

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6045

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. LORINO

SECONDED BY: MR. TOLEDANO

ON THE 4 DAY OF OCTOBER , 2018

ORDINANCE TO AMEND ORDINANCE SEC. 2-183 OF THE
ST. TAMMANY PARISH CODE OF ORDINANCES FOR THE
REORGANIZATION OF THE PARISH LEGAL DEPARTMENT.

WHEREAS, in accordance with Section 4-12 of the Home Rule Charter for St. Tammany Parish, and as per law, the President submits the following proposed Administrative reorganization plan.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish Code of Ordinances, Chapter 2, Section 2-183 be amended and restated as follows:

Sec. 2-183. - Duties of departments.

(a) The general duties and responsibilities of each office and/or department herein shall be as follows:

(1) To perform such services as is necessary to carry out its legislative functions.

(2) To ensure the safety, health and well-being of the citizens of this parish.

(3) To be responsive and responsible to the needs of the citizens of the parish.

(4) To perform other such activities not enumerated herein as directed by the Charter, the president, chief administrative officer and/or deputy chief administrative officer.

(b) The further duties of these offices, agencies and/or departments shall be as follows:

(1) The office of the president shall include the parish president, chief administrative officer, one or more deputy chief administrative officers, chief financial officer, ~~executive counsel,~~ and such administrative assistants and clerical staff necessary to perform the charges mandated by the Charter and effectively govern the day-to-day affairs of parish government. The president shall also possess those powers outlined in the parish Charter, together with those inherent duties and powers not otherwise enumerated in the Charter as are necessary to operate the affairs of the parish. All duties previously listed for the parish manager shall now be transferred to the position of the chief administrative officer (CAO); the CAO is directly answerable to the president. The CAO shall have the authority to establish a hierarchy and/or chain of command between and among the departments and officers, except the legal department and finance department. ~~The finance department who shall answer directly to the president.~~ The prior parish Code is amended accordingly. The office of the CAO shall include the legislative liaison and shall carry out intergovernmental relations.

(2) The department of finance, under the direction of the chief financial officer, shall provide such administrative and technical support to ensure that the finances of the parish are maintained and fiscally sound. This department shall maintain all parish accounting, budgeting, collection of funds, financial reporting, investing and maintenance of indebtedness; distribution of parish funds shall be included in the powers and duties of this department. Custodian of securities for developmental obligations to this parish shall likewise be the responsibility of this department. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(3) The department of public works shall include, but is not limited to, infrastructure maintenance, drainage maintenance, vehicle maintenance and Tammany Trace maintenance. This department shall be responsible for the scheduling, coordinating and administration of public works activities in this parish that involve or that in any way are related to the maintenance of all parish roads, bridges and/or drainage

structures. This department shall also be responsible for administration of the district capital projects and the lighting districts. This department shall oversee all activities and maintain all documentation for parish road and/or drainage maintenance activity. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department. This department shall include the sub-department of engineering which shall be supervised by the parish engineer who, in turn, is under the supervision of an assistant director of the department of public works. The sub-department of engineering shall include, but is not limited to, the oversight and administration of major road, drainage and capital projects. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department of engineering and/or parish engineer as provided for in this Code, Subdivision Regulatory Ordinance No. 499, and any other applicable regulations. Said duties shall also include the ability of the parish engineer to designate additional engineer(s) to act in place of the parish engineer for the administration of parish engineer duties as provided by this paragraph. The parish engineer and/or his/her designee(s) shall be, at the time of his/her appointment, a professional engineer licensed by the Louisiana Professional Engineering and Land Surveying Board and shall have been engaged in the practice of engineering for a period of five years.

(4) The department of facilities management shall include, but is not limited to, the general upkeep, maintenance and repair of all parish-owned grounds, buildings and movables. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(5) The department of environmental services shall provide control, monitoring and inspection of water and sewer services as well as regulatory authority over solid waste collection, hauling, transfer and disposal, septage, on-site wastewater treatment, individual water wells and litter enforcement and abatement. The department shall also continue to implement the authorities of the former environmental services commission (R.S. 33:4064.1 et seq.) transferred to the parish by Act 146 of the First Extraordinary Session of the 2000 Louisiana Legislature, and operate and maintain parish-owned water and sewer utility systems. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(6) The department of planning and development shall serve as a one-stop department for all permitting, planning, development, zoning and land use regulation within the parish. This department shall oversee the administration of all land use control and building permitting activities of the parish, including but not limited to permitting of land clearing and site development. Said duties shall include those outlined in R.S. 33:101-33:119 (Planning), 33:4780.40-33:4780.50, and/or this Code, as same may be amended, restated and/or recodified from time to time. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department. All references in this Code to the department of planning shall mean the department of planning and development.

(7) The department of human resources shall administer all payroll functions and general oversight of payroll; recruiting and staffing; employment and regulatory compliance; employee orientation, development and training; personnel rules and policy development and documentation; compensation and benefits administration; employee safety, welfare, wellness and health; records management; administration of employee grievance procedure for dismissals, demotions and other disciplinary matters; and employee services and counseling. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(8) The legal department.

~~a. The president shall appoint an executive counsel who shall serve at the pleasure of the president. The executive counsel shall:~~

~~1. Subject to the council's approval pursuant to Home Rule Charter section 4-01(A), be the director of the legal department;~~

~~2. Direct the legal department and its respective staff members, including attorneys;~~

~~3. Serve as legal adviser to the president, parish employees and all departments comprising parish administration, all as directed by the parish president;~~

~~4. Represent and/or direct representation for the parish president and parish administration in conjunction with parish government in legal proceedings; and~~

~~5. Co-administer with council attorneys all legal proceedings and litigation involving parish government and jointly represent the parish government with council attorneys in such proceedings.~~

~~b. All attorneys in the legal department shall be parish president appointed attorneys subject to section 3-09 of the Home Rule Charter. The legal department shall include the office of risk management. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.~~

~~e. Pursuant to Home Rule Charter section 4-03(A), the district attorney of the judicial district serving the parish shall, upon the request of the parish government:~~

~~1. Serve serve as legal adviser to any the parish president and all departments, offices, and agencies of the parish government; and~~

~~2. Represent represent the parish government in legal proceedings; provided, however, that the district attorney has no conflict of interest with respect to any such matter for which such a request is made.~~

~~d. Nothing herein shall alter or change the procedure for retaining special legal counsel as set forth in Home Rule Charter section 4-03(B).~~

(9) The department of technology shall provide technology systems and services, geographical information services and archive management to the parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(10) The department of animal services shall pursue the health, safety and welfare needs of animals and citizens in the parish by protecting citizens from dangers and nuisances caused by uncontrolled animals, enforcing the legal protections of animals from mistreatment and by promoting, motivating and enforcing responsible pet ownership. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(11) The department of fire services shall serve as liaison among the independent fire districts and the parish. The department shall assist the independent fire districts to provide the best available fire protection to their communities. The department shall assist the homeland security and emergency operations department in planning and preparing for emergencies. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(12) The department of homeland security and emergency operations shall develop, manage, coordinate and maintain a comprehensive and effective preparation and response to all hazards that may occur or which pose a threat to property, health, safety and/or welfare of residents of the parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(13) The department of health and human services shall include serving as liaison for community service and health care agencies, programs and facilities. The department shall coordinate emergency special needs shelters and coordinate with the department of homeland security and emergency operations. The department shall coordinate outreach services to outlying areas of the parish to provide health and human services. This department shall be responsible to provide information and the processing of applications for community service programs and homeless shelter assistance programs. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(14) The department of public information shall include the public information office and Access St. Tammany, the government access channels. The department shall be responsible for all related communications and information distribution functions as deemed necessary by the parish government. These offices shall provide such administrative and technical support as is necessary to service the needs of the parish, and its citizens. Said duties shall include, but not be limited to, media relations, Access

St. Tammany production and programming, maintenance of the parish websites, responsibility for the parish's social media outlets and all other actions necessary to carry out the functions of the department.

(15) The department of grants shall include the preparation of all intergovernmental grant applications on behalf of the parish; oversight, financial administration and general administration of and compliance with awarded grants; and informing departments, offices and agencies of all relevant local, state and federal grant programs. The department shall be responsible for administration of the transit program. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(16) The department of culture, recreation and tourism shall be responsible for administration of programs and initiatives related to culture, recreation and/or tourism, such as arts programs, Camp Salmen, I-10 Twin Span Fishing Pier, Tammany Trace and other public recreation venues and programs. The department shall promote and encourage tourism in the parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(17) The department of economic development shall be responsible for promoting the parish for attraction of business; increasing business investment; developing economic opportunity; retaining of existing businesses; and developing of business recruitment capabilities. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(18) The department of procurement shall be responsible for all procurement, purchasing of goods, materials and services and contracting on behalf of the parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

(19) The department of inspections and enforcement shall be responsible for enforcing this Code and conducting inspections, under the direction of the parish chief building official, relative to land use regulations; permitting; building, electrical, mechanical, and plumbing codes; and fill ordinances. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department.

BE IT FURTHER RESOLVED THAT: All director appointments existing as of the adoption of this Ordinance are confirmed.

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 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 NOVEMBER , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 26 , 2018

Published Adoption: _____, 2018

Delivered to Parish President: _____, 2018 at _____

Returned to Council Clerk: _____, 2018 at _____

Ordinance Administrative Comment

ORDINANCE TO AMEND ORDINANCE SEC. 2-183 OF THE ST. TAMMANY PARISH CODE OF ORDINANCES FOR THE REORGANIZATION OF THE PARISH LEGAL DEPARTMENT.

The revision of this Ordinance provides for the structure of the Legal Department and the duties to be performed by same.