

2023-0155

INTRODUCED BY: HOLLY FONSECA, COUNCILWOMAN-AT-LARGE, DIVISION B  
BETH A. BILLINGS, COUNCILWOMAN-AT-LARGE, DIVISION A  
LA SANDRA DARENSBOURG GORDON, COUNCILWOMAN, DISTRICT I  
MARY K. CLULEE, COUNCILWOMAN, DISTRICT II  
DICK GIBBS, COUNCILMAN, DISTRICT III  
BOB FISHER, COUNCILMAN, DISTRICT VI  
(BOND COUNSEL)

RESOLUTION NO. 6702

A resolution ordering and calling a special election to be held in the Parish of St. Charles, State of Louisiana, to vote upon the adoption of amendments to the current St. Charles Parish Home Rule Charter; making application to the State Bond Commission and providing for other matters in connection therewith.

**BE IT RESOLVED** by the St. Charles Parish Council (the "Governing Authority"), acting as the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), that:

**SECTION 1. Election Call.** Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Sections 5, and 22 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 14, 2023**, between the hours of seven o'clock (7:00) 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:

CHARTER AMENDMENT PROPOSITION NO. 1 OF 2

Shall Article III, Section A.2 of the St. Charles Parish Home Rule Charter be amended to read:

The members of the parish council elected at large shall receive an annual salary of \$24,000.00 and the members elected by districts shall receive an annual salary of \$19,200.00, effective January 8, 2024. The annual salaries of the parish council, as established herein, shall be adjusted by the same percentage rate as the cost of living adjustment approved for civil service employees in 2025 and each succeeding year thereafter. Each member shall receive his actual and necessary expenses incurred in the performance of his duties, within limitations established by the parish council?

CHARTER AMENDMENT PROPOSITION NO. 2 OF 2

Shall Article III, Section B.2 of the St. Charles Parish Home Rule Charter be amended to read:

The annual salary of the parish president shall be fixed at \$175,000.00, effective January 8, 2024, and may be increased by ordinance of the parish council, provided that an ordinance increasing the president's salary shall not be passed during the last year of a term and no salary increase shall become effective during the term in which the ordinance is adopted. The parish president shall be eligible for all benefits available to full-time employees of the Parish?

**SECTION 2. Publication of Notice of Election.** A Notice of Special Election shall be published in the official journal of the Parish 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.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Secretary of this Governing Authority is authorized and directed to make any

amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

**SECTION 3. Canvass.** This Governing Authority shall meet at its regular meeting place, the St. Charles Parish Courthouse, 15045 River Road, Hahnville, Louisiana, on **MONDAY, NOVEMBER 6, 2023, at SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

**SECTION 4. Polling Places.** The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said elections, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

**SECTION 5. Election Commissioners; Voting Machines.** 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 as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.

**SECTION 6. Authorization of Officers.** The Secretary 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 Chairman and/or Secretary 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.

**SECTION 7. Furnishing Election Call to Election Officials.** Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of St. Charles Parish and the Registrar of Voters of St. Charles Parish, as notification of the special election, 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 in the event said election carries for further consent and authority to amend the Home Rule Charter. 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.

**SECTION 9. Employment of Special Counsel.** This Governing Authority finds and determines that a real necessity exists for the employment of special counsel for legal work on behalf of the Parish with respect to the proposed election, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, is hereby employed as special counsel for the Parish, to do and perform comprehensive, legal and coordinate professional work in connection with the aforesaid election. The fee to be paid said special counsel, if any, shall be an amount computed at hourly rate based on the Attorney General's then current Maximum Hourly Fee Schedule, together with reimbursement of out-of-pocket expenses.

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

YEAS: BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS,  
FISHER  
NAYS: DUFRENE, FISHER-CORMIER  
ABSENT: BELLOCK

And the resolution was declared adopted on this, the 19<sup>th</sup> day of June, 2023.

CHAIRMAN: Bob Billings  
SECRETARY: Michelle Depastato  
DLVD/PARISH PRESIDENT: June 20, 2023  
APPROVED: ✓ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: Matt Jewell  
RETD/SECRETARY: June 20, 2023  
AT: 3:48 pm RECD BY: [Signature]

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the St. Charles Parish Council (the "Governing Authority"), acting as the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), on June 19, 2023, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, OCTOBER 14, 2023**, and that at the said election there will be submitted to all registered voters in the Parish 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:

CHARTER AMENDMENT PROPOSITION NO. 1 OF 2

Shall Article III, Section A.2 of the St. Charles Parish Home Rule Charter be amended to read:

The members of the parish council elected at large shall receive an annual salary of \$24,000.00 and the members elected by districts shall receive an annual salary of \$19,200.00, effective January 8, 2024. The annual salaries of the parish council, as established herein, shall be adjusted by the same percentage rate as the cost of living adjustment approved for civil service employees in 2025 and each succeeding year thereafter. Each member shall receive his actual and necessary expenses incurred in the performance of his duties, within limitations established by the parish council?

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Shall Article III, Section B.2 of the St. Charles Parish Home Rule Charter be amended to read:

The annual salary of the parish president shall be fixed at \$175,000.00, effective January 8, 2024, and may be increased by ordinance of the parish council, provided that an ordinance increasing the president's salary shall not be passed during the last year of a term and no salary increase shall become effective during the term in which the ordinance is adopted. The parish president shall be eligible for all benefits available to full-time employees of the Parish?

Said special election will be held at each and every polling place in the Parish, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places for the precincts 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 estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$6,800.

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, the St. Charles Parish Courthouse, 15045 River Road, Hahnville, Louisiana, on **MONDAY, NOVEMBER 6, 2023**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the Parish are entitled to vote at said special election and voting machines will be used.