council~~ may restore the appointment or effect a replacement appointment thereto, all in a manner set forth in Chapter 2 (Administration) of the Code of Ordinances of St. Tammany Parish, Louisiana.

3. The Parish ~~Manager~~ President is hereby authorized to effect any and all reasonable and practical procedures which may be necessary to implement the provisions set forth in this ordinance, which shall include, but shall not be limited to, using the mailing address for the appointee which is on file with the Registrar of Voters for St. Tammany Parish for the purposes of notification.

4. Term Defined: For the purposes set forth in Section 1 of this ordinance and at the sole discretion of the ~~Police Jury Council~~, the term "After sixty (60) days from" may mean "If the ~~Police Jury Council~~ subsequent to".

(Ord. No. 96-2502, adopted 09/19/96)

SEC. 2-034.00 Candidates for Elected or Appointed Positions

The following shall apply to all potential, nominated and/or qualified candidates for local, state or federal elected and/or appointed positions:

1. Regular or special meetings of the Council shall not be used as a forum for candidates or individuals seeking an elected office or a politically appointed position.

2. No individual shall be placed as an appearer on any Parish Council agenda for the purpose of announcing, promoting or campaigning for elected office or a political appointment.

3. No individual, in attendance at regular or special meetings, will be granted permission to publicly address the Council or the audience for purposes of announcing, promoting, or campaigning for an elected office or a political appointment.

(Ord. No. 00-0118, adopted 02/17/2000)

SEC. 2-035.00 Council Personnel

EDITORIAL NOTE: This section created by authority of Ord. No. 16-3576, adopted 08/04/2016.

a. The Council deems all staff positions listed in this section as necessary to assist it and its members in carrying out its duties and responsibilities.

b. The Parish Council Administrator oversees all council office staff and operations associated with the Parish Council. In conjunction with the Clerk of Council, Assistant Council Administrator(s), Assistant(s) to the Council, and the Council Secretary, the Administrator (1) gives notice of council meetings to its members and the public; (2) keeps the journal and records of Council proceedings; (3) prepares the annual budget for the Parish Council Office and reviews all budget submissions from the Parish President (executive branch) and administrative departments for briefing to parish council members; (4) is the Parish Council liaison and works closely with parish departments and agencies; (5) is responsible for working with federal and state agencies in furtherance of Parish Council responsibilities and objectives; (6) is also the Parish Council's representative to the media, homeowner associations, professional associations and public interest groups; (7) works with the Parish Council Attorney(s) and paralegal(s) to address legal matters related to Parish Council business; (8) and performs such other duties as are assigned by the Parish Council.

c. The Council shall appoint one (1) or more attorneys as necessary Council staff members and who shall serve at the pleasure of the Council. The Council Attorney(s) shall (1) serve as legal advisor(s) to the Council, respective staff members, and boards and commissions established by Council, all as directed by the Council; (2) represent and/or direct representation for the Council in conjunction with Parish

Government in legal proceedings; (3) represent boards and commissions established by the Council and as directed by the Council; and (4) co-administer Parish litigation with Parish President appointed attorneys and jointly represent the Parish Government with Parish President attorneys.

d. The Council adopts its staff organizational chart as follows: St. Tammany Parish Organizational Chart - Council - Legislative Branch.

e. All employees shall serve at the pleasure of the Council.

f. The Council staff shall function and operate at the direction of the Parish Council ~~Chairman~~ Chair and is supervised by a Council Administrator and a Council Attorney as organizationally identified in this section and chart.

g. The assigned duties and responsibilities of all staff members shall be reviewed by members of a personnel committee appointed by the ~~Chairman~~ Chair.

(Ord. No. 16-3576, adopted 08/04/2016)

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 1 DAY OF JUNE , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 26 , 2017

Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____