Introduced December 8, 2009, by Councilman Canada, seconded by Councilman Hicks

RESOLUTION R09-31

A resolution ordering and calling a special election to be held in the City of Slidell, State of Louisiana, amending the Home Rule Charter as proposed; making application to the State Bond Commission; and providing for other matters in connection therewith.

NOW THEREFORE BE IT RESOLVED by the Slidell City Council (the "Governing Authority"), acting as the governing authority of the City of Slidell, State of Louisiana (the "City"), that:

SECTION 1. <u>Election Call</u>. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Section 5(C) of the Constitution of the State of Louisiana of 1974, a special election is hereby called and ordered to be held in the City of Slidell on **March 27**, **2010**, between the hours of six o'clock (6:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

Proposition No. 1

Summary: Provides for the deletion of the following obsolete sections.

Shall the following Section 2-02(A) of the Slidell Home Rule Charter be deleted:

"A. In the event of annexation by the governing body of the City of Slidell between the time of adoption of this charter and thirty (30) days before the election of the first city council, provided for herein, the charter commission shall immediately alter, change or rearrange council district lines in order to incorporate into such districts those persons living in the newly annexed areas."?

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AND

Shall the following Section 2-02(B) of the Slidell Home Rule Charter be deleted:

"B. Following the election of the first council under this charter, any ordinance annexing new areas to the City shall prescribe the council district or districts in which said area shall be included."?

Proposition No. 2

Summary: Provides for the deletion of the following obsolete sections.

Shall the following Section 8-11 of the Slidell Home Rule Charter be deleted:

"The alternative proposition concerning selection of the chief of police approved by the voters shall become Section 4-05 of the new charter. The alternative proposition not approved shall be null, void and of no effect and shall be deemed stricken from the proposed charter."?

AND

Shall the following Section 8-12 of the Slidell Home Rule Charter be deleted:

"The ballot form for the referendum of this proposed charter shall be:

OFFICIAL BALLOT

(Instructions to voters: Place an "X" in each of the boxes which expresses your preference. The full text of the proposed charter and the alternative propositions are available for inspection at the polling place. If the proposed charter receives a majority of the votes cast thereon and Alternative A below receives a majority of the votes cast on the alternative propositions, the proposed charter would become the Charter of the City of Slidell and the chief of police would be an elected official of the city. If the proposed charter receives a majority of the votes cast thereon and Alternative B below receives a majority of the votes cast on the alternative propositions, the proposed charter would become the Charter of the City of Slidell and the chief of police would [be] an appointed official of the City. If the proposed charter fails to receive a majority of the votes cast thereon, both of the alternative propositions shall also fail.)

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Do you favor or oppose the adoption of the proposed home rule charter for the City of Slidell?

FOR.....[]

AGAINST.....[]

ALTERNATIVE PROPOSITIONS

If the proposed charter is adopted, do you prefer (A) an elected chief of police or (B) an appointed chief of police?

(Vote for one)

Alternative A: For an elected chief of police . . . [] Alternative B: For an appointed chief of police . . . []"?

AND

Shall the words "Alternative A" be deleted from the Slidell Home Rule Charter heading of Section 4-05 Police Department – Alternative A?

Proposition No. 3

Summary: Changes the term "clerk of the council" to "Council Administrator" throughout the Charter.

"Shall the Slidell Home Rule Charter Sections 2-08, 2-12(B) and (C), 2-13(B), 2-14 and 2-15 be amended to change the term "clerk of the council" to "Council Administrator?"

Proposition No. 4

Summary: Provides for annual establishment of Council member compensation through the budget process.

Shall the following Section 2-04(A) of the Slidell Home Rule Charter be deleted:

"A council member shall be paid compensation of five hundred fifty dollars (\$550.00) per month, until charged [changed] by ordinance. No ordinance changing the compensation of a council member shall be adopted during the last year of a term of office and no such ordinance shall become effective during the term of the council adopting the ordinance."

And reenacted to read as follows:

"Council members' salary shall be established annually by ordinance through the budget process. No ordinance changing the salary shall increase the salary by more than the average percentage of increase granted annually to all city employees."?

Proposition No. 5

Summary: Provides for annual establishment of the Mayor's compensation through the budget process.

Shall the following Section 3-06 Compensation of the Slidell Home Rule Charter be deleted:

"The annual salary of the mayor shall be no less than twenty-eight thousand three hundred fifty dollars (\$28,350.00). This annual salary may be changed by ordinance. No ordinance changing the salary shall increase the salary by more than the average percentage of increase granted annually to all city employees."

And reenacted to read as follows:

"The Mayor's salary shall be established annually by ordinance through the budget process. No ordinance changing the salary shall increase the salary by more than the average percentage of increase granted annually to all city employees."?

Proposition No. 6

Summary: Provides for annual establishment of the Police Chief's compensation through the budget process.

Shall the following Section 4-05(D) of the Slidell Home Rule Charter be deleted:

"The annual salary of the Police Chief shall be no less than twenty-two thousand six hundred eighty dollars (\$22,680.00). This annual salary may be changed by ordinance. No ordinance changing the salary shall increase the salary by more than the average percentage of increase granted annually to all city employees."

And reenacted to read as follows:

"The salary of the Chief of Police shall be established annually by ordinance through the budget process. No ordinance changing the salary shall increase the salary by more than the average percentage of increase granted annually to all city employees."?

Proposition No. 7

Summary: Provides for emergency ordinances of the City Council to become law without the Mayor's signature after 12 hours of submission.

Shall Section 2-13(B) of the Slidell Home Rule Charter be amended to add the following language after the last sentence:

"If the proposed emergency ordinance is not signed or vetoed by the mayor within twelve (12) hours after receipt, it shall be considered approved."?

Proposition No. 8

Summary: Provides for elected officials to take office on July 1 following their election.

Shall the following Section 8-10 of the Slidell Home Rule Charter be deleted:

"Municipal elections for the officials provided for by this charter shall be held on the dates established by general state law applicable to the City. Persons elected under the provisions of this charter shall take office at noon on the first Monday in July next following their election."

And reenacted to read as follows:

"Municipal elections for the officials provided for by this charter shall be held on the dates established by general state law applicable to the City. Persons elected under the provisions of this charter shall take office on July 1 following their election."?

Proposition No. 9

Summary: Provides for the deletion of the prohibition of City Council members being employed by the City within one year following the end of their term.

Shall the following Section 2-05(A) of the Slidell Home Rule Charter be deleted:

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"Except as otherwise provided in Sections 3-04 (Vacancies) and 3-05 (Mayor's Absence and Disability), a council member shall not hold any other elected public office, city office or city employment during the term for which elected to the council. No former council member shall hold any compensated appointive city office or city employment until one year after the expiration of the term for which elected to the council."

And reenacted as follows:

"Except as otherwise provided in Sections 3-04 (Vacancies) and 3-05 (Mayor's Absence and Disability), a council member shall not hold any other elected public office, city office or city employment during the term for which elected to the council."?

SECTION 2. <u>Publication of Notice of Election</u>. A Notice of Special Election shall be published in the *St. Tammany News*, a newspaper which publishes three times a week, of general circulation within the City of Slidell, published in Slidell, Louisiana, and being the official journal of the City of Slidell, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. <u>Canvass</u>. This Governing Authority shall meet at its regular meeting place, the Council Chambers, 1330 Bayou Lane, Suite 110, Slidell, Louisiana, on, **April 27, 2010** at **SIX-THIRTY O'CLOCK (6:30) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election.

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SECTION 4. <u>Polling Places</u>. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. <u>Election Commissioners; Voting Machines</u>. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on April 27, 2010, as provided in Section 3 hereof. All registered voters in the City will be entitled to vote at the regular election, and voting machines shall be used.

SECTION 6. <u>Authorization of Officers</u>. The Council Administrator of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President of the Council and/or Council Administrator of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. <u>Furnishing Election Call to Election Officials</u>. Certified copies of this resolution shall be forwarded to the Secretary of State, the Commissioner of Elections,

the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for St. Tammany Parish, State of Louisiana, and the Registrar of Voters in and for St. Tammany Parish, as notification of the regular election herein called in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided; and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

> YEAS: 5 (Hicks, Crockett, Fraught, Canada, Devereux)

NAYS: 3 (Cusimano, Harbison, Borchert)

ABSENT: 1 (Hursey)

ADOPTED this 4th day of January, 2010.

President of the Council Councilman, District A

Thomas P. Reeves Council Administrator

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Exhibit A

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Slidell City Council (the "Governing Authority", acting as the governing authority of the City of Slidell, State of Louisiana (the "City"), on January 4, 2010, NOTICE IS HEREBY GIVEN that a special election will be held within the City of Slidell on March 27, 2010, and that at the said election there will be submitted to all registered voters in the City qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following propositions, to-wit:

Proposition No. 1

Summary: Provides for the deletion of the following obsolete sections.

Shall the following Section 2-02(A) of the Slidell Home Rule Charter be deleted:

"A. In the event of annexation by the governing body of the City of Slidell between the time of adoption of this charter and thirty (30) days before the election of the first city council, provided for herein, the charter commission shall immediately alter, change or rearrange council district lines in order to incorporate into such districts those persons living in the newly annexed areas."?

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FOR.....[]

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Shall the words "Alternative A" be deleted from the Slidell Home Rule Charter heading of Section 4-05 Police Department – Alternative A?

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Summary: Changes the term "clerk of the council" to "Council Administrator" throughout the Charter.

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Summary: Provides for elected officials to take office on July 1 following their election.

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Summary: Provides for the deletion of the prohibition of City Council members being employed by the City within one year following the end of their term.

Shall the following Section 2-05(A) of the Slidell Home Rule Charter be deleted:

"Except as otherwise provided in Sections 3-04 (Vacancies) and 3-05 (Mayor's Absence and Disability), a council member shall not hold any other elected public office, city office or city employment during the term for which elected to the council. No former council member shall hold any compensated appointive city office or city employment until one year after the expiration of the term for which elected to the council."

And reenacted as follows:

"Except as otherwise provided in Sections 3-04 (Vacancies) and 3-05 (Mayor's Absence and Disability), a council member shall not hold any other elected public office, city office or city employment during the term for which elected to the council."?

The said special election will be held at the following polling places situated within the City, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to wit:

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CITY OF SLIDELL POLLING PLACES		
Precinct	Location	
S01	John Slidell Park Gymnasium, 105 Robert Blvd., Slidell	
S02 (IN PART)	Slidell High School, 1 Tiger Dr., Slidell	
S03 (IN PART)	Slidell High School, 1 Tiger Dr., Slidell	
S04 (IN PART)	Bonne Ecole Elementary School, 900 Rue Verand, Slidell	
S05 (IN PART)	John Slidell Park Gymnasium, 105 Robert Blvd.	
S06 (IN PART)	Carolyn Park Middle School, 35708 Liberty Dr., Slidell	
S07 (IN PART)	Bayou Woods Elementary, 35614 Liberty Dr., Slidell	
S08 (IN PART)	Bonne Ecole Elementary School, 900 Rue Verand, Slidell	
S09	Bonne Ecole Elementary School, 900 Rue Verand, Slidell	
S10 (IN PART)	Slidell Jr. High School, 333 Pennsylvania Ave, Slidell	
S11 (IN PART)	Slidell Jr. High School, 333 Pennsylvania Ave, Slideli	
S12	St. Tammany Junior High School, 701 Cleveland Ave., Slidell	
S13 (IN PART)	St. Tammany Junior High School, 701 Cleveland Ave., Slidell	
S15 (IN PART)	Salmen High School, 300 Spartan Drive, Slidell	
S16 (IN PART)	Abney Elementary School, 825 Kostmayer St., Slidell	
S17 (IN PART)	Salmen High School, 300 Spartan Drive, Slidell	
S18 (IN PART -	Abney Elementary School, 825 Kostmayer St., Slidell	
NO VOTERS)		
S19 (IN PART)	Slidell High School, 1 Tiger Drive, Slidell	
S21 (IN PART)	Northshore High School, 100 Panther Dr., Slidell	
S22 (IN PART)	Abney Elementary School, 825 Kostmayer St., Slidell	
S23 (IN PART)	Slidell Jr. High School, 333 Pennsylvania Ave, Slidell	
S24	St. Tammany Junior High School, 701 Cleveland Ave., Slidell	
S25 (IN PART)	St. Tammany Junior High School, 701 Cleveland Ave., Slidell	
802 (IN PART -	Clearwood Jr High School, 130 Clearwood Dr., Slidell	
NO VOTERS) 803 (IN PART)	Clearwood Jr High School, 130 Clearwood Dr., Slidell	
805 (IN PART)	Little Oak Elementary School, 59241 Rebel Dr., Slidell	
806 (IN PART)	Grace Memorial Baptist Church, 58516 Pearl Acres Rd., Slidell	
811 (IN PART)	Boyet Jr. High School, 59295 Rebel Dr., Slidell	
813 (IN PART)	Northshore High School, 100 Panther Dr., Slidell	
816 (IN PART -	Grace Memorial Baptist Church, 58516 Pearl Acres Rd., Slidell	
NO VOTERS)	Order Memorial Baptist Origini, 500 to Feart Acres Na., Silueli	
901 (IN PART -	North Shore Square Mall, 150 North Shore Blvd, Slidell	
NO VOTERS)		
904 (IN PART)	Carolyn Park Middle School, 35708 Liberty Dr., Slidell	

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CITY OF SLIDELL POLLING PLACES		
Precinct	Location	
907 (IN PART - NO VOTERS)	Carolyn Park Middle School, 35708 Liberty Dr., Slidell	
909 (IN PART)	Salmen High School, 300 Spartan Drive, Slidell	
915 (IN PART)	North Shore Square Mall, 150 North Shore Blvd., Slidell	
916 (IN PART - NO VOTERS)	Carolyn Park Middle School, 35708 Liberty Dr., Slidell	

The polling places set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, Slidell City Council Chambers located in City Hall at 2045 Second Street, Slidell, Louisiana, on TUESDAY, April 27, 2010, at 6:30 P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election. All registered voters of the City are entitled to vote at said special election and voting machines will be used.

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THUS DONE AND SIGNED at Slidell, Louisiana, on this 4th day of January,

Lionel Hicks

President of the Council Councilman, District A

ATTEST:

2010.

Thomas P. Reeves
Council Administrator

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STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Council Administrator of the Slidell City Council (the "Governing Authority"), the governing authority of the City of Slidell, State of Louisiana (the "City"), do hereby certify that the foregoing sixteen (16) pages constitute a true and correct copy of the proceedings taken by the Governing Authority on January 4, 2010, calling a special election to be held in the City of Slidell, State of Louisiana, amending the Home Rule Charter; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City at Slidell, Louisiana, on this, the 4th day of January, 2010.

Thomas P. Reeves Council Administrator

Olimo PRemer

(SEAL)