



St. Charles Parish

Meeting Agenda

Parish Council

*Council Chairman Julia Fisher-Perrier
Councilmembers Wendy Benedetto, Paul J. Hogan,
Terrell D. Wilson, Mary K. Clulee, Dick Gibbs,
William Billy Woodruff, Marilyn B. Bellock, Traci A. Fletcher*

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.stcharlesparish-la.gov

Monday, October 21, 2019

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER

*Pastor Chris Housewright
Grace Point Church, Destrehan*

PLEDGE

*Commander Bobby Lovergne
VFW Post 3750, Luling*

APPROVAL OF MINUTES

Regular Meeting – October 7, 2019

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 2019-0323 In Recognition: 2019 7-Year Old Louisiana Cal Ripken State
 Champions
 Sponsors: Mr. Gibbs
- 2 2019-0324 In Recognition: Glenn F. Gros, St. Charles Parish Library Board of
 Control
 Sponsors: Mr. Hogan

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2019-0320 Contract Monitor

ORDINANCE INTRODUCED FOR PUBLICATION / PUBLIC HEARING

**Tuesday, October 29, 2019, 9:00 am; Wednesday, October 30, 2019, 6:00 pm; and
Monday, November 4, 2019, 6:00 pm, Council Chambers, Courthouse, Hahnville**

- 3 2019-0161** An ordinance to approve and adopt the appropriation of Funds for the
St. Charles Parish Consolidated Operating and Capital Budget for
Fiscal Year 2020.

Sponsors: Mr. Cochran and Department of Finance

Legislative History

5/20/19 Parish Council Accepted

Reported:

Finance Department Recommended: Approval

Public Hearings scheduled for Tuesday, October 29, 2019 at 9 am,
Wednesday, October 30, 2019 at 6 pm, and Monday, November 4, 2019,
at 6 pm

5/20/19 Parish Council Accepted

10/7/19 Parish President Introduced

10/7/19 Parish Council Publish/Scheduled for Public Hearing to the
Parish Council

**ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC
HEARING**

Monday, November 4, 2019, 6:00 pm, Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

**ORDINANCES SCHEDULED FOR PUBLIC HEARING
(INTRODUCED AT PREVIOUS MEETING)**

- 7 2019-0317** An ordinance to approve and authorize the execution of a Contract with
LA Contracting Enterprise, LLC of Thibodaux, LA., for the Courthouse
Memorial Park Project located at 15045 River Road, Hahnville, LA. in
the amount of \$777,469.01.

Sponsors: Mr. Cochran and General Government Buildings

Legislative History

10/7/19 Parish President Introduced

10/7/19 Parish Council Publish/Scheduled for Public Hearing to the
Parish Council

PERSONS TO ADDRESS THE COUNCIL

- 15 2019-0325 Mr. Peter H. Wilson: Final permitting and recognition of the Slave Rebellion Re-Enactment

RESOLUTIONS

- 16 2019-0312 A resolution to amend the Parish Council Rules to revise Rule 8. - #14. to specify actionable or non-actionable items.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

10/7/19 Council Member(s) Introduced

10/7/19 Parish Council Held Over

Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.

- 17 2019-0313 A resolution to amend the Parish Council Rules to revise Rule 11. to specify members shall not speak more than twice following initial council discussion.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

10/7/19 Council Member(s) Introduced

10/7/19 Parish Council Held Over

Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.

- 18 2019-0070 A resolution to amend the Parish Council Rules to revise Rule 14. to be specific when recognizing members to speak in order on the electronic voting system with exceptions of questions of Points of Order, Personal Privilege, and/or Motions to Deviate.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

3/11/19 Council Member(s) Introduced

3/11/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	
3/25/19	Parish Council	Approved
	Reported: Councilman Hogan Recommended: Approval	
	Public comment opened; no public comment	
	Council Discussion	
3/25/19	Parish Council	Failed
10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

19 2019-0314

A resolution to amend the Parish Council Rules to revise Rule 15. to clarify the Chairman's allowance to make a motion.

Sponsors:

Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

20 2019-0071

A resolution to amend the Parish Council Rules to delete and reserve Rule 16. regarding the electronic voting system when inoperable or unavailable.

Sponsors:

Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

3/11/19	Council Member(s)	Introduced
3/11/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

3/25/19	Parish Council	Postponed Indefinitely
	Councilman Hogan spoke on the matter.	
3/25/19	Parish Council	Postponed Indefinitely
10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

- 21** 2019-0315 A resolution to amend the Parish Council Rules to revise Rule 23. to specify that the Chairman ask if there is any more Council discussion prior to calling for a vote.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

- 22** 2019-0316 A resolution to amend the Parish Council Rules to revise Rule 36. to call for a non-objectionable 10 minute recess prior to any Council member being continually ruled out of order for any disorderly conduct during Council meetings.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

- 23** 2019-0069 A resolution to amend the Parish Council Rules to add Rule 40. The microphone system within the council chambers shall remain on prior to Call to Order and until the meeting is adjourned with the exception of a recess, executive session, or the unceasing use of foul language being used during a meeting.

Sponsors:

Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

3/11/19	Council Member(s)	Introduced
3/11/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	
3/25/19	Parish Council	Approved
	Reported: Councilman Hogan Recommended: Approval	
	Public comment opened; no public comment	
	Council Discussion	
3/25/19	Parish Council	Failed
4/8/19	Council Member(s)	Introduced
4/8/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	
4/22/19	Parish Council	Postponed Indefinitely
	Councilman Hogan requested File No. 2019-0069 be postponed indefinitely in light of the prior discussion.	
	Public comment not opened	
4/22/19	Parish Council	Postponed Indefinitely
10/7/19	Council Member(s)	Introduced
10/7/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	

- 24** 2019-0318 A resolution supporting the application to the Louisiana Office of Community Development Local Government Assistance Program for FY 2019-2020 funding in the amount of \$165,700 to renovate the St. Charles Parish Courthouse Heating and cooling system; an essential government building located at 15045 River Road in Hahnville.

Sponsors: Mr. Cochran and Grants Office

- 25** 2019-0319 A resolution supporting the application for funding of the Bonnet Carré Spillway Water Main Replacement project in Montz through the Louisiana Office of Community Development's FY 2019-2020 Community Water Enrichment Fund.

Sponsors: Mr. Cochran and Grants Office

- 26** 2019-0321 A resolution fully supporting Senate Bill 2418 and House of Representatives Bill 3814, which seeks to increase GOMESA revenue sharing with Gulf Coast States to a level that is more on par with the revenue sharing with onshore mineral production states.

Sponsors: Ms. Fisher-Perrier, Mr. Hogan and Mr. Gibbs

- 28** 2019-0322 A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated August 2, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent nineteen (19) times over the last two (2) months with no response or acknowledgement of receipt having ever being received, whether or not it is the duty and obligation of the Parish Legal Advisor to provide legal advice to Councilmembers when requested, relative to the wording of proposed ordinances so as to help produce draft ordinances, that if adopted, would be enforceable and able to withstand legal challenges if adopted.

Sponsors: Mr. Hogan

- 33** 2019-0068 A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated March 27, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent thirteen (13) times over the last seven (7) months with no response or acknowledgement of receipt having ever being received, relative to whether or not a public hearing must be held prior to tabling an agenda item, in light of R.S. 42:14.

Sponsors: Mr. Hogan

Legislative History

3/11/19 Council Member(s) Introduced

3/11/19	Parish Council	Approved
	Reported:	
	Councilman Hogan Recommended:	Approval
	Public comment opened	
	Mr. Milton Allemand, Hahnville	
	Council Discussion	
	Parish President Larry Cochran spoke on the matter.	
3/11/19	Parish Council	Failed

APPOINTMENTS

2019-0256

A resolution to appoint a member to The Industrial Development Board of the Parish of St. Charles.

Council Office did not receive Confirmation Questionnaire by October 15, 2019 deadline; Rule 17 - Confirmation Questionnaires must be completed and returned to the Office of the Council Secretary by 4:00 o'clock p.m. on the fourth business day preceding a Parish Council Meeting. Failure to complete or return the questionnaire prior to the deadline shall automatically disqualify the nomination.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Felton Parquet. Six (6) year term to being October 1, 2019 and expire October 1, 2025.

Legislative History

10/7/13	Parish Council	Enacted Legislation
	Mr. Felton Parquet appointed to the Industrial Development Board of the Parish of St. Charles on October 7, 2013, per Resolution No. 6037	
	Term: October 1, 2013 - October 1, 2019	
8/19/19	Parish Council	Vacancy Announced
9/9/19	Parish Council	Deferred
9/23/19	Parish Council	Deferred
10/7/19	Parish Council	Nomination(s) Accepted
	Nominee:	
	Councilwoman Bellock nominated Mr. Herbert Bellock	
10/7/19	Parish Council	Close Nomination(s) for
	Councilman Hogan called Point of Order requesting Legal Services Director Robert Raymond to advise of any conflict of interest regarding the nomination.	
	Mr. Raymond spoke on the matter.	
	Councilman Hogan posed a question to Councilwoman Bellock regarding the nomination.	
	Chairman Fisher-Perrier stated the inquiry would be better suited once a questionnaire is submitted pertaining to the nomination.	
	Councilman Hogan withdrew his request.	
10/7/19	Parish Council	Nomination(s) Closed

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.**MEETINGS**

HOSPITAL SERVICE DISTRICT NO. 1: Wednesday, 10/23/19, 10AM, Council Chambers

HOUSING AUTHORITY: Tuesday, 10/29/19, 6PM, Council Chambers

ST. CHARLES PARISH COUNCIL: Monday, 11/4/19, 6PM, Council Chambers

ANNOUNCEMENTS

IMPORTANT DATES FOR THE NOVEMBER 16, 2019 STATE & PARISHWIDE GENERAL (RUN-OFF) ELECTION:

**Saturday October 26, 2019 - Last Day to Register (Online) to Vote*

**Early Voting: Saturday November 2, Monday November 4 - Saturday November 9, 2019:*

8:30 am - 6:00 pm - Westbank – Suite 189 Courthouse, 15045 River Rd. Hahnville;

Eastbank – Allen Arterbury Building, 14564 River Rd. New Sarpy

**Tuesday November 12, 2019 - Last day to Request Absentee Mail Ballots*

**Friday November 15, 2019 - Last Day for Registrar to receive Voted Absentee Ballot*

**Saturday November 16, 2019 - Election Day – 7:00 am – 8:00 pm*

Public Hearings to consider the Proposed 2020 Capital and Consolidated Operating Budget:

Tuesday, October 29, 2019, 9AM

Wednesday, October 30, 2019, 6PM

Monday, November 4, 2019, 6PM

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

The Parish of St. Charles

October 21, 2019

IN RECOGNITION

WHEREAS, St. Charles Parish Parks and Recreation Department has long held a prominent place in the State of Louisiana and the United States as an outstanding Parish and Recreation Program; and,

WHEREAS, the St. Charles Parish 7-Year Old Boys All-Star Team has excelled in the 2019 All-Star Baseball Season; and,

WHEREAS, the 7-Year Old All-Stars finished first in the Cal Ripken State Tournament held June 20-23, 2019, at the Westbank Bridge Park in St. Charles Parish, allowing them to advance to the Southwest Regional Tournament held July 10-14, 2019, in Daphne, Alabama, where they competed against teams from Alabama and Mississippi; and,

WHEREAS, members of the Parish Council and the Parish President wish to recognize the outstanding performances of the members of the 2019 St. Charles Parish 7-Year Old Boys All-Star Team and their Coaches.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, AND THE PARISH PRESIDENT, DO HEREBY RECOGNIZE

THE ST. CHARLES PARISH 7-YEAR OLD BOYS ALL-STARS
Caleb Alexander, Caiden Clark, Eli Creel, Watson Dufour,
Brock Desselle, Michael Escude, Connor Ferreras, Brysen Henry,
Lathan Lagarde, Travis Myers, Dominic Mitchell, Jett Rupert,
Bentley Seagle, and Brock Teravella

Head Coach: Tye Creel

Assistant Coaches: Bradley Clark, Ryan Lagarde,
and Jimmy Seagle

as

2019 7-YEAR OLD

LOUISIANA CAL RIPKEN STATE CHAMPIONS

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

LARRY COCHRAN
PARISH PRESIDENT

PAUL J. HOGAN, PE
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

MARY K. CLUTEE
COUNCILWOMAN, DISTRICT II

DICK GIBBS
COUNCILMAN, DISTRICT III

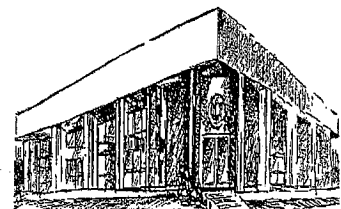
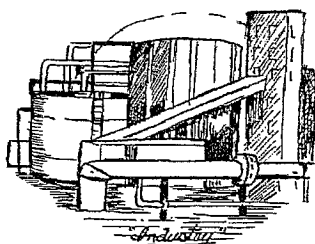
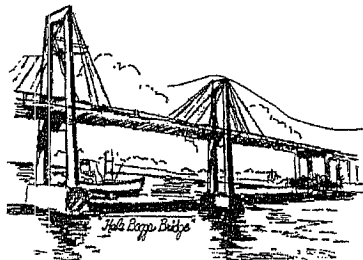
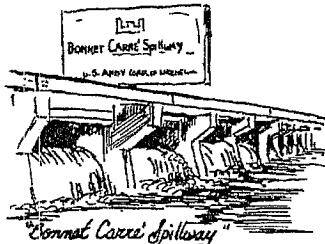
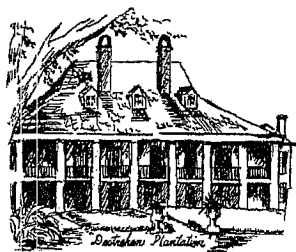
WENDY BENEDETTO
COUNCILWOMAN AT LARGE, DIV. A

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT IV

MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V

TRACY A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII



The Parish of St. Charles

October 21, 2019

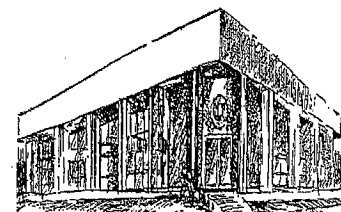
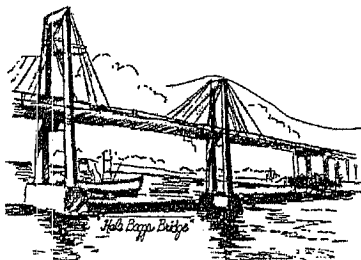
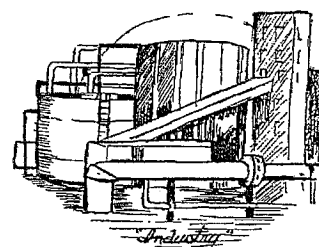
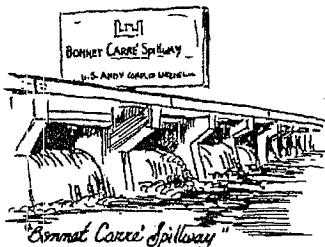
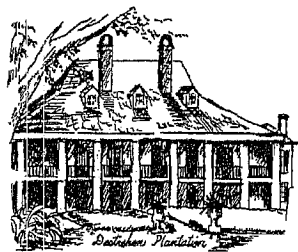
*The St. Charles Parish Council
and the Parish President
Deeply Appreciate
Your Years of Service*

on the


**ST. CHARLES PARISH LIBRARY
BOARD OF CONTROL**

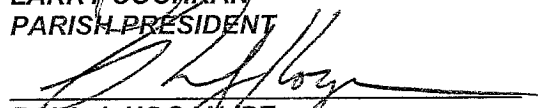
GLENN F. GROS


*District IV Representative
August 1, 2014 – August 1, 2019*

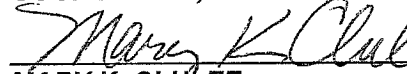



*"PARISH OF PLENTY"
created in 1807 from the county of the
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LARRY COCHRAN
PARISH PRESIDENT

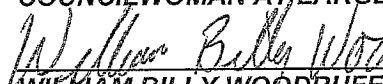

PAUL J. HOGAN, PE
COUNCILMAN AT LARGE, DIV. B

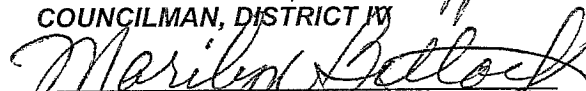

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

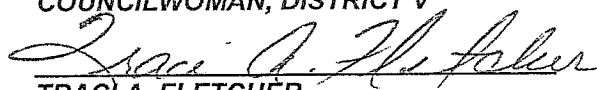

MARY K. CLULEE
COUNCILWOMAN, DISTRICT II



DICK GIBBS
COUNCILMAN, DISTRICT III


WENDY BENEDETTO
COUNCILWOMAN AT LARGE, DIV. A


WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT IV


MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V


TRACY A. FLETCHER
COUNCILWOMAN, DISTRICT VI


JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

2019-0161
INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF FINANCE)

ORDINANCE NO. _____

An ordinance to approve and adopt the appropriation of Funds for the St. Charles Parish Consolidated Operating and Capital Budget for Fiscal Year 2020.

WHEREAS, in accordance with Article V, Section B of the St. Charles Parish Home Rule Charter and Louisiana Local Government Budget Act (R.S. 39:1301 et. seq.) the Parish President has submitted the St. Charles Parish Consolidated Operating and Capital Budget for Fiscal Year 2020 to the St. Charles Parish Council to wit:

- Section I General Fund
- Section II Special Revenue Funds (10)
- Section III Debt Service Funds (5)
- Section IV Capital Projects Funds (3)
- Section V Enterprise Funds (3)

WHEREAS, in accordance with Article V, Section C of the St. Charles Parish Home Rule Charter, the Parish President has submitted a Budget Message to the St. Charles Parish Council; and,

WHEREAS, the Parish Council has taken under advisement the study of the Consolidated Operating and Capital Budget.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That in accordance with Article V, Sections D and E of the St. Charles Parish Home Rule Charter and with the Louisiana Local Government Budget Act (R.S. 39:1301 et. seq.), the St. Charles Parish Council does hereby ordain to adopt the 2020 St. Charles Parish Consolidated Operating and Capital Budget attached hereto and made a part hereof and identified herewith as "Exhibit A" and "Exhibit B", to become effective January 1, 2020.

SECTION II. That said budget shall become effective January 1, 2020.
The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2019.
The provisions of this ordinance shall become effective January 1, 2020.

CHAIRMAN: _____
SECRETARY: _____
DLVD/PARISH PRESIDENT: _____
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____
RETD/SECRETARY: _____
AT: _____ RECD BY: _____

ST. CHARLES PARISH

GOVERNMENTAL FUNDS

CONSOLIDATED OPERATING AND CAPITAL BUDGET SUMMARY STATEMENT

FISCAL YEAR ENDING DECEMBER 31, 2020

Description	2018	2019			2020		
	Prior Year Actual	Original Budget	Last Adopted Budget	Actual Year-to-Date (as of June 30th)	Estimated Remaining for Year	Projected Actual Year End	% Change Last Adopted vs Projected Actual
REVENUES:							
Taxes:							
Ad Valorem taxes	\$ 25,827,462	\$ 26,077,500	\$ 26,077,500	\$ 28,026,504	\$ 48,091	\$ 28,074,595	7.66%
Sales taxes	34,770,819	34,547,975	34,547,975	13,841,474	20,689,435	34,530,909	-0.05%
Other taxes	1,616,681	1,548,000	1,548,000	204,535	1,381,765	1,586,300	2.47%
Licenses and permits	1,364,941	1,303,650	1,303,650	1,210,869	116,881	1,327,750	1.85%
Intergovernmental revenues	14,291,174	10,991,826	25,625,984	4,289,631	20,897,702	25,187,333	-1.71%
Fees, charges, and commissions	1,190,575	1,119,150	1,119,150	619,617	572,364	1,191,981	6.51%
Fines and forfeitures	1,043,940	1,022,300	1,022,300	435,203	519,005	954,208	-6.66%
Investment earnings	1,996,261	1,623,540	1,623,540	1,152,435	1,324,781	2,477,216	52.58%
Miscellaneous	1,109,374	1,074,905	1,074,905	114,641	734,367	860,308	-19.96%
Total Revenues	83,211,227	79,308,846	93,943,004	49,894,909	46,284,391	96,190,600	
EXPENDITURES:							
Personal Services	30,760,435	34,462,193	34,462,193	14,580,218	18,013,546	32,593,983	-5.42%
Operating Services	11,318,270	15,460,405	15,456,755	4,963,901	10,265,371	15,229,272	-1.47%
Materials & Supplies	4,555,725	5,589,560	5,594,560	2,144,905	3,466,923	5,611,828	0.31%
Other Charges	117,930	846,399	846,399	245,806	626,066	884,872	4.55%
Debt Service	2,576,539	2,675,089	2,675,089	2,322,824	958,951	3,281,775	22.68%
Capital Outlay	20,402,391	35,779,000	95,517,624	9,109,282	80,613,037	89,724,419	-6.07%
Intergovernmental	3,866,977	10,335,727	10,276,465	2,084,212	8,136,627	10,220,839	-0.54%
Total Expenditures	73,598,267	105,148,373	164,829,085	35,451,148	122,080,521	157,546,988	
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES							
	9,612,960	(25,839,527)	(70,886,081)	14,443,761	(75,796,130)	(61,356,388)	
OTHER FINANCING SOURCES (USES):							
Transfer in	2,240,700	6,021,266	21,567,595	1,300,632	18,379,013	19,679,645	-8.75%
Transfer out	(3,424,191)	(7,501,516)	(23,047,845)	(2,610,632)	(17,456,342)	(21,066,974)	-8.59%
Proceeds from the sale of assets	75,264	26,000	26,000	5,423	-	5,423	-79.14%
Compensation for Loss/Damaged Assets	861	-	-	-	88,800	88,800	0.00%
Bond Proceeds	-	-	-	-	540,000	540,000	100.00%
Total Other Financing Sources	(1,107,360)	(1,454,250)	(1,454,250)	(1,304,577)	1,551,471	(753,106)	
Net change in Fund Balance	8,505,594	(27,293,777)	(72,340,331)	13,139,184	(74,244,659)	(62,109,494)	
Fund Balance -Beginning	102,741,668	62,022,755	103,479,228			111,247,262	
Fund Balance - Ending	\$ 111,247,262	\$ 34,728,978	\$ 31,138,897			\$ 49,137,768	

ST. CHARLES PARISH
PROPRIETARY FUNDS

CONSOLIDATED OPERATING AND CAPITAL BUDGET SUMMARY STATEMENT
FISCAL YEAR ENDING DECEMBER 31, 2020

Description	2018				2019				2020		
	Prior Year Actual	Original Budget	Last Adopted Budget	Actual Year-to-Date (as of June 30th)	Estimate Remaining for Year	Projected Actual Result at Year End	Last Adopted vs Projected Actual	% Change	Proposed Budget	Projected Actual vs Proposed	% Change
OPERATING REVENUES											
Ad Valorem Taxes	\$ 1,384,607	\$ 2,165,000	\$ 2,165,000	\$ 2,331,028	\$ 5,518	\$ 2,336,546		7.92%	\$ 3,301,000		41.28%
Charges for services	25,337,148	25,392,203	25,392,203	10,324,715	14,984,570	25,309,285		-0.33%	25,948,597		2.53%
Connection and service fees	543,385	451,250	451,250	175,810	340,590	516,400		14.44%	504,500		-2.30%
Delinquent charges	529,991	552,000	552,000	251,556	300,444	552,000		0.00%	568,000		2.90%
Disaster Relief -FEMA	-	-	-	-	13,091	13,091		100.00%	-		-100.00%
Non-employer contributions	80,487	-	-	-	-	-		0.00%	-		0.00%
OPEB Contributions	257,196	-	-	-	-	-		0.00%	-		0.00%
Miscellaneous	56,048	32,000	32,000	13,160	23,840	37,000		15.63%	40,000		8.11%
Total Operating revenues	28,188,862	28,592,453	28,592,453	13,096,269	15,668,053	28,764,322			30,362,097		
OPERATING EXPENSES											
Personal Services	10,740,049	11,586,371	11,586,371	4,920,399	6,149,602	11,070,001		-4.46%	12,541,523		13.29%
Operating Services	7,268,514	8,130,253	8,130,253	3,095,091	4,871,242	7,966,333		-2.02%	8,277,525		3.91%
Material & Supplies	2,511,651	3,187,716	3,187,716	1,284,995	1,943,603	3,228,598		1.28%	3,425,880		6.11%
Other Charges	6,959,435	7,090,210	7,090,210	37,614	7,077,215	7,114,829		0.35%	7,163,279		0.68%
Intergovernmental	313,208	350,500	350,500	189,717	159,443	349,160		-0.38%	397,625		13.88%
Total Operating expenses	27,792,857	30,345,050	30,345,050	9,527,816	20,201,105	29,728,921			31,805,832		
Operating Income (loss)	396,005	(1,752,597)	(1,752,597)	3,568,453	(4,533,052)	(964,599)			(1,443,735)		
NON-OPERATING REVENUES (EXPENSES)											
Investment earnings	266,087	156,870	156,870	190,659	199,317	389,976		148.60%	375,876		-3.62%
Grants	68,745	-	-	-	79,200	79,200		100.00%	-		-100.00%
Proceeds/(Loss) on sale of Assets	32,517	23,000	23,000	8,474	5,026	13,500		-41.30%	23,500		74.07%
Amortication -Expense	-	-	-	-	-	(1,132)		0.00%	(1,132)		0.00%
Bond interest and paying agent fees	(751,369)	(950,088)	(950,088)	(750)	(957,804)	(958,554)		0.89%	(966,444)		0.82%
Total Non-operating revenues (expenses)	(384,020)	(770,218)	(770,218)	198,383	(674,261)	(477,010)			(568,200)		
Income (loss) before contributions and transfers	11,985	(2,522,815)	(2,522,815)	3,766,836	(5,207,313)	(1,441,609)			(2,011,935)		

CONTINUED

ST. CHARLES PARISH
PROPRIETARY FUNDS

CONSOLIDATED OPERATING AND CAPITAL BUDGET SUMMARY STATEMENT
FISCAL YEAR ENDING DECEMBER 31, 2020

Description	2018	2019				2020		
	Prior Year Actual	Original Budget	Last Adopted Budget	Actual Year-to-Date (as of June 30th)	Estimate Remaining for Year	Projected Actual Result at Year End	Last Adopted vs Projected Actual	% Change Projected Actual vs Proposed
Continued:								
Issuance of Bond	-	5,614,148	5,614,148	-	2,313,563	2,313,563	-58.79%	108.95%
Capital Contributions of Donated Assets	748,695	-	-	-	-	-	0.00%	0.00%
Special Items -Assets	12,683	-	-	-	-	-	0.00%	0.00%
Transfer in	348,132	387,000	387,000	321,000	192,079	513,079	32.58%	59.37%
Transfer out	(359,661)	(138,000)	(138,000)	-	(260,000)	(460,000)	233.33%	0.22%
Change in Net Position	761,834	3,340,333	3,340,333			925,033		
Total net position -Beginning	108,694,352	108,036,644	108,036,644			104,652,619		
Special Item -Prior Period Adjustment	(4,803,567)	-	-			-		
Total net position -Beginning as restated	103,890,785	108,036,644	108,036,644			104,652,619	-	
Total net position -Ending	104,652,619	111,376,977	111,376,977			105,577,652		
Net investment in capital assets	97,285,929	92,208,140	92,208,140			84,762,548		84,887,468
Restricted for debt service	2,064,573	2,084,757	2,084,757			2,085,207		2,468,058
Restricted for capital projects	6,746,404	5,768,130	5,768,130			6,682,949		6,524,990
Unrestricted	(1,444,287)	11,315,950	11,315,950			12,046,948		14,876,152

2019-0317

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(GENERAL GOVERNMENT BUILDINGS)

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of a Contract with LA Contracting Enterprise, LLC of Thibodaux, LA., for the Courthouse Memorial Park Project located at 15045 River Road, Hahnville, LA. in the amount of \$777,469.01.

WHEREAS, sealed bids were received by St. Charles Parish on September 24, 2019, for the Courthouse Memorial Park Project at 15045 River Road, Hahnville; and,

WHEREAS, Linfield, Hunter & Junius, Inc., the engineer for the project has reviewed the bids and recommended that the project be awarded to the low bidder, LA Contracting Enterprise, LLC, of Thibodaux, LA., in the amount of \$777,469.01; and,

WHEREAS, the construction of this Memorial Park on the front lawn of the courthouse will be gratefully and respectfully dedicated to the men and women of St. Charles Parish who have valiantly served in the military, law enforcement, and as a first responder on behalf of the parish and the United States of America; and,

WHEREAS, each section of the park represents a branch of the United States Armed Forces as well as the dedicated First Responders and law enforcement. At the front of the park is an eternal flame that will be showcased as a memorial to those who lost their lives in service to our country; and,

WHEREAS, in addition to being the first memorial park of its kind in St. Charles Parish, the park will provide a peaceful place for residents who are veterans or serving on active duty military to reflect on their personal sacrifices as well as others who have paid the ultimate sacrifice in service for their country and community; and,

WHEREAS, the memorial park will provide a beautiful venue for our veterans to utilize when planning events to remember their fallen brothers and sisters on Veteran’s Day, Memorial Day, and other military activities. The park can serve as a place of reflection and relaxation for parish employees working in the courthouse as well as a gathering place for residents who work in the area.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of LA Contracting Enterprise, LLC of Thibodaux, LA. for the construction of the Courthouse Memorial Park Project is hereby approved and accepted in the amount of \$777,469.01.

SECTION II. That the Parish President is hereby authorized to execute said Contract on behalf of St. Charles Parish.

SECTION III. A final Notice of Contract shall be printed and filed in place of the contract documents with the St. Charles Parish Clerk of Court and in the records of the St. Charles Parish Council.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

SECTION 00500

CONTRACT

This agreement entered into this _____ day of _____, 20____, by LA Contracting Enterprise, LLC, hereinafter called the "Contractor", whose business address is 1645 St. Patrick Street Thibodaux, LA 70301, and the St. Charles Parish, hereinafter called the "Owner".

Owner and Contractor, in consideration of premises and the mutual covenants; consideration and agreement herein contained, agree as follows:

ARTICLE 1

STATEMENT OF WORK

- 1.01 Contractor shall furnish all labor and materials and perform all of the work required to build, construct and complete in a thorough and workmanlike manner:
- 1.02 The above mentioned work shall be completed in strict accordance with Contract Documents prepared by: Linfield, Hunter & Junius, Inc.
- 1.03 It is recognized by the parties herein that said Contract Documents including by way of example and not of limitation, the Drawings and Specifications dated August 1, 2019, Addenda number(s) 5, the Instruction to Bidders, Supplemental Instructions to Bidders, Louisiana Uniform Public Works Bid Form, General Conditions, Supplementary Conditions (if applicable), any Addenda thereto, impose duties and obligations upon the parties herein, and said parties thereby agree that they shall be bound by said duties and obligations. For these purposes, all of the provisions contained in the aforementioned Contract Documents are incorporated herein by reference with the same force and effect as though said Contract Documents were herein set out in full.

The Work is generally described as follows: A memorial plaza consisting of monuments recognizing the five armed services and the three branches of emergency responders. In addition, the site will consist of multiple raised planters, seating areas, sidewalks, drainage, water and fire features, along with strategic plantings with an irrigation system.

ARTICLE 2

ENGINEER

- 2.01 The Project has been designed by Linfield, Hunter & Junius, Inc. who is hereinafter called "Engineer" and who will assume all duties and responsibilities and have the rights and authority assigned to Engineer in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3

CONTRACT TIME

- 3.01 The Contractor shall complete all of the Work under the Contract within 249 calendar days from the date stated in the Notice to Proceed.

ARTICLE 4

LIQUIDATED DAMAGES

- 4.01 Owner and Contractor recognize that the Owner will suffer direct financial loss if Work is not completed within the Contract Time specified plus any extensions thereof allowed in accordance with these General Conditions of this Contract, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Contractor and Surety agree to forfeit and pay Owner One Thousand and Zero dollars \$1,000 per day as Liquidated Damages for delay (but not as a penalty). Such Liquidated Damages will be assessed for each calendar day that expires after the Contract Time. This amount represents a reasonable estimate of Owner's expenses for extended delays and the costs associated therein. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the Contractor by his mere failure to complete the work on or before the date specified shall be deemed in default.

ARTICLE 5

CONTRACT PRICE

- 5.01 The Owner will pay and the Contractor will accept in full consideration for the performance of the Contract the sum of:
- a) (\$ 777,469.01) Seven Hundred Seventy-Seven Thousand, Four Hundred Sixty-Nine Dollars and One Cent based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written Change Order agreed to and signed by both parties and the Engineer and approved by the St. Charles Parish Council.

ARTICLE 6

PAYMENT PROCEDURES

- 6.01 Contractor shall submit Applications for Payment to the Engineer in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.
- 6.02 Progress Payments. Progress payments will be based upon estimated quantities of contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work or suitably stored, on the last day of each month or other mutually agreed regular monthly date ending the progress payment period, less retainage.
- 6.03 Application for Payment Form. The form of the Application for Payment must be suitable to the Owner. The Owner reserves the right to withhold payment until the form of Application for Payment is deemed acceptable by the Owner.
- 6.04 Retainage. Per Paragraph 15.01.D retainage shall be withheld and payments will be made by the Owner in the payment amount of:
- a) Ninety percent (90%) of the approved payment applications for projects with contract of less than \$500,000.00; or
 - b) Ninety-five percent (95%) of the approved payment applications for projects with contract prices of \$500,000.01 or greater.
- 6.05 The normal retainage shall not be due the Contractor until after Substantial Completion and expiration of the forty-five (45) day lien period and submission to the Engineer of a clear lien certificate and invoice for retainage.
- 6.06 Final Payment. Upon the final completion of all Work, the Contractor may request a final inspection and may make a final Application for Payment as provided by Paragraph 15.06 of the General Conditions.
- 6.07 Final Acceptance. When Final Acceptance is granted by the Owner, the Owner shall file the certificate with the Recorder of Mortgages for St. Charles Parish.
- 6.08 At the expiration of the lien period the Contractor shall obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is clear of any liens or privileges, and said certificate shall be presented to the Owner for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

- 6.09 Claims. Pursuant to La. R.S. 38:2242, when the Owner receives any claim of nonpayment arising out of the Contract, the Owner shall deduct such claim from the Contract Sum. The Contractor, or any interested party, may deposit security, in accordance with La. R.S. 38:2242.2, guaranteeing payment of the claim with the Recorder of Mortgages for St. Charles Parish. When the Owner receives original proof of such guarantee from the Recorder of Mortgages, the claim deduction will be added back to the Contract Sum.

ARTICLE 7

CONTRACTOR'S REPRESENTATIONS

- 7.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:
- 7.02 Contractor has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 7.03 Contractor has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 7.04 Contractor has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as Contractor considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, Contractor has or will obtain or perform at no additional cost to the Owner such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by Contractor for such purposes.

ARTICLE 8

CONTRACT DOCUMENTS

- 8.01 The following Contract Documents, which comprise the entire Agreement between Owner and Contractor, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:
- a) Contract (Section 00500)
 - b) Performance Bond (Section 00611)

- c) Payment Bond (Section 00610)
- d) Insurance Certificates
- e) Advertisement for Bids (Section 00010)
- f) Louisiana Uniform Public Works Bid Form (Section 00300)
- g) Addenda (Numbers 1 to 5 inclusive)
- h) Contract documents bearing the general title "Courthouse Memorial Park" dated Thursday, August 1, 2019.
- i) Drawings, consisting of a cover sheet dated) August 1, 2019 and the sheets listed on Drawing Cover Sheet; each sheet bearing the following general title: St. Charles Memorial Park
- j) General Conditions (Section 00700)
- k) Supplementary Conditions (if applicable for compliance purposes) (Section 0800)

There are no Contract Documents other than those listed above in this Article 8. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 9

MISCELLANEOUS

- 9.01 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the Owner may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without Contractor's consent and without recourse.
- 9.02 Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

9.03 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by Owner and Contractor or by Engineer on their behalf.

OWNER: Parish of St. Charles

By: _____
Title: _____

CONTRACTOR:

By: _____
Title: _____

ATTEST:

By: _____
Title: _____

ATTEST:

By: _____
Title: _____

END OF SECTION

Courthouse Memorial Park

Bid Tabulation

September 24, 2019 at 2:00 p.m.

Estimated: 500,000.00

Project No: CMPK0418

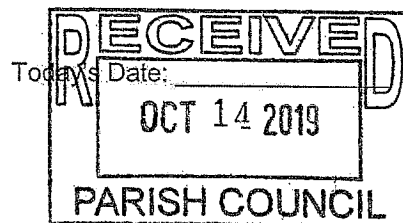
Bidder	Lic #	Bid Form Signature	Add. No. 1	Add. No. 2	Add. No. 3	Bid Bond w/ Power of Attorney	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3
Tuna Construction, LLC	46529	✓	✓	✓	✓	✓ No Resolution	957,000.00	157,000.00	82,000.00	197,000.00
Frickey Brothers	35819	✓	✓	✓	✓	✓ Resolution	638,355.00	52,299.00	46,292.00	97,558.00
Ranj Construction	52880	✓	✓	✓	✓	✓ Resolution	1,189,479.00	182,215.00	54,800.00	118,680.00
Command Const. Industries, LLC	48896	✓	✓	✓	✓	✓ Resolution	920,000.00	70,000.00	50,000.00	60,000.00

LA Contracting Enterprise, LLC	34263	✓	✓	✓	✓	✓ Resolution	635,869.00	41,000.00	30,000.00	70,000.00
LLJ Construction Environmental, LLC	60059	✓	✓	✓	✓	✓ Resolution	652,360.00	102,520.00	68,750.00	76,500.00

AMN

PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000



Dear Chairman:

Please place my name to address the Council on:

COUNCIL MEETING DATE: October 21st, 2019

SPECIFIC TOPIC: Final permitting and recognition of the Slave Rebellion Re-Enactment

(*See specific guidelines on the reverse side and refer to Parish Charter Article VII Sec. I)


DOCUMENTS, IF ANY: YES / **NO**
DOCUMENTS MUST BE ATTACHED AT THE TIME OF SUBMISSION

NAME: Peter H. Wilson

COMPANY / ORGANIZATION: Antenna

MAILING ADDRESS: 3718 St. Claude Ave. New Orleans, LA 70117

PHONE: (323) 839-7383 EMAIL ADDRESS: phwilson@mac.com

SIGNATURE: 

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- The Home Rule Charter provides for citizens to address the Council. All requests and pertinent information must be received in writing by the Council Secretary at least one (1) week prior to the scheduled meeting; request may be hand-delivered, mailed, emailed (scpcouncil@stcharlesgov.net), or faxed (985-783-2067) to be received by 4:00 pm. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally; a complete list of contact information will be furnished at your request.
- Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council. Please reference the Council guidelines for time limit specifications.
- Please forward supporting documents to the Council Secretary for distribution to the Parish Council at the time your form is submitted in order for the Council to prepare themselves, if necessary.
- Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- Slanderous remarks and comments will not be tolerated. If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,


JULIA FISHER-PERRIER
COUNCIL CHAIRMAN

(OVER)

2019-0312

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO.**

A resolution to amend the Parish Council Rules to
revise Rule 8. - #14. to specify actionable or
non-actionable items.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE
ST. CHARLES PARISH COUNCIL,** do hereby amend Rule 8. - #14. to read as follows:

RULE 8. (AS WRITTEN)

14. Special Matters to be Considered by Council and Parish President

RULE 8. (REVISED)

14. Special Matters to be Considered by Council and Parish President
(actionable or non-actionable items)

The foregoing resolution having been submitted to a vote, the vote thereon was as
follows:

And the resolution was declared adopted this _____ day of _____, 2019,
to become effective five (5) days after publication in the Official Journal.

2019-0312 Council Rule 8 #14 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0313

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____**

A resolution to amend the Parish Council Rules to
revise Rule 11. to specify members shall not speak
more than twice following initial council discussion.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE
ST. CHARLES PARISH COUNCIL, do hereby amend Rule 11. to read as follows:**

RULE 11. (AS WRITTEN)

Other than for the purpose of asking a question or when required to
answer questions, no members shall speak more than twice on
the same question and for no longer than three minutes, except by
two-thirds consent of the Council, and then not until every other
member desiring to speak shall have had an opportunity to do so.

RULE 11. (REVISED)

Other than for the purpose of asking a question or when required to
answer questions, no members shall speak more than twice on
the same question following the initiation of Council discussion and
for no longer than three minutes, except by two-thirds consent of the
Council, and then not until every other member desiring to speak
shall have had an opportunity to do so.

The foregoing resolution having been submitted to a vote, the vote thereon was as
follows:

And the resolution was declared adopted this _____ day of _____, 2019,
to become effective five (5) days after publication in the Official Journal.

2019-0313 Council Rule 11 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0070
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO.

A resolution to amend the Parish Council Rules to revise Rule 14. to be specific when recognizing members to speak in order on the electronic voting system with exceptions of questions of Points of Order, Personal Privilege, and/or Motions to Deviate.

WHEREAS, Granicus is the voting system utilized by the Council to facilitate council meetings in conjunction with Parliamentary Law.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend Rule 14. to read as follows:

RULE 14. (AS WRITTEN)

No member may speak until recognized by the Chairman. The Chairman shall recognize members by order on the electronic voting system. If the electronic voting system is inoperable in whole or in part, or unavailable, then the Chairman shall name the member to speak in the order in which the requests are received. Each member shall confine himself to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. While a member is speaking, no member shall hold any private discourse. The Chairman should be addressed during all meetings as "Mr. Chairman" or "Madame Chairman", as is gender appropriate.

RULE 14. (REVISED)

No member may speak until recognized by the Chairman. The Chairman shall recognize members by order on the electronic voting system, with the exception of questions of Points of Order, Personal Privilege, and Motions to Deviate which are to be made verbally at any point during meetings due to the nature of these subjects and the timeliness relative to each. Members activating the request to speak function of the electronic voting system prior to the chairman commencing with the reading of an item for discussion shall immediately be called upon by the Chair. If the electronic voting system is inoperable in whole or in part, or unavailable, then the Chairman shall name the member to speak in the order in which the requests are received. Each member shall confine himself to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. While a member is speaking, no member shall hold any private discourse. The Chairman should be addressed during all meetings as "Mr. Chairman" or "Madame Chairman", as is gender appropriate.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0070 Council Rule 14 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0314
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____

A resolution to amend the Parish Council Rules to
revise Rule 15. to clarify the Chairman’s allowance to
make a motion.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE
ST. CHARLES PARISH COUNCIL, do hereby amend Rule 15. to read as follows:

RULE 15. (AS WRITTEN)

No motion shall be put or debated in the Council or in a committee
unless it is seconded. When a motion is seconded, it shall be stated
by the Chairman.

RULE 15. (REVISED)

No motion shall be put or debated during a St. Charles Parish
meeting or in a committee meeting of the Council unless it is
seconded. When a motion is seconded, it shall be stated by the
Chairman. The Chairman is not prohibited from making a motion.

The foregoing resolution having been submitted to a vote, the vote thereon was as
follows:

And the resolution was declared adopted this _____ day of _____, 2019,
to become effective five (5) days after publication in the Official Journal.

2019-0314 Council Rule 15 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0071

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____

A resolution to amend the Parish Council Rules to delete and reserve Rule 16. regarding the electronic voting system when inoperable or unavailable.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby delete and reserve Rule 16. as follows:

RULE 16. (AS WRITTEN)

If the electronic voting system is inoperable or unavailable and two or more members request the floor at the same time, the Chairman shall name the member who is to speak first.

RULE 16. (RESERVED)

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0071 Council Rule 16 (delete) - PH (9-27-19) (1_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0315
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____

A resolution to amend the Parish Council Rules to revise Rule 23. to specify that the Chairman ask if there is any more Council discussion prior to calling for a vote.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend Rule 23. to read as follows:

RULE 23. (AS WRITTEN)

Votes on all matters shall be taken electronically or by roll call and entered in the Official Minutes. When the Chairman has called for the taking of a vote, all debate on the question shall be deemed concluded and during the voting, no member shall be permitted to explain his vote.

RULE 23. (REVISED)

Votes on all matters shall be taken electronically or by roll call and entered in the Official Minutes. When the Chairman has called for the taking of a vote subsequent to asking “Any more Council discussion?” and seeing none, all debate on the question shall be deemed concluded and during the voting, no member shall be permitted to explain his vote.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0315 Council Rule 23 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____
SECRETARY: _____
DLVD/PARISH PRESIDENT: _____
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____
RETD/SECRETARY: _____
AT: _____ RECD BY: _____

2019-0316

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO.

A resolution to amend the Parish Council Rules to revise Rule 36. to call for a non-objectionable 10 minute recess prior to any Council member being continually ruled out of order for any disorderly conduct during Council meetings.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend Rule 36. to read as follows:

RULE 36. (AS WRITTEN)

No Council member shall make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public during any regular, special or committee meeting of the Council. Any Council member who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall be immediately ruled out of order by the Chairman. If the offending Council member continues, the Chairman or a majority of the Council, may adjourn the meeting and name the time and place where a new meeting shall be called, or have security remove the offending Council member for the remainder of the meeting.

RULE 36. (REVISED)

No Council member shall make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public during any regular, special or committee meeting of the Council. Any Council member who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall be immediately ruled out of order by the Chairman. If the offending Council member continues, the Chairman shall call for a non-objectionable 10-minute recess. If the offending Council member is ruled out of order following the recess, the Chairman or a majority of the Council, may adjourn the meeting and name the time and place where a new meeting shall be called, or have security remove the offending Council member for the remainder of the meeting, subject only to the right of appeal.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0316 Council Rule 36 - PH (9-27-19) (L_10-7-19) PH.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0069

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO.**

A resolution to amend the Parish Council Rules to add Rule 40. The microphone system within the council chambers shall remain on prior to Call to Order and until the meeting is adjourned with the exception of a recess, executive session, or the unceasing use of foul language being used during a meeting.

WHEREAS, the current Council Rules do not address the use of microphones during public meetings; and,

WHEREAS, the microphone system used within the council chambers has the ability to be activated and deactivated at any time during a St. Charles Parish meeting; and,

WHEREAS, the microphone system may be turned off by the Chairperson when no meeting activity is occurring; and,

WHEREAS, when deemed necessary, the Chairperson may turn off the microphone system in order to prohibit the broadcasting and the recording of foul language deemed unsuitable to the general public.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend the Parish Council Rules by adding Rule 40:

RULE 40.

The microphone system within the council chambers shall remain on prior to Call to Order and until the meeting is adjourned with the exception of a recess, executive session, or the unceasing use of foul language being used during a meeting.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0069 Council Rule 40 - PH (9-27-19) (L_10-7-19).docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0318

**INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(GRANTS OFFICE)**

RESOLUTION NO. _____

A resolution supporting the application to the Louisiana Office of Community Development Local Government Assistance Program for FY 2019-2020 funding in the amount of \$165,700 to renovate the St. Charles Parish Courthouse Heating and cooling system; an essential government building located at 15045 River Road in Hahnville.

WHEREAS, Louisiana Legislature House Bill 2 (Act 20) allocated \$165,700 per parish for the Local Government Assistance Program for fiscal year 2019-2020; and,

WHEREAS, the St. Charles Parish Courthouse is in need of renovations to the air conditioning and heating system, which is an activity that is eligible for assistance under the program; and,

WHEREAS, the Parish Council's support for the application to have said project included in the Louisiana Office of Community Development Local Government Assistance Program is required.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, hereby provide this resolution in support of the application for the inclusion of the renovation of the St. Charles Parish Courthouse heating and cooling system located at 15045 River Road in Hahnville in the Louisiana Office of Community Development Local Government Assistance Program for FY 2019-2020.

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to execute said application and to act on behalf of St. Charles Parish in all matters pertaining to this project and subsequent grant award.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0319

**INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(GRANTS OFFICE)**

RESOLUTION NO. _____

A resolution supporting the application for funding of the Bonnet Carré Spillway Water Main Replacement project in Montz through the Louisiana Office of Community Development's FY 2019-2020 Community Water Enrichment Fund.

WHEREAS, Louisiana Legislature House Bill 2 (Act 20) allocated \$143,000 per parish for the Community Water Enrichment Fund for fiscal year 2019-2020; and,

WHEREAS, the Bonnet Carré Spillway Water Main is in need of replacement, which is an activity that is eligible for assistance under the program; and,

WHEREAS, the Parish President and the Department of Waterworks requests the Parish Council's support for the application to have this recommended improvement partially funded through the Louisiana Office of Community Development's FY 2019-2020 Community Water Enrichment Fund.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby approve and support the application for funding of the Bonnet Carré Spillway Water Main Replacement project through the Louisiana Office of Community Development's FY 2019-2020 Community Water Enrichment Fund.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute said application and to act on behalf of St. Charles Parish in all matters pertaining to this project and subsequent grant award.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0321

**INTRODUCED BY: JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII
PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
DICK GIBBS, COUNCILMAN, DISTRICT III**

RESOLUTION NO.

A resolution fully supporting Senate Bill 2418 and House of Representatives Bill 3814, which seeks to increase GOMESA revenue sharing with Gulf Coast States to a level that is more on par with the revenue sharing with onshore mineral production states.

WHEREAS, many of the energy resources enjoyed by the entire United States are dependent upon the health of Gulf Coast ecosystems which provide access to those resources and related infrastructure and protection for communities that house its workforce; and,

WHEREAS, Louisiana is home to 30 percent of the nation's wetlands and 90 percent of its wetland loss, a crisis that impacts communities, ecosystems, and the very economic engines that contribute to the nation's energy security; and,

WHEREAS, this impacted area is home to half the country's oil refineries and pipelines serving 90 percent of the nation's federal offshore energy production; and,

WHEREAS, under the Mineral Lands Leasing Act of 1920, 50 percent of the mineral funds generated from federal lands onshore are shared with the host state to offset impacts of the federal mineral development - and there is no cap on the revenue shared with the host state; and,

WHEREAS, only a small portion of Outer Continental Shelf (OCS) leases active since 2006 are eligible for GOMESA revenue sharing with the Gulf states, Gulf states and their coastal political subdivisions receive 37.5 percent, not 50 percent, of such federal revenue; and the four GOMESA states are capped at a total of \$375 million of revenue sharing annually; and,

WHEREAS, in 2018, this resulted in only 4.97 percent of Gulf of Mexico offshore mineral revenues being shared with Louisiana, Texas, Mississippi, and Alabama combined; and,

WHEREAS, Louisiana's ambitious coastal protection and restoration program needs more, not less, federal OCS mineral revenue sharing; and,

WHEREAS, legislation directing federal mineral revenues to be allocated automatically and annually to federal programs, such as national parks maintenance or other causes, should not do so at the expense of Louisiana's coastal program nor should such allocations limit the increased revenue sharing that Louisiana should receive under GOMESA; and,

WHEREAS, S. 2418, Conservation of America's Shoreline Terrain and Aquatic Life (COASTAL) Act, introduced by Senators Cassidy and Murkowski and co-sponsored by Senators Kennedy, Wicker, Jones, and Sullivan, would increase the revenue share to GOMESA states from 37.5 percent of GOMESA revenue to 50 percent of GOMESA revenue; expand GOMESA to cover additional Outer Continental Shelf leases; remove the \$375 million cap; provide new authorized uses of GOMESA revenue; and establish revenue sharing for Alaska; and,

WHEREAS, H.R. 3814, Domestic Offshore Energy Reinvestment Act of 2019, introduced by Congressmen Richmond and Graves, would increase the revenue share to GOMESA states from 37.5 percent of GOMESA revenue to 50 percent of GOMESA revenue; remove the \$375 million cap; and provide new authorized uses of GOMESA revenue, and,

WHEREAS, for Louisiana coastal parishes, the GOMESA revenue stream is a critical recurring source of revenue that allows us to address our coastal protection and restoration needs. The State of Louisiana has been a great partner in addressing some of our needs, but the funds that are allocated directly to the parishes have allowed us to have a seat at the table when discussing future coastal protection and restoration projects.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, hereby fully supports Senate Bill 2418 and House of Representatives Bill 3814, which seeks to increase GOMESA revenue sharing with Gulf Coast States to a level that is more on par with the revenue sharing with onshore mineral production states.

BE IT FURTHER RESOLVED, that the St. Charles Parish Council hereby objects strenuously to the allocation of federal mineral revenue to federal programs unless the allocation also increases the GOMESA revenue that is shared with Gulf coast states.

BE IT FURTHER RESOLVED, that the St. Charles Parish Council hereby give thanks and appreciation to U. S. Senator William “Bill” Cassidy, U. S. Senator John Kennedy, Congressman Cedric Richmond and Congressman Garret Graves, for their leadership in this critically important effort of achieving increased revenue sharing for Louisiana through GOMESA.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to U. S. Senator William “Bill” Cassidy, U. S. Senator John Kennedy, Congressman Cedric Richmond, and Congressman Garret Graves.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0321 Proposed GOMESA Resolution JFP.DOCX.DOCX

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0322
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____

A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated August 2, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent nineteen (19) times over the last two (2) months with no response or acknowledgement of receipt having ever being received, whether or not it is the duty and obligation of the Parish Legal Advisor to provide legal advice to Councilmembers when requested, relative to the wording of proposed ordinances so as to help produce draft ordinances, that if adopted, would be enforceable and able to withstand legal challenges if adopted.

NOW, THEREFORE BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, request that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated August 2, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent nineteen (19) times over the last two (2) months with no response or acknowledgement of receipt having ever being received, whether or not it is the duty and obligation of the Parish Legal Advisor to provide legal advice to Councilmembers when requested, relative to the wording of proposed ordinances so as to help produce draft ordinances, that if adopted, would be enforceable and able to withstand legal challenges if adopted.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0322 RESO - ROST FOR RESPONSE TO LEGAL ADVISOR DUTIES AND OBLIG (10-9-19)(10-21-19).docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____



ST. CHARLES PARISH

PAUL J. HOGAN, PE

COUNCILMAN AT LARGE, DIVISION B

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5000 • Fax: (985) 783-2067

www.stcharlesparish-la.gov

MEMORANDUM

19th Request
10-14-19

DATE: AUGUST 2, 2019

TO: MR. ROBERT RAYMOND
LEGAL SERVICES DIRECTOR

FROM : PAUL J. HOGAN, PE
COUNCILMAN-AT-LARGE, DIVISION B

RE: LO-2019-0005
PARISH LEGAL ADVISOR: DUTY AND OBLIGATION

Please provide a legal opinion as to whether or not it is the duty and obligation of the Parish Legal advisor, pursuant to "Sec. 2-21 of the Code of Ordinances" (see attached), and "Article III, Section C., Subsection 3.a. of the St. Charles Parish Home Rule Charter" (see attached), to provide legal advice to Councilmembers when requested, relative to the wording of proposed ordinances so as to help produce draft ordinances, that if adopted, would be enforceable and able to withstand legal challenges if adopted.

Thank you.

PJH/MI634:ag

Attachments

cc: Parish Council
Honorable Joel T. Chaisson, II, District Attorney w/attachments
Honorable Jeff Landry, Louisiana Attorney General w/attachments
Ms. Anna Thibodeaux, St. Charles Herald-Guide w/attachments
Mr. Nick Reimann, The Advocate w/attachments

Sec. 2-21. - Department of legal services.

- (a) *Created.* There is hereby created the department of legal services.
- (b) *Duties.* The duties of the department shall be:
 - (1) To represent the parish president and the council in all matters in which legal services are requested;
 - (2) To advise the parish president and the council in all legal matters where opinions are required;
 - (3) To prosecute or defend any and all suits or actions in which the parish president or council may be parties;
 - (4) To provide necessary personnel, with the consent and direction of the parish president to accomplish its purpose; and
 - (5) To perform other such duties as may be directed by the parish president.
- (c) *Director.* The director of legal services shall be appointed by the parish president as stated in article III, section C.1.b. of the Home Rule Charter; and the director's duties shall consist of carrying out the functions and responsibilities of the department of legal services.
- (d) *Effect Upon District Attorney.* The district attorney office of the 29th Judicial District is hereby relieved of any and all duties and obligations to represent the parish president and parish council unless otherwise requested by the council or president.

(Ord. No. 84-11-4, 11-5-84)

Editor's note— Ord. No. 84-11-4, adopted Nov. 5, 1984, effective Jan. 1, 1985, did not specifically amend this Code; hence inclusion as § 2-21 was at the discretion of the editor.

companies designated as depositors by resolution of the council, subject to the requirements imposed by law as to surety and guarantee of deposits.

- v. Disburse all funds in the parish treasury; and no money shall be paid out of the treasury unless he first (a) verifies the appropriation, allotment and availability of funds to cover the claim concerned and certifies thereto, and (b) determines that such checks and warrants drawn against the parish treasury and signed by the director of finance shall be co-signed by the parish president or in his absence, by some other officer designated by the parish president.
- vi. Administer a general accounting system for the parish and each of its departments, offices and agencies and special districts.
- vii. Prepare and submit to the parish president a monthly statement of the revenues and expenditures for the preceding month and for the fiscal year up to and including the preceding month, which statement shall be sufficiently detailed as to appropriations, allotments and funds to show the exact financial condition of the parish.
- viii. Prepare and submit to the parish president at the end of each fiscal year a report of the financial transactions of that year and a complete statement of the financial condition of the parish at the end of the year; and
- ix. Perform such other duties as the parish president may prescribe.
- b. As soon as possible after the adoption of this Charter, the parish council, after consultation with the finance director and the parish president, shall by ordinance establish a system of treasury management which will include procedures and controls for the receipt, custody and disbursement of all funds belonging to, or under the control of the parish council, and for the investment of idle fund balances, such ordinance to be in conformity with the general procedures set forth in this Charter.

3. *Parish Legal Advisor*

- a. The district attorney of the 29th Judicial District shall continue to serve as the legal advisor to the parish council and parish president and all parish departments, offices and agencies, provided, however, that at such time the council determines that the parish would be better served by a separate full

or part-time legal department, it may create such a department and provide for its organization and functions by ordinance in accordance with [the] general provisions of Section C, Subsection 1 of this article. In special matters, the council may retain special attorneys to represent the parish or perform certain duties subject to the restrictions imposed by the statutes of this State.

4. *Planning and Zoning*

- a. The planning commission heretofore created by the St. Charles Parish Police Jury shall continue in existence, and the members thereof holding office on the effective date of this Charter shall each continue to hold office until the expiration of the term for which he was appointed. As the terms of these members expire, their successors shall be appointed by the parish council. In addition to the members already appointed, the council shall designate that one of its members, a member of the parish school board designated by the school board and the parish president or an administrative employee designated by him shall serve as ex-officio, non-voting members of the commission. Each person so designated shall serve at the pleasure of the body or official who appointed him.
- b. The planning commission shall constitute the zoning commission for the Parish of St. Charles, and shall exercise all the powers, duties and functions which are conferred or imposed on parish zoning commissions by the general laws of the State or by special laws applicable to St. Charles Parish.
- c. There shall be a planning and zoning department headed by a planning and zoning director appointed by the parish president. Under the supervision of the president and with the advise [advice] of the planning commission, the planning and zoning director shall:
 - i. Conduct studies necessary to prepare official maps and other maps, plats, charts and reports which, taken together, will constitute a proposed master plan for the social, economic and physical development of the parish. Such proposed plan shall be submitted to the planning commission for review and shall include, but shall not be limited to recommendations for: the most desirable density of population in the various parts of the parish; the most desirable use of land for residential, commercial, agricultural, industrial and other purposes; a system of principle [principal] streets, highways and other

2019-0068

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B
RESOLUTION NO. _____**

A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated March 27, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent thirteen (13) times over the last seven (7) months with no response or acknowledgement of receipt having ever being received, relative to whether or not a public hearing must be held prior to tabling an agenda item, in light of R.S. 42:14.

NOW, THEREFORE BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, request that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated March 27, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent thirteen (13) times over the last seven (7) months with no response or acknowledgement of receipt having ever being received, relative to whether or not a public hearing must be held prior to tabling an agenda item, in light of R.S. 42:14.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0068 RESO - RQST FOR RESPONSE TO HEARING BEFORE TABLING (10-9-19) (L_10-21-19).docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____



ST. CHARLES PARISH

PAUL J. HOGAN, PE

COUNCILMAN AT LARGE, DIVISION B

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5000 • Fax: (985) 783-2067

www.stcharlesparish-la.gov

MEMORANDUM

13th Request
10-10-19

DATE: MARCH 27, 2019

TO: MR. ROBERT RAYMOND
LEGAL SERVICES DIRECTOR

FROM : PAUL J. HOGAN, PE
COUNCILMAN-AT-LARGE, DIVISION B

RE: LEGAL OPINION REQUEST
LO-2019-0002 –PUBLIC COMMENT

Pursuant to R.S. 42:14, "Except school boards, which shall be subject to R.S. 42:15, each public body conducting a meeting which is subject to the notice requirements of R.S. 42:19(A) shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. The governing body may adopt reasonable rules and restrictions regarding such comment period."

Please advise if a public body such as the St. Charles Parish Council, in taking action to table a resolution which requires that a vote be taken in order to table, must first provide a public comment period prior to the vote being taken?

Please advise if a public body such as the St. Charles Parish Council, in taking action to table an ordinance which requires that a vote be taken in order to table, must first provide a public comment period prior to the vote being taken?

In regards to your opinions on these, please advise on the basis upon which each opinion rest.

Thank you.

PJH/MI620:ag