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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

7 A meeting of the Hammond Charter Review Committee (2020-2021) was held
8 at the Hammond City Council Chambers on December 14, 2020, at 5:30 p.m.
9 Members appointed pursuant to Resolution of the Hammond City Council Number
10 20-1013-02 present and their representative districts were: Arlene Knighten
11 ("Knighten") appointed by District 1 Councilman Andrews; Chris Broadwater
12 ("Broadwater") appointed by District 2 Councilwoman Gonzales; Tracy Wells
13 ("Wells") appointed by District 3 Councilman Wells, Frank DiVittorio ("DiVittorio")
14 appointed by District 4 Councilman DiVittorio; Lesli Bolner ("Bolner") appointed by
15 District 5 Councilman Leon, and Doug Johnson ("Johnson") appointed by Mayor
16 Panepinto. Also present was Lacy Landrum, Director of Administration for the City
17 of Hammond ("Landrum").
18

19 The committee members elected the following officers: Chairman-
20 DiVittorio, Vice Chairman- Knighten, and Secretary- Bolner.
21

22 The committee considered Resolution 20-1013-02 and its charge to review the
23 Hammond City Charter ("Charter") to determine if "in the best interests of the
24 citizens of Hammond, any of the provision of the Charter are in need of
25 simplification, clarification, amendment, addition or deletion" and to provide
26 recommendations to the City Council on or before June 30, 2021.
27

28 Discussion ensued on the best method to obtain input from the public as well
29 as current and past members of the Hammond City Council, mayors having served
30 under the Home Rule Charter, city attorneys, and past Charter formation and
31 review committees.
32

33 Knighten suggested that each committee member ask their councilman or
34 councilwoman to talk about the issues they have had with the Charter and
35 suggested that later meetings be held at different times of the day and hour so as to
36 encourage more participation. Johnson provided a historical note that his late
37 mother had served on the formation committee and researched city charters from
38 across the state. He suggested that we look at other charters from both in and
39 outside of the state.
40

41 DiVittorio asked if a model Home Rule Charter may be available, and
42 Broadwater volunteered to ask if the Louisiana Municipal Association may have
43 resource materials. Knighten will also look for other resources. DiVittorio
44 suggested that we review other municipalities' charters. Broadwater advised that

45 we invite former mayors and city attorneys to discuss aspects of the charter that are
46 relevant to maintain from a litigation perspective. Knighten suggested that we add
47 in the council members, and the members discussed how to invite council members
48 in a way that does not constitute a quorum. Broadwater suggested that we have
49 public comment meetings in different parts of the City, such as east, west, and in
50 the Hammond Council Chambers and ask the past and current council members to
51 attend and provide input in what has worked in the Charter and what provisions
52 have caused problems. DiVittorio requested Johnson provide a written summary of
53 the administration's concerns.

54
55 The members unanimously adopted the City Council's procedure for allowing
56 public comment at the meetings. The members agreed to provide live streaming of
57 the meetings so that Hammond residents can watch and be informed. The members
58 questioned the benefits and downside of accepting and responding to comments on
59 live streaming. After discussion, Broadwater moved, Knighten seconded, and the
60 Committee agreed unanimously to live stream the future meetings and ask
61 Landrum to investigate whether the City can establish an email address to receive
62 commentary and input from the public. If such an email address is feasible,
63 Landrum suggested the administration could to receive the emails from the email
64 account and disseminate them to the committee members for discussion at the
65 following meeting. Landrum said the City could establish a shared, online folder for
66 the committee to use to hold their records. Wells noted that it would be good to
67 place the emails there prior to the meetings so that the committee could review.
68 Wells questioned whether these emails would be responded to directly, and
69 DiVittorio suggested that the emails be "one-way" only. Knighten cautioned that we
70 should inform the public that the emails will not be responded to individually, but
71 rather addressed at the next public meeting.

72
73 Johnson questioned the best method to notify the public and perhaps have a
74 link to the Charter to invite commentary. Knighted expanded upon the notion of
75 advertising in the Daily Star the dates, times, and places of the intended meetings
76 and a description of the members of the committee in a press release. The
77 members seemed agreeable to a press release, and Landrum offered to write and
78 distribute the press release. The City will also handle posting meeting notices.

79
80 The committee members discussed the logistics of gathering names and
81 contact information for past stakeholders. After discussion, the members
82 unanimously agreed (upon Broadwater's motion seconded by Bolner) to schedule a
83 meeting on January 11th at 5:30 p.m. at the Hammond Council Chambers and
84 extend an invitation for commentary to the present and past council members, past
85 and present mayors and city attorneys under the Home Rule Charter, and the
86 previous members of other Charter committees to the meeting to share their
87 experiences with the Charter and ways in which they might suggest improvement.
88 After discussion, those present agreed that such past and present officials would be

89 contacted as follows. Each current Charter Committee Member will contact all
90 present and previous council members of the districts for which they were appointed
91 and Johnson will contact prior mayors and city attorneys who have served under
92 the Charter and invite them to attend the January 11th meeting. Landrum offered
93 to collect the past members names and to provide those names to the committee
94 members.

95

96 After further discussion, the members scheduled the following dates to invite
97 public participation and commentary as well as those past and present officials who
98 may not be able to attend on January 11th:

99

- 100 1. January 25, 2021 at 5:30 p.m. (place to be determined) and
- 101 2. January 30, 2021 at 10:00 a.m. (City Council Chambers)

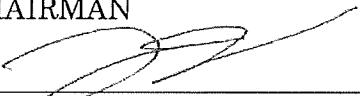
102

103 The members of the committee agreed that if time permits after public commentary,
104 the members will review and suggest any revisions to Sections 1 and 2 of the
105 Charter.

106

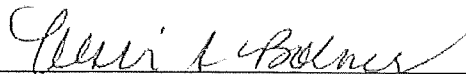
107 There being no public request for commentary or discussion, the meeting was
108 adjourned at 6:40 p.m.

CHAIRMAN



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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**MINUTES OF THE JANUARY 11, 2021
MEETING OF THE HAMMOND CHARTER REVIEW COMMITTEE**

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A meeting of the Hammond Charter Review Committee (2020-2021) was held at the Hammond City Council Chambers on January 11, 2021, at 5:30 p.m. Members present were: Arlene Knighten, Chris Broadwater, Tracy Wells, Frank DiVittorio, and Lesli Bolner. Doug Johnson was absent.

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The meeting commenced at 5:35 p.m. The Minutes of December 14, 2020, were approved unanimously. Members of the public were invited to share their opinions, comments, and suggestions for revision:

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1.) **Dr. Lacy Landrum:** Director of Administration for the City of Hammond, described several issues of concern that caused much discussion from constituents and in public meetings. These items need review of the Committee, but no specific recommendations are being presented by the Administration:

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a.) **Debt.** The issue is whether the citizens' vote is required every time debt is incurred. The Provisions Section 5-08 and 5-04 seem contradictory and need reconciling. Legal opinion was issued after the Attorney General was requested regarding federal loans. DiVittorio asked whether the Administration has a recommendation as to how to handle this provision. Dr. Landrum requested that it be analyzed at this point because otherwise there is no remedy for emergencies, like a natural disaster occurring at the end of a year and needing to make payroll.

b.) **Police Chief.** During the last Charter review, the qualifications for Police and Fire Chief were changed. Dr. Landrum described that state law changed and made the Hammond Police Chief non-Civil Service, to be appointed and serve under the Mayor. Part A of Section 4-04. It appears that Part A of the Police Chief Section may need clarification to align with state law and other Department Heads defined in the Charter.

c.) **Qualifications for Office.** In recent past, questions have arisen as to the interpretation of "actually reside" for qualifications for Mayors and Council persons and the language needs clarification. Article II, Section 2-12 and Article III, Section 3-03.

d.) **Line Item Veto.** The concern is that if money is not in the budget, the Mayor has no ability to "veto" an unfunded category. Section 2-12. The

44 Committee was asked to examine the authority of the Mayor in the
45 Line Item Budget process.

- 46
47 e.) General Provisions. The Committee should also include review of
48 Article 7 General Provisions, such as forms of notice (phone, etc.).
49

50 2.) Mayor Tom Anderson: Served as Mayor from 1977 – 1981 and City
51 Attorney.
52

- 53 a.) Councilpersons. He suggested Six (6) Member Districts and the
54 District Lines be redrawn so that at least two (2) Minority Districts are
55 represented. He would also add one (1) Council Member-at-Large. He
56 described that in 1977, he was the first Mayor to serve under the new
57 Charter. He ran for Mayor to change form of government because of
58 lack of ability to have minority representation on City Council. He lost
59 the election, but Jay Seale had filed a lawsuit. PAR was consulted and
60 recommended five (5) Council Districts and two (2) Councilmen-at-
61 Large. He recalled that the Judge overseeing the case wouldn't accept
62 this structure because it diluted minority representation. He explained
63 that Councilmen elected by their District will only serve their
64 Districts, but the purpose of a two (2) Councilman-at-Large was to
65 represent the City as a whole. Because the Mayor was elected at-large,
66 even though white since the Charter was adopted, had to be elected
67 with some representation from Minority Districts. He believes a person
68 represented at-large must represent the whole City.
69

- 70 b.) Term Limits. Mayor Anderson suggested dropping term limits on
71 City Council Members, but retaining the current term limits on the
72 Mayor. He believes this follows the federal model.
73

74 3.) Osa Betts: (Formerly Williams) Councilwomen from 1999 to 2003. 700
75 Natchez Street, Hammond, LA 70403.
76

- 77 a.) Terms. Ms. Betts opined that the Mayor should be elected for two (2)
78 terms and Councilpersons for three (3) terms.
79

- 80 b.) Attorney. She expressed concerns about potential conflicts of interest
81 which would arise when the attorney representing the City also
82 represents the Council Members (Section 4-02) and questioned
83 whether there should be separate attorneys. One particular past issue
84 involved purchases. Perhaps there could be some provisions for
85 selection and funding. The Council should need their own attorney and
86 the City would have their separate counsel. This issue arose regarding
87 some purchases that were being made and the City was being sued as

88 well. Broadwater pointed out that the Code contains a provision
89 allowing the Council to hire its own attorney and asked if this
90 provision would satisfy her concerns.
91

92 c.) Police Chief 4.04. The requirement of appointment of the Mayor
93 seemed to be adopted by Ordinance of the City Council. The
94 Legislature enacted acts that involved the Chief of Police position
95 becoming either appointed by the Mayor or be elected. Her preference
96 is to elect the Chief of Police because the people have no voice with an
97 appointed Chief. Broadwater asked if the other Department Heads
98 should be elected and why the Police Chief would be treated any
99 differently than other Department Heads. Ms. Betts said that would
100 require additional review.
101

102 d.) Council Members. Ms. Betts suggested that there should be two (2)
103 Council Members appointed at-large. She remembers when District 2
104 and 7 was gerrymandered for an African American representative, but
105 one was never elected If a Council Member at-large is added, there
106 should be some particulars to protect the balance. Ms. Wells
107 questioned whether there should be five (5) Districts and two (2) at-
108 large Members, or have six (6) Districts and two (2) at-large Members.
109 Ms. Betts responded the answer depended upon how geographically
110 the Sixth District would be created.
111

112 e.) Attorney. Ms. Betts described the issue that the Council should be
113 able to hire its own attorney and recalled the issue earlier arose in
114 connection with purchases made. Broadwater suggested Paragraph (e)
115 might address the concern, and Ms. Betts said she thinks the language
116 may be vague. DiVittorio described this provision may have been
117 added after Ms. Betts' term. Broadwater asked if she might review the
118 language and suggest any changes to the provision to clarify. Ms. Betts
119 suggested limitations as to dollar amounts, how they are hired, and
120 some of the technicalities and asked for more time to review the issues
121 further.
122

123 4.) T. Jay Seale, III: 44015 Parker Boulevard, Hammond, LA. Served on 2011
124 Charter Review Committee and was involved in lawsuit which resulted in
125 City Charter creation. Seale suggested:
126

127 a.) Listen. There is much value of the Members listening to other
128 Members of the Committee.
129

130 b.) Consultant. The Charter Committee needs a consultant who
131 understands the technology of governance. In 1977, the Court

132 appointed the PAR Council to draft the Charter and was used several
133 years later in the Parish government reapportionment. He suggested
134 we use a consultant in this review.
135

136 c.) He described his role in the lawsuit involving Alvin Washington, a non-
137 traditional student returning to SLU as a student after serving as a
138 Navy Seal in undoing mines and planting mines. When he returned to
139 Hammond, and found that he had no opportunity to participate in the
140 City Government, he became interested in making a change. At the
141 time, the City was served by a Mayor, Commissioner of Streets and
142 Parks, and a Commissioner of Finance. All white, they had much
143 collegiality and likely they were unaware of the extent to members of
144 the African American Community were left out of the process. One
145 person-one vote was the law of the land and had been for 12 years, but
146 the Court saw the direction of the case and the parties agreed to
147 appoint the PAR as a Special Master. The PAR recommendation was
148 for two (2) at-large Members. The City opposed that as did Alvin
149 Washington, because it would create rivals to the Mayor someone who
150 had the same political base as the Mayor because the African
151 American community wouldn't have to help select the Mayor and there
152 would be no rivalry. The Mayor does not need a person elected City
153 wide to compete with him.
154

155 d.) Term Limits. The 2011 Charter Committee had adopted term limits.
156 Speaking personally and not as an elected person, he suggested that
157 there should be no term limits on Council Members. Term limits create
158 the problems where we are deprived of institutional knowledge,
159 background, experience, and connections and don't have judgment to
160 do the job required. Governing is an acquired school. Allow the voters
161 to control the term limits, not the law. Seale suggested that there's an
162 argument for a three (3) year term limit for the Mayor to allow the
163 expertise to be collected over years. DiVittorio cited as a supporting
164 proposition that the current Council with all new Members has little
165 institutional knowledge and that has made governance more
166 challenging.
167

168 e.) Councilpersons. Seale believed that the Mayor should be the only
169 city-wide elected official and then the Mayor will work out their own
170 coalitions.
171

172 5.) Mayson Foster; Served as Mayor from 2003 through 2014 and the first City
173 Council with Mayor Tom Anderson. Mayor Foster noted that Wilbert
174 Dangerfield also served the Council long hard years. He has been working
175 under the Charter for 16 years: through the Council for four (4) years and 12

176 years as Mayor. When the Charter was first approved, all had only two (2)
177 terms. Maybe in 1999, there was discussion of changing the terms, the
178 proposition offered by the City Council to allow the Mayor three (3) terms
179 was defeated.

180
181 a.) Term Limits. Mayor fully believes of terms limits and announced that
182 belief even when he was ending his last term as Mayor. Three (3)
183 terms for the Mayor is good because the Mayor is able to benefit from
184 the state retirement system.

185
186 b.) Councilpersons. He expressed mixed emotions about whether having
187 at-large Councilman because he has seen in other cities (like New
188 Orleans). He believes an at-large person may create conflict with the
189 Mayor, but he believes the people should decide.

190
191 c.) Police Chief. This position had been taken out of Civil Service so that
192 it could have a Chief to directly report to the Mayor who would then
193 oversee. He believes that the Police Chief needs to have one (1) boss
194 (not all the people) with direct line of authority. State law sets rules
195 and regulations of governing the Police Chief and the whole
196 department. When the Chief was removed of Civil Service, he believed
197 it was removed to give the Mayor more control of the Police Chief.
198 State law sets rules and regulations about the governance of the whole
199 department. DiVittorio asked for clarification. Mayor Foster reported
200 he believes an elected Police Chief sometimes believes that they have
201 authority that they do not, and undermines the authority of the Mayor.
202 Ms. Knighten asked for input by the people for selection of Police
203 Chief. He said there should be calls for public hearing for any
204 appointment. Bolner asked if he said the public has an opportunity to
205 participate in the public hearing, and he said yes, after the
206 appointment. The past Mayors have had an open door policy to discuss
207 potential appointees before they are designated, but recognized that is
208 not a requirement. He does not see any value in having a formal public
209 meeting by the Mayor prior to the appointment, as that is in direct
210 opposition to what the Charter provides. Mayor Foster suggested that
211 formal public input process prior to the Mayor's choice of an appointee
212 would be problematic. He said he could see many shortfalls in making
213 a requirement that the Mayor hold formal public input hearings *prior*
214 to the Mayor's appointment. The Charter provides public comment is
215 available after the Mayor appointment.

216
217 d.) General Provisions. He requested the Committee review the
218 transitional language which should be eliminated.
219

220 6.) Mayor Debbie Saik, formerly Pope: 1502 Camellia Drive, Hammond, LA.
221 Served two (2) terms as Mayor from 1981 to 1989, and also as Clerk of the
222 Council, Secretary of Civil Service Board, Zoning Board as well. Like racial
223 inequities, she also experienced ethnicity and gender inequities as well. She
224 has been out of the loop for 40 years, and spoke candidly, saying that she has
225 no intention to run for public office.
226

227 a.) Council Districts. We could look into the possibility of one (1) or two
228 (2) at-large Districts, but she is not sure it would make a difference for
229 representation, and creating a District could actually become a
230 hindrance to minority groups, as the corporate limits have not grown
231 very much.
232

233 b.) Police Chief. She does not think that the Chief should ever have been
234 removed from the Civil Service. The Police and Fire Chiefs should be
235 more qualified than just a college degree and years of experience. In
236 addition, the Chiefs have employees who are under the purview of
237 Civil Service which doesn't make sense. The Mayor should be in charge
238 of the Police Chief and needs to go directly to the Mayor. She believes
239 an elected Police Chief is the worst idea, because only one person needs
240 to be in charge of that person. The Mayor and the Police Chief will
241 battle and have conflict. There must be only one leader.
242

243 c.) Department Heads. Mayor questioned the descriptions of
244 Department Heads in the Charter and the Committee/City should
245 consider reworking the titles on the website. Broadwater asked if
246 Section 4-10 helps with the concern about changing the Department
247 Heads. What is the point of defining the Department Heads if 4-10
248 allows changes subject to public meeting and Council approval. She
249 answered that provision might satisfy her concern.
250

251 d.) Term Limits. She recommended consistent running terms of the
252 Mayor and the Councilpersons. Some tasks you take longer than eight
253 (8) years to complete. She recognized that the longer one serves in
254 office, the more "deals" will be offered, so the terms should have an
255 end.
256

257 e.) Qualifications. Bolner asked whether she had an opinion about
258 whether candidates should live in the District. Mayor suggested that
259 candidates for both Mayor and Councilperson should live in the
260 District as their "primary domicile." Ms. Wells asked if she believes the
261 Police Chief should be required to live in the City, but should be close
262 and available 24/7. She does not think all Department Heads need to
263 live in the City. She noted that the Police Chief has always been a hot

264 button topic and the most visible and controversial figure. She
265 encourages the Committee Members to look at the Police Chief as a
266 Department Head, just like any other department.
267

268 7.) **Jason Hood:** Served on City Council District 2 for 12 years with Mayor
269 Foster. His perspective comes from the Legislative side as he was never in
270 Administration.
271

272 a.) **Term Limits.** Hood agreed with term limits, and should be five (5)
273 terms for every office, and 20 years is enough. He expressed it did take
274 him eight (8) or nine (9) years to really understand the process and
275 how to make things work.
276

277 b.) **Department Heads.** For each Head, there should be a list of
278 recommendations for each position and they should be reappointed
279 every four (4) years with approval of the Parish Council. The cabinet
280 positions would be approved and could come up for reconfirmation
281 every four (4) years. The Council President's term should remain the
282 same. All positions named in the Charter should be responsible to the
283 Council. At the moment, there seems to be no recourse for the Council,
284 and he suggested the Council should be able to remove a Department
285 Head with a super-majority vote. He suggested the Charter could
286 include language that Council should or may conduct public hearings
287 that the Council must approve after nominees are made.
288

289 c.) **Debt.** The Council should have the ability to bond money without a
290 public referendum.
291

292 d.) **Salary.** Council persons should have automatic salary adjustments,
293 but at the moment, salaries seem fair. The Mayor's current salary is
294 not appropriate for the position. The MAG Review should be used to
295 calculate increases. Broadwater asked whether an Index could be used
296 and asked Hood for his preference. Hood answered that the salary for
297 Mayor is X and then any increases would be a specific percentage
298 increase. He explained that he got the idea from MAG Review by
299 looking at the Parish structure. Essentially, the MAG Review looks at
300 municipalities with similar populations and then makes
301 recommendations. Broadwater suggested a CPI or some other Index to
302 keep it at a level that is sufficient rather than have the Council fight
303 the Mayor or the Mayor veto the Council vote. Mayor Foster agreed
304 that the salary paid in 2003 salary for the Mayor is still the same for
305 2021. A CPI Index would take out all of the politics for both the Mayor
306 and the Council person.

307 e.) Council Clerk. The Clerk of the Council should serve at the pleasure
308 of the Council President and not report to the Administration, but the
309 language is vague and needs clarification. Mayor Foster commented
310 there may have been an Attorney General Opinion about this issue in
311 the past. A suggestion was made that the day-to-day operation subject
312 to Council President but could be removed by a super-majority of the
313 Council. Ms. Betts suggested a structure should be put in place to
314 disseminate information equally to everyone.
315

316 f.) Council Budget. Any expense the Council approves for its budget
317 should be governed by the Council President or majority vote of the
318 Council.
319

320 8.) Andre Coudrain: Current City Attorney, serving since 2003; 106 South
321 Magnolia Street.
322

323 a.) In addition to the above items, he described 7.03 Code of Ethics
324 concerns him because it requires a separate City Board of Ethics be
325 appointed by the Council. He knows of no such Board which has ever
326 existed. The ethics standards set by State and City are very much the
327 same, but could have different results, so he suggested removing the
328 last Section as separate Administrative Board and have the Council
329 defer to the State Ethics Board findings. Ms. Knighten asked about
330 whether an Ethics Officer should be appointed. Coudrain responded
331 that in the past, ethics questions have been referred to the State.
332 Broadwater commented that the State law requires the officials report
333 the potential offenses to the State. Knighten asked whether Coudrain
334 had experienced conflicts in representation. He responded that usually
335 conflicts were political conflicts between the Council and the Mayor
336 that he would give the same opinion to both, but if a separate lawyer is
337 hired, the City Council ought to have the ability to hire on a single
338 basis. He has not seen a constitutional crisis or a direct conflict about
339 legalities.
340

341 9.) Carlee Gonzales: Councilwoman, currently serving District 2 for two (2)
342 years, and Council President.
343

344 a.) Council Representation. She inquired what procedures/protocols
345 should the Council follow to hire counsel – whether a RQP is needed
346 and how the fees are determined. She requested more guidelines how
347 are we fair to the process and fees structures. Ms. Knighten described
348 the State system and suggested that the State Attorney General rate
349 could be used.

350 b.) Administrative support. Ms. Gonzales described that the young
351 Council Members have challenges in communications to the public and
352 they would like to have a person to advocate and disseminate
353 information.

354
355 The public comment concluded.

356
357 The Committee resolved to meet on the following dates:

- 358
359 1.) January 25th at 5:30 p.m., Monday in Council Chambers; and
360 2.) January 30th at 10:00 a.m., Saturday in Council Chambers.

361
362 Locations for other meetings were discussed such as local churches and the Michael
363 Kinney Center. The suggestion was made that perhaps a February meeting would
364 be held at different locations in the community. Ms. Wells suggested that we set the
365 next two (2) meetings be held in the Council Chambers to create consistency.
366 Broadwater suggested that we have two (2) offsite meetings for public commentary,
367 one (1) on the East side and one (1) on the West side. Ms. Wells suggested that we
368 each talk to a Councilperson to get new places, technical capabilities, and capacity.
369 Dr. Landrum will create a list of the specifications required for live streaming,
370 which would include microphones and cameras.

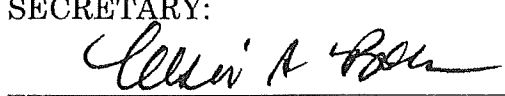
371
372 The meeting concluded at 7:50 p.m.

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CHAIRMAN


FRANK DIVITTORIO

SECRETARY:


LESLI S. BOLNER

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The meeting commenced at 5:30 p.m. The Minutes of January 11, 2021, were deferred. Members of the public were invited to share their opinions, comments and suggestions for revision:

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1.) Mayor's Perspective. DiVittorio asked if Johnson had a report to present from the Mayor. Johnson presented a list of issues to the Committee Members. Broadwater noted that at an earlier meeting, Dr. Landrum testified that the Mayor had no specific suggestions for change and the Committee was asked to study the issues she described. Broadwater also noted that the list presented by Johnson does appear to contain suggestions for change. Attached is a copy of the list presented by Johnson.

2.) Email Account. DiVittorio reported a snafu with the email address, but said that was being corrected. The correct address for emails to the committee is hammondcharter@hammond.org and the Agenda will be changed for next meeting. There was one email from Ralph Ross sent in today regarding proposed suggestions dated January 25, 2021 (a copy of which is attached hereto); subject: "My Two Cents for the January 25th Meeting" consisting of 16 points reviewing the Articles 1, 2, and 3. The Committee briefly reviewed the email during the meeting.

3.) Consultant. Broadwater asked whether the Committee has budgeted funds to pay for a consultant as suggested by Mr. T. Jay Seale and Mr. Ralph Ross. He pointed out we should need to present qualifications, get approval, and connect with them. Broadwater will reach out to Mr. Travis Scott with a request for help. Mr. Andre Coudrain stated that our Charter is a PAR Model Code. Knighten asked if there are Attorney General Opinions we should be aware of that were issued to the City of Hammond. Johnson asked if we need consultant information for salaries. Mr. Coudrain responded that Section 3-06 allows the Council to change the compensation of the Mayor and the Council; compensation that will take effect as to the next Council Members, not sitting Members. Broadwater suggested that we could adopt recommendations to the Council. Mr. Coudrain suggested that the Charter creates the safeguard to allow the Council to control the increase of salary. Johnson suggested we need more recommendations and Mr. Coudrain responded this will be something perhaps PAR could assist with. Broadwater

45 will contact PAR and ask for updates to the issues and whether PAR has a
46 consultant to discuss hot button issues. He also will contact the Louisiana
47 Municipal Association as well.
48

49 4.) Clerk of Council. Who has the authority to remove the Clerk of the
50 Council? The Clerk is a City employee, but is not a Civil Service employee.
51 Query, does she serve at the pleasure of the Council or at the President of the
52 Council. The Members discussed that the City's HR Department had been
53 involved in the selection of the last Clerk, as well as a couple of Council
54 Members and perhaps others. Department Heads once appointed stay until
55 removed. Mr. Coudrain suggested that the Committee should consider at-will
56 employment.
57

58 5.) Charter Review. The Members will review the provisions of the Chapters
59 and make no final decisions, but rather will discuss the provisions, determine
60 what additional resources may be needed, and what further information we
61 may need to analyze. The Committee Members noted that the fact that a
62 Chapter has been reviewed does not mean discussion on that particular
63 Chapter or Section has been completed. All issues will continue to be
64 reviewed and as further public comments are received.
65

66 6.) Article 2. Wells raised the issue of term limits and numbers of Districts. Mr.
67 Coudrain agreed to pull the Map and the Consent Order in the Federal
68 litigation. The Committee needs to determine whether the number of
69 Districts can be changed. Section 2-06. Mr. Coudrain suggested three issues:
70 residency requirement for Council Members, review the Clerk of the Council
71 2-08, and 2-12. veto power. The "veto power" issue describes the effect of a
72 Mayor "veto." For example, if the Mayor appropriates \$60k for a project, but
73 the Council changes the item to \$300,000 for the project, would a Mayoral
74 veto reset the budgeted amount to his proposal? Or would the veto change the
75 line item to \$0?
76

77 Broadwater referenced Mr. Ross' email regarding probation in 2-05B. The
78 Committee discussed whether the State ethics rules would cover this. Mr. Coudrain
79 thinks that the City could have choice to reduce the time for prohibitions, but we
80 need to review the law. On the subject of State law, Broadwater asked if we change
81 the Charter to refer to State law instead of Charter, could we change it back later.
82 Knighten suggested such language be added to the Charter (unless otherwise voted
83 by the people).
84

85 Section 2-06. Knighten reviewed the investigation and noted there is no
86 discussion as to the procedure that would be followed during the investigation. Mr.
87 Coudrain said to consider a provision that said "The Council shall suggest rules to
88 protect rights of due process" rather than detail a specific procedure.

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Section 2-14. Mr. Coudrain suggested that the language "available for public review" be retained in the Charter rather than detailing the method of information dissemination, such as including links on a website.

June 30th is our deadline to report back to the Council. Broadwater suggested that we ask for authority to contract a consultant for items, including, but not limited to, compensation of Council Members and Mayor and term limits. Mr. Coudrain suggested that we check with the Administration to see if funds are available for that purpose, because obtaining Council approval requires four (4) weeks. Johnson will inquire of the Mayor.

Article 2 discussion will continue to the next meeting along with Article 3. The Motion passed unanimously.

The next scheduled meeting will be Saturday, January 30, at 10:00 a.m. at the City Council Chambers. The Members were asked to check for alternative locations. Bolner will email Dr. Landrum regarding needing the specifications.

The meeting adjourned at 6:57 p.m.

CHAIRMAN



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

109

February 8, 2021

From: Ralph Ross 505 East Robert Street Hammond
To: Hammond City Charter Review Committee
Subject: Comments for tonight's Meeting

1. I regret that I can't be at the meeting, but did want to share my thoughts on one of the Charter sections on tonight's agenda. Were I there, I might have minor comments on others, but it is Section 7-09. - Boards and commissions that I feel most strongly about.
2. Somewhere within that section, I believe it bears stating in an additional paragraph that all City board and commission meetings are subject to the State's open meetings law and therefore all agendas and minutes are to be published on the City's web site. As with City Council agendas, all exhibits should be linked to the related agenda item.
3. Additionally, all meeting dates should be published well in advance on a City web site event calendar. I understand a new web site for the City may be in development, so this would be an ideal time to incorporate such an event calendar and provide procedure to insure it is kept up to date. There is an event tab on the web site now, but I don't ever recall it being active.
4. Finally, I believe all appointed board or commission members should be electors of the City. Planning and Zoning members for example all should be electors. Consider that, as presently constituted, those members also serve as the City's Board of Adjustment. LA RS 33:4727 (<http://www.legis.state.la.us/lis/lis.asp?doc=91126>) requires that Board of Adjustment members " shall be landowners and qualified voters." Also, members serving on both Planning & Zoning and Board of Adjustments likely violates Louisiana's dual office holding law.
5. Again, my thanks to this Committee for your service and I thank you for receiving my thoughts above. Of course I'm not expecting or asking for a response, I'm only hopeful some of it will be worth including in your deliberations at tonight's meeting.

Ralph Ross
505 East Robert Street
Hammond

2/8/21 MTR

Article III, Section 3-03 Qualifications

If the actually reside language is modified, it should be modified for the mayor also.

The mayor shall be at least twenty-five (25) years of age, a qualified elector of the municipality and shall have actually resided and be domiciled for at least twelve (12) consecutive months in an area which, at the time set for qualifying for office, is within the City. [LANGUAGE PROPOSED TO CLARIFY INTENT OF "ACTUALLY RESIDING"]

Article II, Section 2-12 Submission of Ordinances to the Mayor

This section implies that the mayor has a line-item veto of the budget ordinance. However, if there hasn't been an ordinance already approving a budget, there isn't money to be "taken away" from the budget. For example, in the last budget adoption, some council members removed half of the funding for proposed projects, such as a tractor for the airport and a generator for the recreation center. The mayor wasn't able to veto the idea of removing half of the funding--to restore it to full funding--because there was essentially zero dollars allocated within an ordinance. Perhaps the language here could be clarified to assert the mayor's authority over line items within the budget ordinance process.

B. Within ten (10) calendar days after the mayor's receipt of an ordinance, it shall be returned to the clerk of the council with the mayor's approval, or with the mayor's veto. The clerk shall record upon the ordinance the date and hour of its receipt from the mayor. If the ordinance has been approved, it shall be considered finally adopted and become effective as provided in Section 2-11 (Ordinances in General). If the ordinance is vetoed, the mayor shall submit to the council through the clerk a written statement of the reasons for veto. The veto statement shall be published in full in the official journal by the clerk as soon as practical thereafter. All ordinances that the mayor vetoes shall be vetoed in full, except that the mayor shall have authority to veto amendments to the proposed budget or individual appropriation items or in the ordinances adopting the operating budget and capital improvement program. [LANGUAGE PROPOSED TO ALIGN WITH BUDGET PROCESS AND INTENT OF LINE-ITEM VETO]

There are most likely additional items to be discussed concerning **Article VII with General Provisions**, but we can address those at a later meeting.

Article VII, Section 7-03 Code of Ethics

Should this section be modified to indicate that the council will follow the state ethics laws to avoid duplication of boards and potential confusion? Has this provision or ordinance establishing the code of ethics been repealed when the state law was passed?

In furtherance of these goals, the first council elected under the provisions of this charter shall, within six (6) months after taking office, adopt by ordinance a code of ethics that shall apply to all officers, officials, and employees of the City, whether elected or appointed, paid or unpaid. The code shall be administered by a board created by the council with qualifications, terms of office, duties and powers provided by ordinance. Decisions of the board shall be appealable to the courts. [LANGUAGE PROPOSED TO DELETE]

Article VII, Section 7-10 Facsimile Signatures

Should this section be updated for digital signatures?

Digital signatures are authorized for negotiable instruments and multiple certificates of indebtedness in those cases where an official is required by law to sign. [LANGUAGE PROPOSED]

Article V, Section 5-08 Bonded Debt and Section 5-04 Administration of the Budget

This section was heavily analyzed when some of the council proposed taking out bonds in 2017-2018. During that discussion, some people read the section as requiring a vote of the people anytime debt would be incurred -- if a fire truck was purchased over two fiscal years, if a natural disaster occurred at the end of a fiscal year and funds were needed to make payroll, or if taking out a defined federal loan with a set interest rate and loan term. Others said it should just follow state law, which outlines when elections are required and which many other local government entities specify in their charters. This section also causes confusion with another charter section that outlines how the city can borrow funds in anticipation of revenues as provided by state law. Whatever is decided, both sections should align.

5-04: No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the mayor or the mayor's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. However, this provision shall not limit the authority of the City to borrow funds in anticipation of revenues as provided in the general laws of the state. [RECOMMEND TO REVIEW THIS LANGUAGE TO ALIGN WITH 5-08]

5-08: The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state. When voter approval is required, no resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state. [LANGUAGE PROPOSED TO ALIGN WITH STATE LAW]

Article IV, Section 4-04 Police Chief, Part A

In the last charter review and election of 2012, the qualifications for police and fire chiefs were changed. Prior to that, the state law changed and made the Hammond police chief non-civil service, meaning that the position is appointed and serves at the pleasure of the mayor. Part A under Police Chief may need some clarification.

The head of the Police Department shall be the police chief who shall be appointed by the mayor, subject to confirmation by the council, in accordance with applicable state law, and shall serve at the pleasure of the mayor. [LANGUAGE PROPOSED TO ALIGN WITH STATE LAW AND OTHER DEPARTMENT HEADS OUTLINED IN CHARTER]

Article II, Section 2-01 Composition, Qualifications and Election

Questions arose in the last election as to whether a council member needed to live in the district they represent. There was interpretation of the language "actually reside." This section needs to be reviewed to determine whether the voters want their representative residing and domiciled within the district.

D. A council member shall have actually resided and be domiciled for at least twelve (12) consecutive months in an area which, at the time set for qualifying for office, is within the City and for at least thirty (30) consecutive days in an area which, at the time set for qualifying for office, is within the district from which elected. A council member shall continue to actually reside and be domiciled within the district from which elected during the term of office. If a council member changes his actual residence from the district from which elected or is no longer domiciled in that district, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter. [LANGUAGE PROPOSED TO CLARIFY INTENT OF "ACTUALLY RESIDING"]

January 25, 2021

From: Ralph Ross 505 East Robert Street Hammond
To: Hammond City Charter Review Committee
Subject: My Two Cents for the January 25th Meeting

1. Having watched the YouTube video of the Committee's January 11th meeting, I could not help being impressed with the wealth of quality, constructive discussion. I wasn't able to attend that meeting and regrettably won't be at your meeting tonight. Whether worthwhile or worthless, I do want to offer some thoughts on Articles I, II, and III of the current Charter.
2. Transitional Provisions: As Mason pointed out, a number of Sections incorporate language that was needed to transition from the prior form of government or earlier versions of the Charter. These can now be eliminated or revised. Two examples would be Section 2-01 B (2) & Section 2-02 A. and B.
3. Consultant: I believe Jay is correct, the Committee should have an independent consultant. It would provide greater insight into what has and has not worked for other cities our size. Additionally, their experience in presenting the changes to the voters might prove invaluable. Considering experience, credibility, and impartiality, PAR or an entity they'd recommend would be a logical choice.
4. Council Structure: I'd vote for Tom's suggested six districts and one at large member. Of course the timing is right to consider structural changes because of 2020 Census related reapportionment issues. Here too a consultant will be needed.
5. Term Limits: While understanding the experience argument, I still like term limits. Maybe keep three for Mayor and increase Council to five?
6. Vacancies: Consider changing Section 2-03.C. to allow an appointee to run for the office.
7. Compensation: The Mayor's salary would, after almost 20 years seem due for adjustment. Maybe a study/review of other, similar cities to reset both Mayor and Council now and then adopt a public index adjustment to keep current in the future?
8. Section 2.05.B. - Prohibitions: Is "involve themselves in any manner" overly broad? This section does qualify the prohibition with "Except as provided elsewhere in this charter" and Section 2-06. - Investigations along with Section 4-10.D. Administrative reorganization do give Council powerful means to address serious, perceived Executive Branch staff concerns.
9. Section 2-08. - Clerk of the Council: As many commented, the Clerk must report directly to the Council President and be subject to removal at-will by a majority of the council. Should Council also control/approve compensation?
10. Section 2-09.E. - Council meetings and rules: Are there rules and penalties to compel an absent member to rejoin a meeting where a quorum was lost? Should all rules be on the City website under the Council tab?
11. Section 2-12.A. - Submission of ordinances to the mayor: Just state holidays or federal, state, and local?
12. Section 2-12.B. - Submission of ordinances to the mayor: Does Mayor's line item veto power need clarification?
13. Section 2-14. - Codes of technical regulations: Rather than just "available for public review", a link to a searchable version of such a code needs to be published with the proposed ordinance. After the ordinance is approved that link needs to be placed in a logical spot on the City's web site. For example, in adopting the International Building Code, that link should remain on the Building Department's page. Of course it should also be incorporated within the Hammond Unified Development Code document.

14. Section 2-15.B. - Authentication and recording of ordinances and resolutions; printing and distribution; Another opportunity to add language requiring that things be made more accessible to the public by publishing them on the City website in searchable form and logical spots. The City already does a pretty good job of this by publishing searchable ordinances and minutes on the City website at a tab under "City Council". A access limitation is that they are currently published a whole year at a time and nothing there yet for 2020.

15. Section 2-06. - Power to levy taxes; Can the last sentence be deleted as transitional language?

16. Sections 3-04. - Vacancies; and 3-05. - Mayor's absence and disability; These sections make the distinction between a vacancy and an absence/disability of the Mayor, but is there a logical inconsistency in who succeeds if the Director of Administration cannot? For a vacancy, it is the Council President, but for an absence/disability, it cannot be a Council member. Also, should "temporary absence" be more specifically defined?

I thank you Committee members for volunteering to undertake this important work and I thank you for receiving my thoughts above. Of course I'm not expecting or asking for a response, I'm only hopeful some of it will be worth including in your deliberations at tonight's meeting.

Ralph Ross
505 East Robert Street
Hammond

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the Hammond City Council Chambers on **Saturday, January 30, 2021**. Members present were: Chris Broadwater, Tracy Wells, Frank DiVittorio, Lesli Bolner, and Doug Johnson. Arlene Knighten was absent.

The meeting commenced at 10:10 a.m. The approval of the Minutes of the January 11th and 25th were deferred to the next meeting.

Johnson reported that he had communicated with the Administration and found that there may be funds available to help pay for a consultant, but there would be more conversation.

Continued discussion of Article 2:

- 1.) **2-07 Independent Auditor.** Wells reminded those present that we need to clarify who oversees the Council Clerk. She also reviewed whether, under Section 2-07 Independent Audit, the Charter should define the appropriate venue to publish the Audit. If the City is not reporting in the Official Journal, we need to determine the appropriate venue. Mr. Coudrain would recommend that the Audit be accessible by a link on the City website. Others suggested that the extent and description and publication of the Audit should be determined by the City Council. Lacy Landrum reported about the procedure of the selection of the Independent Auditor and contracts every three (3) to four (4) years.
- 2.) **Department Head.** Review will be included in our analysis.
- 3.) **Compensation.** Described that our efforts to rework compensation will be challenged as we do not have that expertise. Broadwater said that PAR reported they have expertise, Charter, term limits, size of Council, compensation, etc., and he will provide further information as to cost and timing as to their ability to consult. Broadwater reported that he had reached out to the Public Affairs Council as well as John Gallagher with the Louisiana Municipal Association, and the Council for Better for Louisiana. The Council Members agreed with DiVittorio's suggestion that he communicate with the Administration regarding hiring a consultant. All other Committee Members present agreed. Bolner agreed with DiVittorio's earlier suggestion that we narrow the scope of work for the consultant. Bolner suggested that the Mayor and former Mayors should be consulted. Landrum said that LMA may be consulted as well.

45 4.) Residency Requirements 2-01d. Johnson asked for PAR's
46 recommendations for defining the residency requirements. DiVittorio said
47 residency is already defined and the courts resolved this issue. Bolner
48 suggested past controversy about this issue and the number of comments
49 before this Committee suggests that the issue should be addressed. We need
50 to look at different ways other jurisdictions use this. Landrum also described
51 that a **4-01 Department Head** has to live within a five (5) mile radius and
52 that some specific Department Heads need to live closer to the City. Landrum
53 reported a previous investigation of a Department Head and whether they
54 met the residency requirements. Johnson said Hammond citizens paid much
55 money for attorney fees concerning issues like these and we should try to
56 alleviate that burden in the future. Coudrain suggested that the Mayor
57 should have more flexibility to determine where the potential Head is located
58 and that five (5) miles really is not that far. Member of the public, Ralph
59 Ross, asked if there could be a method to have waivers.
60

61 5.) 2-02c Council Districts. Bolner suggested that we inform the City Council
62 that we are not able to comment on the boundaries, Council Districts, at-
63 large numbers to determine and that we have no recommendations because
64 we do not have census data. Ralph Ross commented that we should look at
65 pros and cons of number of Districts regardless of the census.
66

67 6.) 2-09 Loss of Quorum. Mr. Ross had raised this issue. One person suggested
68 that the Council can set its own rules about this and that the rules need not
69 be contained in the Charter.
70

71 7.) Chapter 3 Issues. Wells described three issues in Chapter 3: 3-02 Term
72 Limits.
73

74 3-02 Term Limits

75 3-3 Mayor residency or something else

76 3-06 Compensation
77

78 Chapter 4 Administrative 79

80 Discussion ensued about Department Heads and residency requirements.
81

82 Broadwater said the Mayor and the Council could have the flexibility to make
83 those determinations of Department Heads as times and circumstances changed
84 that would allow a cap on how many folks can be identified. Louisiana
85 Constitutional Article specifies a number of the Heads. Mr. Coudrain suggested that
86 we review the current Organizational Chart and determine if that still works. Mr.
87 Ross commented that the City Administration seems to be operating well. With
88 evolution of new Heads, there may be others needed to help with planning.

89 Broadwater said the rub is what Heads can be appointed by Mayor without Council
90 approval and which ones can. Bolner requested a Special Purpose Meeting with
91 former Mayors to review Chapter 4.

92

93 4-02E. Broadwater recalled public comment by Ms. Betts suggested it would be nice
94 on a case-by-case to have an attorney to represent the Council and hoped that this
95 provision in place may alleviate the concern. Discussion ensued whether the Council
96 should create its own rules. Broadwater suggested that new Council Members have
97 formal training when taking office for the first time. Mr. Coudrain cautioned
98 against restricting Paragraph E. and suggested instead that the Council could sort
99 that out.

100

101 4-04 Police Department

102

103 2-03 Vacancy. Wells asked that we reconsider whether an appointee would
104 have the ability to run for an office.

105

106 New Business

107

108 Mr. Coudrain reported that he had found some old Attorney General
109 Decisions. He also asked Jay Seale to get a copy of the Judgment.

110

111 No email comments were received.

112

113 Meeting Dates

114

115 Wells suggested that the Kenney Center would serve District 3. The
116 Computer Room could still hold 20 to 25 in attendance. The next meeting will be
117 held February 8th at 5:30 p.m.

118

119 The meeting adjourned at approximately 12:15 p.m.

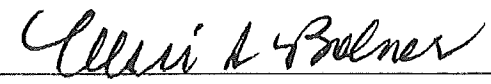
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CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

14 A meeting of the Hammond Charter Review Committee (2020-2021) was held
15 at the Michael Kenney Recreational Center on February 8, 2021, at 5:30 p.m.
16 Members present were: Arlene Knighten, Chris Broadwater, Tracy Wells, Frank
17 DiVittorio, Lesli Bolner, and Doug Johnson.

18
19 The meeting commenced at 5:30 p.m. The Minutes of January 11, 2021, were
20 adopted. The Minutes of January 25, 2021, and January 30, 2021, were deferred.

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1.) **Review of Chapter 5.**

34 Dr. Landrum pointed out that Sections 5-04 and 5-08 deserve scrutiny and
35 suggested we compare the budget document and the existing Charter provisions to
36 the Louisiana Budget State Law Act. 5-03 Part 2 and Part 3 appear to be more
37 detailed than what State law requires. Some parts may be confusing, such as
38 Number 5, Statistical Comparison of Administrative vs. Service Costs. Currently,
39 the Mayor proposes a budget before any action is taken. There could be different
40 interpretations regarding "proposed budget" and how the Council makes a request
41 of the Mayor. There are specific requirements by the Louisiana Auditor's website.
42 Dr. Landrum suggests 02 should describe "initial proposed budget." Dr. Landrum
43 described the current budget process.

44 Knighten suggested that any Councilman could suggest to the Mayor certain
45 items for consideration, say for instance, funds to update the Fire Department. That
46 is how she interprets the provisions such other "such other information requested
47 by the Council." DiVittorio suggested that the Council could also even pass a
48 Resolution asking the Mayor to consider prior to the budget adoption.

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Dr. Landrum asked that we review 5-04, 05, and 06 and consider how they
work with bonded debt.

64 DiVittorio asked Dr. Landrum if in the budgeting process a determination
65 and consideration is given for maintenance and operation costs of a particular
66 allocation. Dr. Landrum stated that IT is an example before they purchase software,
67 they determine how much the upkeep, licensing will be approved. Information is
68 generated and considered for operating costs, but there is no specific forecasting
69 method employed.

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5-07 b 4. Broadwater suggests that when capital outlay is made, the Council
should discuss.

44 5-02 and 03. Broadwater suggested that 03 could be made clearer to identify
45 that is the proposed Mayor's budget.
46

47 Dr. Landrum discussed 03, Part 2. What do you do with a surplus for fund
48 balance – can these funds be drawn into the budget in later budget years? She
49 stated that in years past, funds have been routinely included in the budget, but
50 points out no specific provision sanctioning such use.
51

52 5-07, Part b4 of Capital Improvement Program. In the past, the annual
53 cost to maintain the facilities has not been included in the budget and they need to
54 be. Johnson stated that this may have been one of the issues with the old pool when
55 he heard that the City did not have the cash flow to maintain it.
56

57 The Council discussed the "rainy day fund," which the City established it
58 after Katrina. The Committee discussed that funds can be directed to us, but that
59 the use of funds depends upon an emergency ordinance.
60

61 The Members discussed that the 2-12 Line Item Veto doesn't give the Mayor
62 the authority to challenge any amount. For instance, if the Mayor proposes a
63 \$12,000 item, but the Council goes back to \$3,000, there seems to be no opportunity
64 for the Mayor to reverse the Council and go back to the \$12,000. Broadwater
65 suggested that the whole budget could be vetoed. Knighten suggested that later a
66 supplemental budget could be presented. Dr. Landrum asked "Does line item veto
67 mean that the issue is dead, or would you need a super-majority of the Council vote?
68 DiVittorio answered in the affirmative.
69

70 2.) No former officials were available to comment.
71

72 3.) No person spoke during the public comment period of the meeting. As of 4:30
73 p.m. on February 8, one email was received from by Ralph Ross and read to
74 the Committee Members. Also, an email from Cecilia Giannoble dated
75 January 31, 2021, at 6:01 p.m. was read. Both emails are attached to the
76 Minutes hereto. One of the Committee Members relayed a request to them
77 that all Committees and Board Meetings be streamed online.
78

79 4.) Commissions.
80

81 Planning and Zoning. The Members discussed whether the Charter could amend
82 the Rules for the Planning and Zoning Commission, but Mr. Coudrain answered the
83 Committee follows State Guidelines. If the City Council wants to make a minor
84 change, it must be done by Charter Amendment. He explained that because the
85 Planning and Zoning Commission is established by State law, the Commission's
86 powers or duties cannot be modified. However, the Charter could change
87 organization and structure, and other areas such as qualifications for Members,

88 how they are confirmed, the number of Members and who appoints them. But the
89 Committee Members were cautioned that we cannot change their duties and
90 responsibilities.

91
92 Proposed New Board or Commission. Knighten received inquiries about a
93 Citizens Advisory Board or Commission for many issues, including police brutality.
94 It could either be established by the Council or the Mayor. The concern was that the
95 structure should be established, maybe including members appointed by or
96 representing such groups as the NAACP, Council, Mayor, and Chamber of an odd
97 number of Members. Perhaps the City could have a part-time person to manage the
98 Board, set up meetings, etc., but the Members would be volunteers and not paid.
99 She questioned, "Is this something the City wants?" Knighten relayed her
100 experience while working with Mayor Marion Barry in D.C., that a committee was
101 established for the whole City. She suggested that the Charter could set out the
102 requirements for the Council. According to the payment annually for a previous
103 study, the Administration of such a Board or Commission would cost \$25,000 to
104 \$40,000 per year based on the size of the City. "Would this group serve like a
105 Human Rights Commission?" Wells asked, and Knighten said "similar." The
106 Committee would have only investigative and recommendation powers (to the
107 Mayor or Council) – it would not be able to hire or fire someone. Maybe if Hammond
108 had some of this previously, we would not have had recent controversy over
109 Department Heads.

110
111 Knighten suggested appointees serving diverse communities. We would have to
112 consider Civil Service issues. Depending upon the needs of the City, the Committee
113 could make recommendations or reports as to what they found and then rely on the
114 Council and the Mayor to act on that report.

115
116 DiVittorio asked about the sizes of the cities using such a group. Knighten described
117 that City she looked at were 40,000 to 50,000. The size of the City should determine
118 the size of the organization. DiVittorio asked if this is a communication gap that
119 could be addressed with by the Council with some extra help. Knighten responded
120 that the appeal of a separate Commission is that is not part of a political machine
121 and have more credibility than an elected official.

122
123 Broadwater suggested we be careful about what we put in the Charter. Under 7-09,
124 the Council or the Mayor can do it now. If we put this in the Charter, then it may
125 need to be cleaned up like the Ethics Committee that was provided for but never
126 was formed. Broadwater suggested that the Charter could specifically be amended
127 to allow the Council to form such a Board/Commission.

128
129 At present, about 160,000 live in this municipal area. Johnson suggested the Parish
130 should be involved and this would be an Intergovernmental Agreement. The Census
131 will likely show between 24,000 or 25,000 as the population of Hammond.

132 Other Committees include: Charter Review Committee, Housing Review
133 Committee, Historic District, and Civil Service Board. A Member of the Committee
134 pointed out that 7-09 does not contain a specific provision that the City Council
135 could appoint Boards.
136

137 Broadwater suggested that certain entities are created by State law. If City Council
138 changes make up, that would need to be done in the Charter. DiVittorio asked
139 through Broadwater, "Are there any other entities created that by City Council
140 would have the authority to change the number of Board Members, and how they
141 are appointed and how they serve? Dr. Landrum answered "Yes, Housing Authority,
142 Planning and Zoning, and Historic District. Notes were made to check HAIEDD and
143 Downtown Development District.
144

145 Knighten asked will a specific statute overrule a general provision. If we go that
146 route, use "including, but not limited to" language.
147

148 Ralph Ross raised the issue of the Board of Adjustments and Planning and Zoning
149 dual office holding rules. Mr. Coudrain went to the Legislature to allow this. If the
150 Hammond Council got rid of the BOA, and assigned the duties and responsibilities
151 to the P&Z Commission. This could be addressed in the Charter, but Mr. Coudrain
152 would have to investigate. State law does not require BOA. The Council amended
153 the UDC to allow for additional duties for the Member. If you do not have a BOA,
154 there is language to allow Council to assign separate duties. Hammond is not the
155 only municipality that has done this.
156

157 Referendums and Recalls. Mr. Coudrain reported issues have arisen regarding 6-
158 01 6 - the citizen initiated referendum prescribes a deadline for when a vote has to
159 happen, but the deadline for the vote conflicts with the State Election Code. Mr.
160 Coudrain asked for an AG Opinion, and they responded you have to go to State law.
161 Mr. Coudrain can suggest simple fix to change language to "the next designated
162 election" not within 60 days.
163

164 Broadwater said there is a separate provision for 7-04 that may provide better
165 language. Mr. Coudrain agreed we should put the same language in 7-04 as was
166 used in 6-01.
167

168 Subsection 8. The provision talks about if conflicting statutes; Broadwater asked if
169 a separate Ordinance could be adopted. Not just amend or repeal it, but also add to
170 adopt an Ordinance in conflict with this. Knighten said do not create a loophole
171 with a new Ordinance.
172

173 The Members discussed that Boards and Commissions should also have access to
174 City assistance to satisfy record-keeping requirements, including emails and Record

175 Retention Agreements. He cited the example of the DDD having no public email
176 address and members had used their own.

177
178 7-10 Prescribed fax signatures needs update with current technology.

179
180 7-03 Code of Ethics and Board of Ethics. Suggestion was to remove the Board.
181 City does require bonds on certain employees.

182
183 7-08 (a). City Attorney believes that "Administrative Code" could be policy and
184 procedures. Paragraph b. could be deleted. Broadwater asked if Charter amended
185 and affected any recently elected official. Wells said in Part C, the Clerk of the
186 Council is not a Civil Service employee. Only Fire and Police are Civil Service
187 employees currently. There is no "classified" employee in the City of Hammond.

188
189 7-09. Needs to be visited.

190
191 7-02 Conflict of interest following State Code of Ethics. The Members
192 queried, "Should we adopt the State Code of Ethics." Knighten said everyone is
193 subject to the Code. Could still leave the flowery language in there and compare
194 State and City Guidelines.

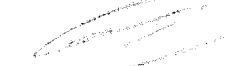
195
196 Broadwater provided an update. Council for Better LA does not work with groups
197 like ours. Robert Travis Scott of PAR used to advise groups like ours, but PAR has
198 not done that in some time and it is not part of their scope of work that we do. The
199 primary issue he described was compensation of the Mayor and he was suggested to
200 contact a Southeastern faculty member to do the work to pull the data. If we went
201 beyond that for other issues, we would need to go to another consultant. Broadwater
202 is still asking for the Municipal Association to see if they would do that work.
203 Broadwater will reach out to Crain. Patrick Goldsmith was retired from the
204 Legislative Fiscal Office that may be used. Knighten will check with the School
205 Board to determine which consultant was used to draw lines.

206
207 Next meeting will be held February 22, 2021, at 5:30 p.m. at City Council
208 Chambers.

209
210 The meeting adjourned at 7:16 p.m.

211

CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

February 8, 2021

From: Ralph Ross 505 East Robert Street Hammond
To: Hammond City Charter Review Committee
Subject: Comments for tonight's Meeting

1. I regret that I can't be at the meeting, but did want to share my thoughts on one of the Charter sections on tonight's agenda. Were I there, I might have minor comments on others, but it is Section 7-09. - Boards and commissions that I feel most strongly about.
2. Somewhere within that section, I believe it bears stating in an additional paragraph that all City board and commission meetings are subject to the State's open meetings law and therefore all agendas and minutes are to be published on the City's web site. As with City Council agendas, all exhibits should be linked to the related agenda item.
3. Additionally, all meeting dates should be published well in advance on a City web site event calendar. I understand a new web site for the City may be in development, so this would be an ideal time to incorporate such an event calendar and provide procedure to insure it is kept up to date. There is an event tab on the web site now, but I don't ever recall it being active.
4. Finally, I believe all appointed board or commission members should be electors of the City. Planning and Zoning members for example all should be electors. Consider that, as presently constituted, those members also serve as the City's Board of Adjustment. LA RS 33:4727 (<http://www.legis.state.la.us/lis/lis.asp?doc=91126>) requires that Board of Adjustment members " shall be landowners and qualified voters." Also, members serving on both Planning & Zoning and Board of Adjustments likely violates Louisiana's dual office holding law.
5. Again, my thanks to this Committee for your service and I thank you for receiving my thoughts above. Of course I'm not expecting or asking for a response, I'm only hopeful some of it will be worth including in your deliberations at tonight's meeting.

Ralph Ross
505 East Robert Street
Hammond

2/8/21 MTR

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

Members of the Hammond Charter Review Committee (2020-2021) gathered at the City Council Chambers on **February 22, 2021**, at 5:40 p.m. Members present were: Arlene Knighten, Tracy Wells, Frank DiVittorio, Lesli Bolner, and Doug Johnson. Chris Broadwater was absent.

The Committee agreed to adjourn the meeting because the Public Notice of the Agenda of the February 22, 2021, Meeting listed the wrong location for the Meeting. The Minutes of the January 25, 2021, as revised, and January 28, 2021, and February 8, 2021, Meetings were deferred.

The next Meeting was scheduled for March 2, 2021, at 5:30 p.m. at the City Council Chambers


The meeting adjourned at 5:45 p.m.

CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

Members of the Hammond Charter Review Committee (2020-2021) gathered at the City Council Chambers on **March 2, 2021**, at 5:35 p.m. Members present were: Arlene Knighten, Tracy Wells, Frank DiVittorio, Lesli Bolner, Doug Johnson, and Chris Broadwater.

New Business

Section 8 of the Hammond Charter. Broadwater asked Coudrain to comment whether Section 8. 8-01 could be amended to define the Council Districts to be reflective as they are currently defined. Coudrain suggested that the Article be amended to define boundaries as those described by Ordinance. The Committee Members agreed not to change 8-03.

Approval of Minutes for January 25, 2021; January 30, 2021; and February 8, 2021, were deferred, in that the Minutes were changed for January 25, 2021, and some typos were made. Bolner will circulate new Minutes and bring copies of all for the Committee Members for the next meeting in paper and also email for searchable items.

Consultants. Broadwater should soon receive a list of suggested SLU Professors who may be qualified to discuss Mayor and Council Member compensation. The Members discussed whether the Administration may have funds available and the expected length of time to produce the information. The Committee plans to ask the Mayor and the Council for funds.

Public Comments. No public comments were received since the February 8th meeting. Three (3) suggestions came to the Committee prior to that date. Shauna Seals had submitted an email with a copy of the Charter marked with comments and redline. Regarding Article 2-05, she asked if consequences occur if a City Council Member violates the rules. Broadwater suggested the remedy may be provided in 2-03(b)(2). The same remedy is provided for the Mayor as well in 3-04(b)(2). Knighten commented Ms. Seals had also asked under 7-09 if there is a mechanism to let the public know of a vacancy on a Board so that they could talk to the Mayor to suggest some names. For City employees, Dr. Landrum commented that the vacancies are advertised on the website. Broadwater asked if this requirement of Board vacancies should be in the Charter or in a City Council Ordinance. Wells suggested that a Diversity and Inclusion Board be provided for in the Charter. Broadwater suggested that perhaps these types of Boards should be identified and established by public elected officials, not required in the Charter such as the Ethics Board, which was never formed. Knighten suggested that the Council may want to set something up. Other Committee Members commented that

45 if a specific Diversity and Inclusion Board is to be listed in the Charter (and
46 therefore voted on), the more likely the Council will appoint one if voted for it. If the
47 Committee decides it should not be in the Charter, Bolner suggested that at least,
48 this Committee's Report to the City should describe the interest generated and the
49 the pros and cons of whether to name this Board in the Charter. Knighten described
50 other cities with Charter provisions that implement the procedure as to selection
51 and service on such a Board. The Council Members discussed the extent to which
52 we should add many provisions in the Charter or leave it up to the City Council.
53 Wells observed that if you leave the establishment of a Board such as a Diversity
54 and Inclusion Board to the Council, it may be adopted now, but then disregarded by
55 a future City Council whose Members may not represent the diverse population of
56 the City. Broadwater shared his experience with amending the State Constitution
57 to prevent the next group from coming in and changing the suggestion. Broadwater
58 suggested that he has a philosophical concern about amending the Charter to
59 specify certain Boards. Knighten voiced that the City Council can change their
60 minds. DiVittorio asked the Members to consider what Boards we believe we need
61 to include in the Charter, which ones not to, how to draw the line, and why.
62 Attached to the March 2, 2021, Minutes are the following: Email from Brennan
63 Black at Foley Judell to Dr. Lacy Landrum dated January 4, 2021, with a one (1)
64 page Addendum, and email from Arlene Knighten to Dr. Lacy Landrum with
65 comments from Shauna Seals.

66
67 **Work Product.** The Members described what deliverables our Committee will
68 make to the Council at the end of our inquiry. DiVittorio suggested that we should
69 discuss these issues further and develop a list of which topics we may advocate for,
70 but not take a vote on. He discussed potential work products we could address to
71 the Council, but opined that the work product should not be determined at this
72 meeting. DiVittorio suggested that on this Agenda, he believes there are some topics
73 which seem important, but less controversial, which we can decide. Broadwater
74 suggested we determine several categories of items: (a) items we all agree (such as
75 removing the requirement of an Ethics Committee); and (b) items we need to work
76 to generate on which we can have Committees of two (2) to study and bring back
77 recommendations. Knighten confirmed with Coudrain that a Committee of two (2)
78 would not violate any quorum rules of public meetings. DiVittorio suggested topics
79 to discuss at this meeting are ones we may be able to more easily determine.

80
81 **Incurring of Debt 5-04 and 5-08.** Regarding Bonded Debt, Dr. Landrum has
82 asked the bond attorneys to analyze variations of language for those suggested
83 bonded debts and provided that analysis to the Committee. Bolner and Knighten
84 will take on the task to work on language and bring back recommendations to this
85 Committee. Dr. Landrum suggested that we review the State Budget Act, tiers, and
86 suggestion of the bond counsel.

88 **Forms of Notice - Article 7.** Coudrain kindly agreed to suggest language for the
89 Forms of Notice that may be made. Knighten questioned whether 2-09 Meetings
90 should be revised to ensure compliance with State Laws. If that language is
91 included, Broadwater suggested that we change Article 7 because Article 2 only
92 pertains to Council Meetings. Wells suggested that Mr. Ross' comments caused her
93 to wonder if Minutes and the Agendas are not being made available when
94 requested. DiVittorio suggested Ross was suggesting electronic viewing more than
95 what State Law requires, more like what we do in the Council Meetings already.
96 Each individual Board decides whether to stream meetings. Dr. Landrum said that
97 the Council has been live streaming or posting videos of Meetings, and after Covid
98 emerged, other Boards/Commissions have been formed and they have formed their
99 own policies about live streaming. At a minimum, Dr. Landrum suggested that all
100 Boards at least audio record, keep Minutes, and have them accessible to the public.
101 Also for certain Boards, Planning and Zoning, Civil Service Board, and Historic
102 District Commission, such Boards have further State Laws and Regulations
103 regarding procedures. The consensus of the Members was to include electronic
104 signatures in the Charter. Broadwater noticed in 7-09, Mr. Ralph Ross raised an
105 issue we can discuss later – whether Members of Boards and Commissions should
106 be electors of the City. Johnson thought Item No. 4 of Mr. Ralph Ross' email of
107 February 8th is thought provoking – the Board Members should meet certain
108 qualifications. This Committee will address this issue later. Dr. Landrum described
109 that this should go on the list of all the topics that we will divide between items to
110 review, and that we should also keep lists of those items we agree on, and those that
111 should be assigned to a Subcommittee for study/recommendation.

112
113 **Transitional Language.** The Committee finds that Articles 2-01B(2) and 2-02(A)
114 and (B) require no action and appear to be transitional language from the original
115 adoption of the Charter.

116
117 **Public Relations and Council Clerk: Article 2-08.** Broadwater and Wells will
118 work together on this issue. Wells recalled the issues to include: (1) who is
119 responsible for removal of the Council Clerk; maybe report to the President; and (2)
120 whether the Council should have a Public Relations Officer. Bolner suggested that
121 the President could suggest the duties of the Clerk. Coudrain described that the
122 Ordinance already stipulates 42 duties of the Clerk and also such other duties as
123 may be determined by the Council or the Mayor.

124
125 **Council Budget Administration.** The Committee Members had no comment on
126 this issue.

127
128 **Board of Ethics.** Broadwater suggested removing the last sentence of 7-03.
129 Knighten asked Coudrain whether the Ethics laws adopted by the City and those
130 imposed by State Law are the same. Coudrain suggested even if they were now,
131 they could later conflict. Coudrain suggested two (2) steps: (1) Remove from the

132 Charter the requirement to create an Ethics Board as one was never established;
133 and (2) The Council should ensure that the City's Code of Ethics is the same, such
134 that there is not a separate parallel line of ethics. Better, Coudrain suggested that
135 the Council adopt the State Board of Ethics Rules as they may be revised from time-
136 to-time. Coudrain suggested that the Charter eliminate a separate Ethics Board
137 with separate rules form the State Ethics Rules. The Members agreed and Coudrain
138 kindly agreed to draft provisions.

139

140 Mayor Position Part-Time. The Committee determined no action is needed to
141 change the requirements from full-time Mayor to part-time Mayor.

142

143 Line Item Veto Issue Section 2-12A and B. Coudrain in earlier meetings had
144 described the issue. DiVittorio suggested that the Committee has reviewed this, but
145 finds the language does not require revision. The Committee members agreed.

146

147 Mayor Vacancy, Absence, Disability: 3-04 and 3-05. The Committee Members
148 referred to the January 25th email from Ralph Ross, Item No. 16 attached to the
149 January 25th Minutes. What happens if the Director of Administration cannot take
150 office (if Mayor is not available)? The issue is whether the definition of "temporary
151 absence" should be specifically defined. The Committee seemed to make no decision
152 about this issue.

153

154 The **Next Meeting** is scheduled for March 25th at 5:30 p.m., and will be held at the
155 City Council Chambers.

156

157 The meeting adjourned at 7:20 p.m.

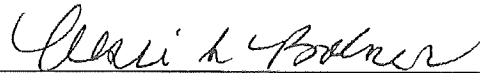
158

CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

159

St Tammany

- **Sec. 5-08. - Bonded debt.**

The parish government is empowered to incur bonded debt in accordance with this Charter and the constitution and general laws of the state. When voter approval is required, no resolution shall be passed calling for an election to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least 45 days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Tangipahoa

- **Sec. 5-08. - Bonded debt.**

The parish government is empowered to incur bonded debt in accordance with this charter and the constitution and laws of the state. When voter approval is required, no resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least 60 days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Alexandria

- **Sec. 5-09. - Bonded debt.**

The city is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of this state. No resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Monroe

- **Section 5-08. - Bonded Debt.**

The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state. When voter approval is required, no resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least thirty (30) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

PREPARED BY R.
LAWLUM.

Hammond

- **Section 5-08. - Bonded debt.**

The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state, when approved by a majority of the electors voting thereon in an election held for that purpose. No resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Covington

- **Section 5-08. - Bonded debt.**

The city is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state, when approved by a majority of the electors voting thereon in an election held for that purpose. No resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Mandeville

- **Section 5-06. - Bonded debt.**

The city government is empowered to incur bonded debt in accordance with this charter and the constitution and laws of the state. When approval of the electorate is required, no resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election.

Slidell

- **Section 5-09. - Bonded Debt.**

The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state, when approved by a majority of the electors voting thereon in an election held for that purpose. No resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

2/22/2021

CITY OF HAMMOND Mail - RE: Charter Amendment



Lacy Landrum <landrum_l@hammond.org>

RE: Charter Amendment

1 message

Brennan Black <BBlack@foleyjudell.com>
To: Lacy Landrum <landrum_l@hammond.org>
Cc: Grant Schlueter <GSchlueter@foleyjudell.com>

Mon, Jan 4, 2021 at 3:18 PM

Hi Lacy,

I think the simplest solution is to revise 5-08 to simply say that "The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state." If you all feel it is necessary to leave in the reference to the "engineering and economic feasibility report" you could mirror Tangipahoa Parish's language; however, I have no idea why that has been included in all of these charters as there is no requirement for that under state law that I am aware of. Also, the only time the City would ever have to call an election under state law would be for the issuance of general obligation bonds.

If you'd like us to be involved in any of these work sessions please let us know and we will make ourselves available.

Thanks!

Brennan K. Black

Foley & Judell, L.L.P.

365 Canal Street, Suite 2600

New Orleans, LA 70130

Tel: (504) 568-1249

Cell: (504) 206-8061

Fax: (504) 565-3900

E-mail: bblack@foleyjudell.com



PRIVILEGED & CONFIDENTIAL COMMUNICATION:

2/22/2021

CITY OF HAMMOND Mail - Fwd: Let's discuss...



Lacy Landrum <landrum_l@hammond.org>

Fwd: Let's discuss...

1 message

Arlene Knighten <adknighten56@gmail.com>
To: Lacy Landrum <landrum_l@hammond.org>

Mon, Feb 22, 2021 at 1:49 PM

Comments on the Charter from Shauna Seals.

Sent from my iPhone. Please excuse typographical errors.
Thank you.
Arlene Knighten


Begin forwarded message:

From: Shauna Seals <sjseals@yahoo.com>

Good morning,

Attached is a copy of the chart with my comments in the right margin.

Shauna

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195K

PART I - CHARTER⁴³

Footnotes:

--- (1) ---

Editor's note— The new charter of the city, ordered put into effect by United States District Judge Lansing L. Mitchell on April 15, 1977, is set out in this Part as printed in that pamphlet entitled "A Proposed Home Rule Charter For The City of Hammond."

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, BOUNDARIES, POWERS

Section 1-01. - Incorporation.

The inhabitants of the City of Hammond within the corporate limits as now established or as hereafter established by law shall be and continue a body politic and corporate in perpetuity under the name of the "City of Hammond" hereinafter referred to as the "City."

Section 1-02. - Home rule charter.

Upon the effective date of this charter the City shall be considered a local governmental subdivision operating under a home rule charter, and this charter shall secure for the City all powers, rights, privileges and immunities granted local governmental subdivisions operating under home rule charters by the Louisiana Constitution of 1974, hereinafter "constitution."

Section 1-03. - Form of government.

The plan of government provided by this home rule charter shall be known as the "mayor-council" form of government. It shall consist of an elected council that shall constitute the legislative branch of the government and an elected mayor who shall be the chief executive officer and head of the executive branch.

Section 1-04. - Boundaries.

The boundaries of the City shall be those in effect as of the effective date of this charter and shall be subject to change thereafter as provided by law.

Section 1-05. - General powers.

Except as otherwise provided by this charter, the City shall continue to have all the powers, rights, privileges, immunities and authority heretofore possessed by the City under the laws of the state. The City shall have and exercise such other powers, rights, privileges, immunities, authority and functions not inconsistent with this charter as may be conferred on or granted to a local governmental subdivision by the constitution and general laws of the state, and more specifically, the City shall have and is hereby granted the right and authority to exercise any power and perform any function necessary, requisite or proper for the management of its affairs, not denied by this charter, or by general law, or inconsistent with the constitution.

Section 1-06. - Special powers.

The City shall also have the right, power and authority to exercise general police power, and to this end the governing authority of the City is specially empowered to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the City, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters, necessary, requisite or proper for the management of the City's affairs, and all other subject matters without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to the City.

Commented [551]: Special powers need to include some public review/oversight/inclusion...

Section 1-07. - Joint service agreements.

The City is authorized, as provided by state law, to enter into joint service agreements or cooperative efforts with other governmental agencies and political subdivisions, including but not limited to the parish governing body, other parish offices and agencies, the school board or any special governing district.

ARTICLE II. - CITY COUNCIL

Section 2-01. - Composition, qualifications and election.

Commented [552]: Need to add councilperson at large

- A. The legislative power of the City shall be vested in a council consisting of five (5) members elected from districts enumerated in Section 8-01 (Council Districts), one from and by the qualified electors in each district.
- B. (1) A member of the council shall be elected for a four (4) year term concurrent with that of the mayor and shall be eligible for re-election; but no person shall be eligible as a candidate for election or re-election to the office of city council for the term immediately following the third consecutive term to which that person was elected as a member of the city council, except as otherwise provided by this charter.
(2) Any member of the city council in office at the time of the adoption of this amended section shall, notwithstanding the foregoing, be eligible as a candidate for re-election to a single four (4) year term immediately following the term to which that person was elected as a member of the city council.
- C. A council member shall be at least twenty-one (21) years of age and a qualified elector of the municipality.
- D. A council member shall have actually resided for at least twelve (12) consecutive months in an area which, at the time set for qualifying for office, is within the City and for at least thirty (30) consecutive days in an area which, at the time set for qualifying for office, is within the district from which elected. A council member shall continue to actually reside within the district from which elected during the term of office. If a council member changes his actual residence from the district from which elected, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter.
- E. Elections shall be held in accordance with the election laws of the state.

(Ord. No. 2291, C.S., 6-1-93; Ord. No. C.S., 2567, 11-17-98; Ord. No. 12-5289, C.S., 4-17-12, approved by voters 11-6-12)

Editor's note— Ord. No. 2567, which increased the minimum age requirement to twenty-one (21) years of age for council members, was approved by the voters as Prop. Five at a special election held on May 1, 1999.

Section 2-02. - Changes in district boundaries, reapportionment.

- A. In the event of annexation by the commission council of the City of Hammond between the time of acceptance of this charter by the court and thirty (30) days before the election of the first city council, the court shall retain responsibility for altering, changing, or rearranging council district lines in order to incorporate into such districts those persons living in the newly annexed areas.
- 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.
- C. Following official publication of each federal census by the United States Bureau of the Census for the area covered by the City of Hammond, and at least six (6) months prior to the next primary election for council members, the council by ordinance, shall alter, change or rearrange council

district boundaries so as to provide for population equality among the districts as near as reasonably practicable.

Section 2-03. - Vacancies.

- A. The office of a council member shall become vacant upon death, resignation, removal from office in any manner authorized by law, forfeiture of office or failure to take office for any reason.
- B. Any council member shall forfeit the office if such member (1) lacks at any time during the term of office any qualification for the office prescribed by this charter, (2) violates any express prohibition of this charter or (3) is disqualified by law from holding public office.
- C. A vacancy on the council shall be filled within thirty (30) days after occurrence by appointment of a person meeting the qualifications for office by a majority of the remaining members of the council. If one year or less of the unexpired term remains when the vacancy occurs, the appointee shall serve out the remainder of the term. If the vacancy occurs more than one year prior to the expiration of the term, the appointee shall serve until the office is filled by the vote of the qualified electors voting in a special election called by the council for that purpose, which election shall be held within ninety (90) days after such vacancy occurs. An appointee shall be ineligible as a candidate for council member, either in the special election to fill the vacancy or in the election at which the vacancy is to be filled for the succeeding term.

Section 2-04. - Compensation.

- A. Council members shall be paid one thousand dollars (\$1,000) per month until 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.
- B. The council, by ordinance, may adopt a system for reimbursement, upon presentation of properly documented receipts, of reasonable expenses necessary to the performance of official duties by a member while outside the City.

(Ord. No. 05-3972, C.S., § 1, 5-3-05)

Section 2-05. - Prohibitions.

- A. 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 (1) year after the expiration of the term for which elected to the council.
- B. Except as provided elsewhere in this charter, neither the council nor any of its members shall involve themselves in any manner in the appointment, removal, direction or supervision of any City administrative officer or employee.

Commented [553]: What are the consequences?

Section 2-06. - Investigations.

The council, by the favorable vote of at least two-thirds of its authorized membership, may make investigations into the affairs of the City and the conduct of any City official, officer, employee, department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. The council may provide by ordinance for the punishment, as a misdemeanor, of a person for the willful failure or refusal to obey such subpoena or request for evidence. Investigations by the council shall be for specified purposes.

Commented [554]: Is this too vague? should investigation initiation process include public input before commencement, based on sound data, and should be void of personal interests, retribution, revenge, --

Section 2-07. - Independent audit.

The council shall provide for an annual independent postaudit, and such additional audits as it deems necessary, of the accounts and other evidence of financial transactions of the City, including those of all City departments, offices, or agencies. Auditors shall be designated by the council, shall be without personal interest in the affairs subject to audit and shall be a certified public accountant or firm of such accountants. The audit shall be submitted to the council at one of its regularly scheduled meetings and shall be a public record, and a summary thereof shall be published at least once in the official journal. The council may accept audits by the state, if such are made that satisfy the requirements of the council.

Section 2-08. - Clerk of the council.

The council shall appoint an officer of the City who shall have the title of clerk of the council. The clerk shall give notice of council meetings to its members and the public, keep the journal of its proceedings, be official secretary of the council and perform such other duties as are assigned to the position by this charter or by the council.

Section 2-09. - Council meetings and rules.

- A. The council shall meet regularly twice a month at such times and places as the council may prescribe by resolution adopted within thirty (30) days after taking office. Special meetings may be held on the call of the mayor, the presiding officer of the council or a majority of the council membership and upon no less than twenty-four (24) hours' written notice to each member. To meet a public emergency affecting life, health, property or public safety, the council may meet upon call of the mayor, the presiding officer of the council or a majority of the council membership at whatever notice it shall be convenient to give.
- B. All meetings of the council or its committees shall be held in compliance with state law governing public access to meetings of governing bodies. A meeting closed to the public shall be limited to matters allowed by law to be exempted from discussion at open meetings. No final or binding action shall be taken during a closed meeting.
- C. The council shall determine its own rules and order of business and shall provide for keeping a journal of its minutes and proceedings. This journal shall be a public record.
- D. At its first meeting, and annually thereafter, the council shall elect a president and vice-president from its membership. The president shall preside at meetings of the council, and in the absence or disqualification of the president, the vice-president shall preside.
- E. All voting shall be by roll call, and the ayes and nays shall be recorded in the minutes. Not less than a majority of all the members of the council shall constitute a quorum to transact business, but if a quorum is lost during a meeting, a smaller number may recess from time to time and compel the attendance of absent members in the manner and subject to the penalties prescribed by council rules.

Section 2-10. - Action requiring an ordinance.

An act of the council having the force of law shall be by ordinance. An act requiring an ordinance shall include but not be limited to those which:

- (1) Adopt or amend an administrative code.
- (2) Provide a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty may be imposed.
- (3) Levy taxes or assessments as provided by law.
- (4) appropriate funds and/or adopt the budget and capital improvement program for the City.
- (5) Grant, renew or extend a franchise.
- (6) Provide for raising revenue.
- (7) Regulate the rate or other charges for service by the City.

- (8) Authorize the borrowing of money.
- (9) Incur debt in any manner.
- (10) Abandon any property owned by the City.
- (11) Convey or lease or authorize the conveyance or lease of any lands or property of the City.
- (12) Acquire real property on behalf of the City.
- (13) Adopt or modify the official map, platting or subdivision controls or regulations or the zoning plan.
- (14) Adopt, without substantive amendment, ordinances proposed under the initiative power.
- (15) Amend or repeal any ordinance previously adopted.
- (16) Propose amendments to this charter.

Acts other than those referred to above may be done either by ordinance or by resolution.

Section 2-11. - Ordinances in general.

- A. All proposed ordinances shall be introduced in writing and in the form required for final adoption and, except for codifications and the operating budget and capital improvement program, shall be confined to one subject, expressed clearly in the title.
- B. All proposed ordinances shall be read by title and published in full or by title. Except as otherwise provided in Section 2-13 (Emergency Ordinances), no ordinance shall be considered for final passage until it has laid over at least seven (7) days from the date of publication and unless a public hearing has been held on the ordinance.
- C. All ordinances and resolutions shall be passed in open public meeting by the favorable vote of at least a majority of the authorized membership of the council. The vote on final passage shall be recorded in the minutes of the council by the individual vote of each council member.
- D. With the final approval of ordinances by the mayor or the council, in case of a veto by the mayor, such enacted ordinances shall be published in full in the official journal by the clerk of the council as soon as practical thereafter except as provided in Section 2-14 (Codes of Technical Regulations). Every enacted ordinance, unless it shall specify another date, shall become effective at the expiration of ten (10) days after publication by the council, or if the ordinance be adopted through a majority vote in a referendum election, then ten (10) days after promulgation and publication of the election results by the council.

Section 2-12. - Submission of ordinances to the mayor.

- A. Every ordinance adopted by the council shall be signed by the presiding officer of the council and presented to the mayor within three (3) calendar days after adoption, excluding Saturdays, Sundays and state holidays. The clerk shall record upon the ordinance the date and hour of its delivery to the mayor.
- B. Within ten (10) calendar days after the mayor's receipt of an ordinance, it shall be returned to the clerk of the council with the mayor's approval, or with the mayor's veto. The clerk shall record upon the ordinance the date and hour of its receipt from the mayor. If the ordinance has been approved, it shall be considered finally adopted and become effective as provided in Section 2-11 (Ordinances in General). If the ordinance is vetoed, the mayor shall submit to the council through the clerk a written statement of the reasons for veto. The veto statement shall be published in full in the official journal by the clerk as soon as practical thereafter. All ordinances that the mayor vetoes shall be vetoed in full, except that the mayor shall have authority to veto individual appropriation items in the ordinances adopting the operating budget and capital improvement program.
- C. Ordinances vetoed by the mayor shall be submitted promptly to the clerk who in turn shall submit them to the council at the next regular or special meeting held at least seven (7) days after

publication of the veto statement. Should the council vote to readopt the ordinance by the favorable vote of at least two thirds of its authorized membership, said ordinance shall be considered finally adopted and become law irrespective of the veto by the mayor.

- D. The right of the mayor to veto as provided in this section shall apply to all ordinances adopted by the council except those which propose amendments to this charter; reapportion council districts; establish, alter or modify council procedure; appropriate funds for auditing or investigating any part of the executive branch; or create staff agencies or officers for the council; or those ordinances requiring council action pursuant to the general laws of the state or which the council has received specific approval to enact following a referendum vote of the people.

Commented [555]: Tonla: Is this process automated?

Section 2-13. - Emergency ordinances.

- A. To meet a public emergency affecting life, health, property or public safety, the council by the favorable vote of at least a majority of the authorized membership, may adopt an emergency ordinance at the meeting at which it is introduced, provided that no such ordinance may be used to levy taxes or special assessments; grant or extend a franchise; incur debt, except as provided in Section 5-05 B (Emergency Appropriations); adopt or amend the official map, platting or subdivision controls or zoning regulations; or change rates, fees or charges established by the City. Each emergency ordinance shall contain a specific statement of the emergency claimed.
- B. Notwithstanding the provisions of Section 2-12 (Submission of Ordinances to the Mayor), any emergency ordinance adopted by the council shall be signed by the presiding officer of the council and presented to the mayor within six (6) hours after adoption. Within twelve (12) hours after the mayor's receipt of an emergency ordinance, it shall be returned to the clerk with the mayor's approval, or with the mayor's veto. If the emergency ordinance has been approved, it shall be considered finally adopted and become effective immediately upon receipt by the clerk. If the emergency ordinance is vetoed, the mayor shall submit to the council through the clerk, a written statement of the reasons for the veto. The clerk shall record upon the emergency ordinance the date and hour of its delivery to and receipt from the mayor. Should the council vote to readopt the vetoed emergency ordinance by the favorable vote of at least two thirds of its authorized membership, said emergency ordinance shall be considered finally adopted and become law immediately upon readoption, irrespective of the veto by the mayor. Upon final approval by the mayor, or the council in case of a veto by the mayor, such enacted emergency ordinances shall be published in the official Journal by the clerk as soon as practical thereafter either in full or in summary at the discretion of the council.
- C. Emergency ordinances shall be effective for no longer than sixty (60) days.

Section 2-14. - Codes of technical regulations.

The council by ordinance may adopt any standard code of technical regulations by reference. The procedure and requirements governing the adoption of such ordinances shall be as prescribed for ordinances generally, except that a period of twenty-seven (27) days must be allowed between the time of introduction and final passage of the ordinance. During this interim (interim), copies of any proposed code shall be available for public review. A copy of each adopted code of technical regulations as well as the adopting ordinance shall be authenticated and recorded by the clerk of the council in the official records of the City. Such adopted codes of technical regulations shall be published at least by title or by reference in the official Journal by the clerk as soon as practical following such final adoption.

Section 2-15. - Authentication and recording of ordinances and resolutions; printing and distribution.

- A. All finally adopted ordinances and resolutions shall be authenticated, numbered and recorded by the clerk of the council in a properly indexed book or books kept for this purpose.
- B. The council shall cause each ordinance and each amendment to this charter to be printed or otherwise reproduced promptly following its final adoption and such printed or reproduced amendments and ordinances, including codes of technical regulations adopted by reference

pursuant to Section 2-14 (Codes of Technical Regulations) shall be distributed or sold to the public at reasonable prices.

- C. The council shall cause each resolution approved by it to be recorded in the minutes of the council meeting at which the resolution was approved.

Section 2-16. - Power to levy taxes.

The power to perform any service or provide any facility granted to the City by this home rule charter or by the constitution and general laws of the state shall in all cases carry with it the power to levy taxes and to borrow money within the limits and in accordance with the procedures prescribed by the constitution and general laws of the state. The council shall have, and is hereby granted, all of the authority to levy and collect taxes, to incur debt, and issue bonds and other evidences of indebtedness, as is now or hereafter conferred on governing authorities of municipalities by the constitution and general laws of the state, or as may be hereafter specially conferred by the electors of the City. Any tax being levied on the effective date of this home rule charter is valid.

Section 2-17. - Powers of enforcement.

For the purpose of carrying out the powers generally or specially conferred on the City, the council shall have the power, whenever it deems it necessary, to grant franchises, to require licenses and permits and fix the fees to be paid therefore, to charge compensation for any privilege or franchise granted or service rendered, and to provide penalties for the violation of any ordinance or regulation, as provided by law.

ARTICLE III. - EXECUTIVE BRANCH

Section 3-01. - Executive authority.

The mayor shall be the chief executive officer of the City and shall exercise general executive and administrative authority over all departments, offices and agencies of the City, except as otherwise provided by this charter.

Section 3-02. - Election.

The mayor shall be elected according to the election laws of the state for a four (4) year term concurrent with that of the council and shall be eligible for re-election; but no person, including the mayor in office at the time of the adoption of this amended section, shall be eligible as a candidate for election or re-election to the office of mayor for the term immediately following the third consecutive term to which that person was elected as mayor.

(Ord. No. 2291, C.S., 6-1-93; Ord. No. 2565, C.S., 11-17-98)

Editor's note— Ord. No. 2565, which amended section 3-02, was approved by the voters as Prop. Four at a special election held on May 1, 1999.

Section 3-03. - Qualifications.

The mayor shall be at least twenty-five (25) years of age, a qualified elector of the municipality and shall have actually resided for at least twelve (12) consecutive months in an area which, at the time set for qualifying for office, is within the City.

Section 3-04. - Vacancies.

- A. The office of mayor shall become vacant upon the death, resignation, removal from office in any manner authorized by law, forfeiture of office to [by] the officeholder, or failure to take office for any reason.
- B. The office of mayor shall be forfeited if the officeholder (1) lacks at any time during the term of office any qualification for the office prescribed by this charter, (2) violates any express prohibition of this charter or (3) is disqualified by law from holding public office.
- C. If a vacancy in the office of mayor occurs more than twelve (12) months prior to the expiration of the term of office, the director of administration shall serve as acting mayor until the office is filled by the vote of the qualified electors voting in a special election called by the council for that purpose, provided that said election shall be called to be held on the first candidate election day available according to state law after such vacancy occurs, and such election is scheduled to be held more than twelve (12) months before the expiration of the term of office. If twelve (12) months or less of the unexpired term remain when the vacancy occurs and/or the scheduling of a special election to fill the vacant term cannot be held on a date more than twelve (12) months prior to the expiration of the term of office, the director of administration shall succeed to the office of mayor for the remainder of the term.
- D. If the offices of mayor and of director of administration are vacant simultaneously, the president of the city council shall perform the duties of and shall be vested with the powers of mayor for the remainder of the unexpired term or until the office of mayor is filled by special election in accordance with paragraph "C" of this article.

(Ord. No. 2598, C.S., 3-2-99)

Editor's note— Ord. No. 2598, which amended section 3-04, was approved by the voters as Prop. Six at a special election held on May 1, 1999.

Section 3-05. - Mayor's absence and disability.

- A. During the temporary absence of the mayor from the City, the mayor, by letter filed with the clerk of the council shall designate the director of administration as acting mayor. If the director of administration is absent or otherwise unable to discharge the powers and duties of the office of mayor, an appointee of the council, but not a council member, shall serve as acting mayor.
- B. Whenever the mayor transmits to the presiding officer of the council a written declaration that he is unable to discharge the powers and duties of the office, and until the mayor transmits to the presiding officer of the council a written declaration to the contrary, such powers and duties shall be discharged by the director of administration as acting mayor. If the director of administration is unable to discharge the powers and duties of the office of mayor, such powers and duties shall be discharged by an appointee of the council, but not a council member, as acting mayor.
- C. Whenever a panel of three (3) qualified medical experts, designated by resolution passed by the favorable vote of at least two-thirds of the authorized membership of the council, transmits to the presiding officer of the council its written declaration that the mayor is unable to discharge the powers and duties of the office, the director of administration shall immediately assume the powers and duties of the office as acting mayor. If the director of administration is unable to discharge the powers and duties of the office of mayor, such powers and duties shall be discharged by an appointee of the council, but not a council member, as acting mayor. Thereafter, when the mayor transmits to the presiding officer of the council a written declaration that no inability exists, the mayor shall resume the powers and duties of the office unless a panel of three (3) qualified medical experts, designated by resolution passed by the favorable vote of at least two thirds of the authorized membership of the council, transmits within four (4) days to the presiding officer of the council its written declaration that the mayor is unable to discharge the powers and duties of the office. Thereupon the council shall decide the issue. If the council, within twenty-one (21) days after receipt of the latter written declaration, determines by resolution passed by the favorable vote of at least two

thirds of the authorized membership of the council that the mayor is unable to discharge the powers and duties of the office, the person serving as acting mayor shall continue to discharge the same as acting mayor; otherwise, the mayor shall resume the powers and duties of his office.

- D. Should the person serving as acting mayor serve as acting mayor in excess of thirty (30) consecutive days, he shall be paid at a rate equal to that of the mayor for the period served.

(Ord. No. 12-5291, C.S., 4-17-12, approved by voters 11-6-12)

Section 3-06. - Compensation.

The annual salary of the mayor shall be sixty-five thousand dollars (\$65,000.00) until changed by ordinance. In addition, the mayor shall be entitled to be furnished a suitable vehicle and a monthly expense account in an amount to be fixed by the council. No ordinance changing the salary or granting any other monetary compensation 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.

Editor's note— Since the adoption of the Home Rule Charter of 1977, the salary of the mayor has been changed by ordinance. Ord. No. 2776, C.S. adopted April 17, 2001, increased the annual salary of the mayor to sixty-five thousand dollars (\$65,000.00), and this increased amount has set out herein.

Section 3-07. - Powers and duties of the mayor.

- A. The office of mayor shall be a full-time position. The mayor, as chief executive officer of the City, shall have the following powers and duties:
- (1) See that all laws, provisions of this charter and acts of the council, subject to enforcement by the mayor or by officers subject to the mayor's direction and supervision, are faithfully executed.
 - (2) Appoint and suspend or remove for just cause all City employees and appointive administrative officers provided for, by or under this charter, except as otherwise provided by law, this charter, civil service or other personnel rules adopted pursuant to this charter. The mayor may authorize any administrative officer who is subject to the mayor's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency. |
 - (3) Attend all council meetings with the right to take part in discussion but not to vote.
 - (4) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this charter.
 - (5) Prepare and submit the annual budget and five (5) year capital program to the council.
 - (6) Submit to the council and make available to the public, within sixty (60) days after the end of the fiscal year, a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
 - (7) Make such other reports as the council may reasonably request to enable the council to conduct its councilmanic function.
 - (8) Keep the council fully advised as to the financial condition and future needs of the City and make such recommendations to the council concerning the affairs of the City as deemed desirable.
 - (9) Perform such other duties as are specified in this charter or may be required by the council.

Commented [556]: How do we use include language that wards against personal biases. The 'appointment' process should be transparent.

(Ord. No. 2163, C.S. § 1(1), 1-3-89)

Section 3-08. - Prohibitions.

The mayor shall hold no other elected public office nor any compensated appointive City office or City employment during the term of office for which elected. The mayor shall not engage in any outside activity that would interfere with or detract from the performance of duties as mayor.

Commented [SS7]: Vague and subjective. How to better define; how to identify and address violations;

ARTICLE IV. - ADMINISTRATION

Section 4-01. - General provisions.

- A. All departments, offices and agencies shall be under the direction and supervision of the mayor, except as otherwise provided by this charter. All department heads during their term of office shall live within the city limits or within a five-miles radius of the nearest point of the corporate limits.
- B. The salaries of directors of departments appointed by the mayor shall be set by the mayor subject to approval of the council. The salary of any employee of the City directly appointed by the council shall be fixed by the council.

(Ord. No. 1039, C.S., § 2(3), 12-20-83)

Section 4-02. - City attorney.

- A. The city attorney shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The city attorney shall be an attorney licensed to practice in the courts of Louisiana with at least five (5) years' experience in the practice of law.
- B. The city attorney shall serve as chief legal advisor to the mayor, council and all departments, offices and agencies, shall represent the City in all legal proceedings and shall perform any other duties prescribed by this charter or by ordinance.
- C. Any assistant city attorneys authorized by the council shall be appointed by the city attorney and serve at the pleasure of the city attorney.
- D. No special legal counsel shall be employed by the City except by written contract and approval of the council.
- E. The Council, upon approval by a majority vote of the authorized membership of the council, shall be allowed to hire its own legal advisor in case it deems it necessary, on an issue by issue basis.

Commented [SS8]: A legal review should be part of hiring special legal counsel to better define scope of work and to ensure proper oversight while work is done. This is necessary to protect and respect public interest. The council should have a public input process for hiring outside council

(Ord. No. 12-5292, C.S., 4-17-12, approved by voters 11-6-12)

Section 4-03. - Department of administration.

- A. The head of the Department of Administration shall be the director of administration who shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The director of administration, at the time of appointment, shall have at least a bachelor's degree in business or public administration or related field from an accredited college or university and at least four (4) years' experience in a responsible managerial or administrative fiscal position or at least six (6) years' experience in a responsible managerial or administrative fiscal position. The position of director of administration shall be mandated.
- B. Duties of the director of administration shall be as follows:
 - (1) Collect and have custody of all monies of the City from whatever source.
 - (2) Assist the mayor in the preparation of the operating budget and capital improvement program.

- (3) Maintain a record of indebtedness and have charge of the payment of the principal and interest on such indebtedness.
- (4) Ascertain that funds are available for payment of all contracts, purchase orders and any other documents which incur financial obligation for the City, and that such documents are in accordance with established procedures.
- (5) Disburse all funds from the City treasury.
- (6) Administer a uniform central accounting system for all City departments using nationally accepted standards where applicable.
- (7) Prepare a monthly statement of revenues and expenditures to show the financial condition of the City.
- (8) Shall appoint a purchasing agent to procure all personal property, materials, supplies and services required by the City under a central purchasing system for all departments in accordance with applicable state law, council policy and administrative requirements. The purchasing agent, at the time of appointment, shall have at least a bachelor's degree in business or public administration or related field from an accredited college or university and at least five (5) years' related experience in a responsible purchasing position.
- (9) Coordinate, direct and be responsible for preparing all intergovernmental grant applications on behalf of the City and keeping City departments, offices and agencies informed of all relevant local, state and federal programs.
- (10) Maintain an inventory of all City property, real and personal.
- (11) Provide for the reading of meters of city-owned utilities and perform billing and collection for such utilities.
- (12) Provide general administrative services.
- (13) Do and perform such other actions as may be directed by the mayor.

(Ord. No. 1039, C.S., § 2(2), 12-20-83; Ord. No. 2163, C.S., § 1(2), 1-3-89; Ord. No. 2568, C.S., 11-17-98)

Editor's note— Ord. No. 2568, C.S., which amended section 4-03, was approved by the voters as Prop. One at a special election held on May 1, 1999.

Section 4.04. - Police department.

- A. The head of the Police Department shall be the police chief who shall be appointed by the mayor, subject to confirmation by the council, in accordance with applicable state law.
- B. The police chief shall direct and be responsible for the preservation of public peace and order; prevention of crime; apprehension of criminals; assistance to the courts and other law enforcement officials; and the enforcement of the laws of the state and the ordinances of the council.
- C. The police chief must meet all requirements of the municipal fire and police civil service laws of the State of Louisiana as applicable to the City of Hammond, including being a citizen of the United States. The police chief candidate must meet one of the following qualifications:
 - (1) Must have a bachelor's degree from an accredited institution of higher education in criminal justice, police administration, public administration, or other related curriculum and at least six (6) years experience of progressively responsible positions in law enforcement, at least two (2) years of which must have been in positions which include administrative or supervisory responsibilities. Law enforcement experience should include work in positions which would

provide background in patrol operations, criminal investigations, police training, and related areas of police department operations and management, or;

- (2) Must have an associate degree from an accredited institution of higher education in criminal justice, police administration, or other related curriculum, or a bachelor's degree from an accredited institution of higher education in an unrelated curriculum and at least eight (8) years experience of progressively responsible positions in law enforcement, at least two (2) years of which must have been in positions which include administrative or supervisory responsibilities. Law enforcement experience should include work in positions which would provide background in patrol operations, criminal investigations, police training, and related areas of police department operations and management.

(Ord. No. 12-5293, C.S., 4-17-12, approved by voters 11-6-12)

Section 4-05. - Fire department.

- A. The head of the Fire Department shall be the fire chief who shall be appointed by the mayor, subject to confirmation by the council, in accordance with applicable state law.
- B. The fire chief shall direct and be responsible for fire prevention; fire extinguishment and salvage operations; inspection and recommendations concerning the fire code of the city; investigations of fires and their causes; and the conduct of the fire safety and prevention programs.
- C. The fire chief must meet all requirements of the municipal fire and police civil service laws of the State of Louisiana as applicable to the City of Hammond, including being a citizen of the United States. The fire chief candidate must meet one of the following qualifications:
 - (1) Must have a bachelor's degree from an accredited institution of higher education in fire science, fire administration, public administration, or other related curriculum and at least six (6) years experience of progressively responsible positions in fire service, at least two (2) years of which must have been in positions which include administrative or supervisory responsibilities. Fire service experience should include work in positions which would provide background in fire prevention and investigation, fire training, and related areas of fire department operations and management, or;
 - (2) Must have an associate degree from an accredited institution of higher education in fire science, fire administration, or other related curriculum, or a bachelor's degree from an accredited institution of higher education in an unrelated curriculum and at least eight (8) years experience of progressively responsible positions in fire service, at least two (2) years of which must have been in positions which include administrative or supervisory responsibilities. Fire service experience should include work in positions which would provide background in fire prevention and investigation, fire training, and related areas of fire department operations and management.

(Ord. No. 12-5294, C.S., 4-17-12, approved by voters 11-6-12)

Section 4-06. - Public works department.

- A. The head of the Public Works Department shall be the public works director who shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The public works director, at the time of appointment, shall be a graduate registered civil engineer with at least four (4) years related experience in a responsible managerial or administration position or shall have at least six (6) years of related public works experience in a responsible managerial or administrative position.
- B. The public works director shall direct and be responsible for the following activities:

Commented [S59]: Police brutality is a national issue. Hammond is a microcosm of what's happening nationally. How do we model the change we want to see in the nation? How do we set the stage by doing things differently?

Clearly defining public peace - public peace does not mean peace for some and adversity for others. Identifying and removing biased behaviors - qualifications have to somehow include a proficiency in being fair, honest, and inclusive. Police training needs to be enhanced. While the charter isn't the place to include the details of a plan, it should be the place where behavioral expectations are established.

- (1) Engineering services for the City departments and agencies except as may be otherwise provided for [by] the Utilities Department.
- (2) Supervision of all contract construction work except as may be otherwise provided for [by] the Utilities Department.
- (3) Maintenance of City property.
- (4) Mapping and surveying including maintenance of the City map and zoning district map.
- (5) Construction and maintenance of City streets, sidewalks and bridges, and drainage structures connected therewith.
- (6) Traffic engineering.
- (7) Street cleaning.
- (8) Garbage and trash collection and disposal.
- (9) Inspections, licensing and permit issuance in conjunction with the enforcement of zoning ordinances and building and other technical codes.
- (10) Operation of a central facility for the repair and maintenance of City vehicles and equipment.
- (11) Operation and maintenance of the municipal airport.
- (12) Coordination of planning activities.
- (13) Other such activities as may be directed by the mayor.

Section 4-07. - Utilities department.

- A. The head of the Utilities Department shall be the utilities director, who shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The utilities director, at the time of appointment, shall be a graduate registered professional engineer with at least four (4) years' experience in a responsible managerial or administrative-utilities position or shall have at least six (6) years' experience in a responsible managerial or administrative utilities position.
- B. The utilities director shall direct and be responsible for the following activities:
 - (1) Water production, treatment and distribution.
 - (2) Sewage collection, treatment and disposal.
 - (3) Utility engineering services.
 - (4) Supervision of contract construction work for the utility system.
 - (5) Maintenance of utility equipment in cooperation with the Public Works Department.
 - (6) Other such activities as may be directed by the mayor.

Section 4-08. - Recreation department.

- A. The head of the Recreation Department shall be the recreation director who shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The recreation director, at the time of appointment, shall have at least a bachelor's degree in recreation and/or parks administration from an accredited college or university and at least one (1) years' experience in a responsible recreation or parks management position or a bachelor's degree in health and physical education or related field from an accredited college or university and at least three (3) years' experience in a responsible recreation or parks management position or at least five (5) years' experience in a responsible recreation or parks management position.

- B. The recreation director shall direct and be responsible for parks and playgrounds, programs of athletics and other leisure-time and cultural activities and functions of the City. The recreation director shall perform such other duties as may be directed by the mayor.

Section 4-09. - Personnel department.

- A. The head of the Personnel Department shall be the director of personnel who shall be appointed by the mayor, subject to confirmation by the council, and shall serve at the pleasure of the mayor. The director of personnel, at the time of appointment, shall have at least a bachelor's degree in business or public administration or related field from an accredited college or university and at least two (2) years' experience in a responsible personnel administration position or at least four (4) years' experience in a responsible personnel administration position.
- B. The director of personnel shall be responsible for developing a system of personnel administration that provides the means to recruit, select, develop and maintain an effective and responsive work force. The system shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge and other related activities. The director of personnel shall perform such other duties as may be directed by the mayor.

Section 4-10. - Administrative reorganization.

- A. The mayor shall have the right as chief executive officer to propose to the council the creation, change, alteration, combination or abolition of City departments, offices or agencies and/or the reallocation of the functions, powers, duties and responsibilities of such agencies including those provided for in this charter.
- B. At the meeting of the council at which the reorganization plan is submitted, the council shall order a public hearing on the plan to be held within thirty (30) days. The council shall cause to be published in the official journal at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the reorganization plan and the times and places where copies of the proposed reorganization plan are available for public inspection. At the time and place so advertised, the council shall hold a public hearing on the reorganization plan as submitted.
- C. The council shall within sixty (60) days following the date of the public hearing either approve or disapprove, but not amend, the proposed reorganization plan. Should the council fail to act within the prescribed time, the plan shall be deemed approved.
- D. The council may, at any time, request the mayor to submit a reorganization plan for the council's consideration. Should the mayor fail to comply with this request within sixty (60) days, the council may propose a reorganization plan of its own. Prior to becoming effective, any reorganization plan proposed by the council shall be adopted by ordinance.
- E. Voting will require a 2/3 majority of the full council.

(Ord. No. 2163, C.S., § 1(3), 1-3-89)

ARTICLE V. - FINANCIAL PROCEDURES

Section 5-01. - Fiscal year.

The fiscal year of the City shall be established by the council by ordinance.

Section 5-02. - Budget preparation and adoption.

At least forty-five (45) days prior to the beginning of each fiscal year, the mayor shall submit to the council a proposed operating budget in the form required by this charter. At the meeting of the council at which the operating budget is submitted, the council shall order a public hearing on it and shall cause to

be published in the official journal, at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed budget and the times and places where copies of the proposed budget are available for public inspection. At the time and place so advertised, the council shall hold a public hearing on the budget as submitted. The budget shall be finally adopted not later than the last regular meeting of the last month of the fiscal year. Upon final adoption, the budget shall be in effect for the budget year and copies shall be filed with the clerk of the council. The budget as finally adopted shall be reproduced and sufficient copies shall be made available for use of all offices, departments and agencies of the City, and for the use of interested persons.

Section 5-03. - The budget document.

The operating budget for the City government shall present a complete financial plan in accordance with modern fiscal management techniques for the ensuing fiscal year, and shall consist of three (3) parts as follows:

Part I shall contain: (1) a budget message, prepared by the mayor, which shall outline the proposed fiscal plan for the City and describe significant features of the budget for the forthcoming fiscal period, (2) a general budget summary which, with supporting schedules, shall show the relationship between total proposed expenditures and total anticipated revenues for the forthcoming fiscal period and which shall compare these figures with corresponding actual figures for the last completed fiscal year and estimated figures for the year in progress.

Part II shall contain: (1) detailed estimates of all proposed expenditures, showing the corresponding estimated expenditures for each item for the current fiscal year and actual figures for the last preceding fiscal year with explanations of increases or decreases recommended; (2) detailed estimates of anticipated revenues and other income; (3) a statement of delinquent taxes for current and preceding years, with the estimated percent collectible; (4) statement of the indebtedness of the City, showing debt redemption and interest requirements, debt authorized and unissued, and conditions of the sinking funds; (5) a statistical comparison of Administrative versus services costs; and (6) such other information as may be requested by the council. The total of proposed expenditures shall not exceed the total of estimated revenues.

Part III shall contain a proposed complete draft of the appropriation ordinance.

(Ord. No. 1039, C.S., § 2(1), 12-20-83)

Section 5-04. - Administration of budget.

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the mayor or the mayor's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. However, this provision shall not limit the authority of the City to borrow funds in anticipation of revenues as provided in the general laws of the state. Any authorization of payment or incurring of obligation in violation of the provisions of this charter shall be void and any payment so made illegal; such action shall be cause for removal of any official, officer or employee who knowingly authorized or made such payment or incurred such obligation or who caused such payment to be authorized or made or obligation to be incurred. Such persons shall also be liable to the City for any amount so paid.

Nothing in this charter shall be construed so as to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided that such action is authorized by ordinance.

Section 5-05. - Amendments after adoption.

- A. *Supplemental appropriations:* If during the fiscal year the mayor certifies that there are available for appropriation revenues in excess of those estimated in the operating budget, the mayor shall present a supplemental budget for the disposition of such revenues, and the council by ordinance may make supplemental appropriations for the year up to the amount of such excess in the same manner required for adoption of the budget.
- B. *Emergency appropriations:* To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of Section 2-13 (Emergency Ordinances). To the extent that there are no available unappropriated revenues to meet such appropriations, the council may by such emergency ordinance borrow money in sums necessary to meet the emergency.
- C. *Reduction of appropriations:* If at any time during the fiscal year it appears to the mayor that the revenues available will be insufficient to meet the amount appropriated, the mayor shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken and recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit. The council may, by ordinance, reduce any appropriation at any time.
- D. *Transfer of appropriations:* At any time during the fiscal year the mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency. An unencumbered appropriation balance may be transferred from one department, office or agency to another only upon council action by ordinance.
- E. *Limitations:* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below an amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof.

Section 5-06. - Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation.

Section 5-07. - Capital Improvement program.

- A. The mayor each year shall prepare and submit to the council a capital improvement program covering a period of at least five (5) years no later than the time of submission of the operating budget for the ensuing fiscal year. The amount indicated to be spent during the first year of the capital improvement program shall be the capital budget for that year.
- B. The capital improvement program shall include:
 - (1) A clear general summary of its contents.
 - (2) A list of all capital improvements, by order of priority, which are proposed to be undertaken for at least the five (5) fiscal years next ensuing with appropriate supporting information as to the necessity for such improvements.
 - (3) Cost estimates, method of financing and recommended time schedules for each such improvement.
 - (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The information shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

- C. At the meeting of the council at which the capital improvement program is submitted, the council shall order a public hearing on such capital improvement program and shall cause to be published in the official journal, at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed capital improvement program and the times and places where copies of the proposed capital improvement program are available for public inspection. At the time and place so advertised the council shall hold a public hearing on the capital improvement program as submitted. The capital improvement program shall be finally adopted not later than the last regular meeting of the last month of the fiscal year. The final capital improvement program shall be reproduced, and sufficient copies shall be made available for use of all offices, departments and agencies of the City, and for the use of all interested persons.

Commented [S510]: Process needs to be enhanced so as not to allow the council to arbitrarily make changes that may only benefit their respective constituents (bias)

Section 5-08. - Bonded debt.

The City is empowered to incur bonded debt in accordance with this charter and the constitution and statutes of the state, when approved by a majority of the electors voting thereon in an election held for that purpose. No resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Section 5-09. - Purchasing.

Purchasing of all property, supplies, materials and services shall be under a central purchasing system and shall be in accordance with applicable state law, and council policy and administrative requirements.

ARTICLE VI. - INITIATIVE, REFERENDUM, RECALL AND REMOVAL BY SUIT

Section 6-01. - Initiative and referendum.

The electors of the City shall have the power, except as herein restricted, to propose to the council passage or repeal of ordinances and to vote on the question if the council refuses action. This power shall not extend to the proposing or repealing of ordinances making or reducing the appropriation of money, fixing the salaries of City officers or employees or authorizing the repeal or reduction of the levy of any taxes. The Initiatory power shall be exercised in the following manner:

- (1) The person or persons proposing the exercise of this power shall submit the proposal to the council which shall specify within thirty (30) days a form of petition for circulation in one or multiple copies as the proposer may desire. The petition shall contain the full text of the proposed ordinance.
- (2) Within sixty (60) days after the form of the petition shall have been specified, the person or persons circulating the petition shall obtain the signatures of at least fifteen (15) percent of the total registered voters of the City. There shall be noted after each signature on the petition the date signed and the address of the signer. Each person circulating a copy of the petition shall attach a sworn affidavit to it stating the number of signers and the fact that each signature was made in the presence of the circulator of the petition.
- (3) The signed petition shall be filed with the council within sixty (60) days of the specification of the form of the petition, and within thirty (30) days after the petition is filed the council shall order a canvass of the signatures thereon to determine the sufficiency and authenticity of the signatures. The council's canvass shall be completed within thirty (30) days. If the number of signatures is insufficient or the petition is deficient as to form or compliance with this section, the council shall notify the person or persons filing the petition of such insufficiency and allow thirty (30) days for filing of additional papers, at the end of which time the sufficiency or insufficiency of the petition shall be determined finally.

- (4) Within thirty (30) days after a petition shall have been certified as sufficient by the council, the council shall cause the proposed ordinance, or a summary thereof, to be published in the official journal of the City at least once [once] together with a notice of the date, time and place when and where it will be given a public hearing and be considered for passage which notice shall appear at least ten (10) days prior to the time advertised for the hearing. At the time and place so advertised the council shall hold a public hearing. Subsequent to such hearing, the council shall either:
 - a. Adopt the proposed ordinance submitted in an initiatory petition, without substantive amendments, or effect the repeal referred to by such petition, or
 - b. Determine to submit the proposal to the electors.
- (5) If the council adopts an ordinance following the submission of an initiatory petition as provided above, it shall be treated in all respects in the same manner as other ordinances of the same kind adopted by the council.
- (6) If an initiatory ordinance is submitted to a vote of the electors as provided in Section 6-01 (4) above, the election shall take place within sixty (60) days after the date of the public hearing, preferably in an election already scheduled for other purposes, otherwise in a special election called by the council. The results shall be determined by a majority vote of the electors voting on the proposal.
- (7) If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- (8) If an ordinance is adopted by the electorate through the initiatory process it shall not be amended or repealed by council action during the term of the council in which it was adopted. The council, however, may submit proposals amending or repealing such ordinances to a vote of the electors.

Section 6-02. - Recall.

- A. The mayor or any member of the council may be removed from office by the electors of the City through a recall process. The recall process shall be the same as is provided in the general laws of the state.
- B. If, in a recall election, the majority of those voting vote for recall, the officer named in the recall petition shall be removed ipso facto from office, and the vacancy thereby created shall be filled as is the case of ordinary vacancies in accordance with this charter.

Section 6-03. - Removal by suit.

The mayor or any member of the council may be removed from office by court suit as provided for in the constitution and general laws of the state.

ARTICLE VII. - GENERAL PROVISIONS

Section 7-01. - Legal process.

Legal process against the City shall be served upon the mayor or in his absence upon the presiding officer of the council.

Section 7-02. - Conflict of interest.

Any City officer, official or employee who has a substantial financial interest, direct or indirect or by reason of ownership of interest in any limited liability company, partnership, or any other business corporation, in any contract with the City or in the sale of any land, material, supplies or services to the

City or to a contractor or subcontractor supplying the City shall make known that interest and shall be prohibited from voting or otherwise participating in the capacity of a City officer or employee in the making of such sale or in the making or performance of such contract. Any City officer, official or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. Violation of this section with the knowledge, express or implied of the person, partnership, company or corporation contracting with or making a sale to the City shall render the contract or sale void.

(Ord. No. 12-5295, C.S., 4-17-12, approved by voters 11-6-12)

§Section 7-03. - Code of ethics.

The proper operation of the municipal government provided for by this charter requires that officers, officials and employees of the City be independent, impartial and responsible to the people; that decisions and policy be made in the best interests of the people, the community and the government; and that the public have confidence in the integrity of its government. In furtherance of these goals, the first council elected under the provisions of this charter shall, within six (6) months after taking office, adopt by ordinance a code of ethics that shall apply to all officers, officials, and employees of the City, whether elected or appointed, paid or unpaid. The code shall be administered by a board created by the council with qualifications, terms of office, duties and powers provided by ordinance. Decisions of the board shall be appealable to the courts.]

Commented [S511]: What is this? Is it different from the state code of ethics? What happens when the code is violated?

Section 7-04. - Amending or repealing the charter.

- A. Proposals to amend or replace this charter may be made both by the council and by petition signed by not less than twenty-five (25) percent of the qualified voters of the City. The procedures and time limits for filing such a petition, for holding a public hearing on the matter and for calling an election on the petition request shall be the same as provided for in Section 6-01 (Initiative and Referendum). A petition shall contain the full text of the proposed amendment.
- B. Proposals to amend or replace this charter shall be submitted for ratification to the qualified voters of the City, preferably in an election already scheduled for other purposes, otherwise in a special election called by the council. The results shall be determined by a majority vote of the electors voting on any particular proposal.
- C. Proposals by the council and by petition may be submitted to the voters at the same election and voters may, at their option, accept or reject any or all such proposals. Should conflicting proposals be approved at the same election, the one receiving the greater number of affirmative votes shall prevail to the extent of such conflict.
- D. Proposals to amend or replace this charter shall not be submitted more often than every two (2) years and no amendment or replace shall shorten the term for which any official was elected or reduce the salary of office for that term.

(Ord. No. 12-5296, C.S., 4-17-12, approved by voters 11-6-12)

Section 7-05. - Employee representation.

- A. The right of the City employees to be represented by union organizations for the purpose of collective bargaining with reference to compensation or working conditions is hereby recognized.
- B. Any negotiations by the City with any such employee union representative shall be by the mayor or his designee. Final approval of any labor contracts with municipal employees shall rest with the council and shall be by ordinance.

Section 7-06. - Bonding of officers.

The director of administration and such other City officers or employees as the council may designate shall give bond in the amount and with the surety prescribed by the council. The premiums on such bonds shall be paid by the City.

Section 7-07. - Oath of office.

All elected officials of the City shall take an oath of office before entering upon the duties of their offices. The oath may be administered by any person qualified by law to do so.

Section 7-08. - Personnel administration.

- A. Prior to being effective, any proposed system of personnel administration shall be submitted by the mayor to the council for approval and adoption in an administrative code.
- B. Any employee holding a City position at the time this charter takes full effect, who was serving in that same or comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to any personnel system adopted in accordance with the provisions of this charter.
- C. The following shall not be members of the classified personnel system of the City:
 - (1) The mayor, the mayor's secretary and any assistants to the mayor.
 - (2) The clerk of the council.
 - (3) The city attorney and any assistant city attorneys.
 - (4) Directors of departments created in accordance with the provisions of this charter.
 - (5) Any employee appointed directly by the council.

Section 7-09. - Boards and commissions.

- A. The mayor may appoint boards and commissions, subject to council confirmation, to advise him regarding the operations of City services or other activities. No such board or commission shall exercise any administrative or legislative responsibility. This provision shall not apply to a board or commission created by ordinance or in accordance with general state law.
- B. A member of an advisory board or commission shall receive no compensation for service and shall serve at the pleasure of the mayor.
- C. Members of all existing boards and commissions shall complete their terms of office, except as may be provided by this charter or by action of the council.

Section 7-10. - Facsimile signatures.

Facsimile signatures are authorized for negotiable instruments and multiple certificates of indebtedness in those cases where an official is required by law to sign.

Section 7-11. - Reconstitution of government.

In the event of war or public disaster that incapacitates the mayor and/or a majority of the council, the remaining members of the government may act on an emergency basis and appoint such other officials as is necessary to reconstitute a government of the City. It shall be the intent of this section that these emergency powers shall subsist only so long as an emergency exists and that regularly constituted elections shall be held as soon as it is judicially determined that conditions permit their being held.

ARTICLE VIII. - TRANSITIONAL PROVISIONS

Section 8-01. - Council districts.

Commented [SS12]: How do we ensure fair representation on boards and commissions? Public Input. Communicating vacancies.

Commented [SS13]: Add Council at large -- representing the whole city

- A. Council District One shall consist of that part of the City bounded by a line extending northerly along the Illinois Central Railroad tracks from their intersection with Robinson Street or an extension of the centerline thereof (also known as the east-west railroad right of way) to their intersection with an extension of the centerline of Carter Lane; westerly along an extension of the centerline of Carter Lane and the centerline of Carter Lane to North Oak Street; northerly along the centerline of North Oak Street to Columbus Drive; easterly along the centerline of Columbus Drive to the Illinois Central Railroad tracks; northerly along said tracks to their intersection with the City limit; easterly along the City limit and following the City limit to Robinson Street or an extension of the centerline thereof (also known as the east-west railroad right of way); westerly along the centerline of said street or railroad right of way to point of beginning.
- B. Council District Two shall consist of that part of the City bounded by a line extending easterly along the centerline of Robinson Street or an extension thereof (also known as the east-west railroad right of way) from its intersection with the north-south Illinois Central Railroad tracks to the City limit; southerly along the City limit and following the City limit to the Illinois Central Railroad tracks; northerly along said tracks to their intersection with an extension of the centerline of Second Avenue; westerly along an extension of the centerline of Second Avenue and the centerline of Second Avenue to South Oak Street; northerly along the centerline of South Oak Street to Sentell Drive; westerly along the centerline of Sentell Drive and continuing along the centerline of Stanley Street to the western boundary of Zemurray Park; northerly along the western boundary of Zemurray Park to West Coleman Avenue; easterly along the centerline of West Coleman Avenue to an extension of the centerline of South Spruce Street; northerly along an extension of the centerline of South Spruce Street and the centerline of South Spruce Street and North Spruce Street to the centerline of Robinson Street or an extension thereof (also known as the east-west railroad right of way); easterly along the centerline of said street or railroad right of way to point of beginning.
- C. Council District Three shall consist of that part of the City bounded by a line extending southerly along the centerline of South Spruce Street from its intersection with West Thomas Street and continuing along an extension of the centerline of South Spruce Street to its intersection with West Coleman Avenue; westerly along the centerline of West Coleman Avenue to the western boundary of Zemurray Park; southerly along the western boundary of Zemurray Park to Stanley Street; easterly along the centerline of Stanley Street and continuing along the centerline of Sentell Drive to South Oak Street; southerly along the centerline of South Oak Street to Second Avenue; easterly along the centerline of Second Avenue and continuing along an extension of the centerline of Second Avenue to its intersection with the Illinois Central Railroad tracks; southerly along said tracks to the City limit; westerly and then southerly along the City limit and continuing along the City limit to U. S. Highway 51; northerly along the centerline of Highway 51 to Corbin Road; easterly along the centerline of Corbin Road to Natchez Street; northerly along the centerline of Natchez Street to West Thomas Street; easterly along the centerline of West Thomas Street to point of beginning.
- D. Council District Four shall consist of that part of the City bounded by a line extending westerly along the centerline of West Thomas Street from its intersection with Spruce Street to Natchez Street; southerly along the centerline of Natchez Street to Corbin Road; westerly along the centerline of Corbin Road to U. S. Highway 51; southerly along the centerline of U. S. Highway 51 to the City limit; southerly along the City limit and continuing along the City limit to its intersection with a line 146.5 feet east of and parallel to the east right of way of Elm Drive; southerly along said line to Columbus Drive; easterly along the centerline of Columbus Drive to Pecan Drive; southerly along the centerline of Pecan Drive to its intersection with an extension of the centerline of West Dakota Street; easterly along an extension of the centerline of West Dakota Street and along the centerline of West Dakota Street to North Spruce Street; southerly along the centerline of North Spruce Street to point of beginning.
- E. Council District Five shall consist of that part of the City bounded by a line extending westerly along the centerline of West Dakota Street from its intersection with North Spruce Street and continuing along an extension of the centerline of West Dakota Street to its intersection with Pecan Drive; northerly along the centerline of Pecan Drive to Columbus Drive; westerly along the centerline of Columbus Drive to its intersection with a line 146.5 feet east of and parallel to the east right of way of Elm Drive; northerly along said line to its intersection with the City limit; easterly along the City limit

and continuing along the City limit to its intersection with the Illinois Central Railroad tracks; southerly along said tracks to their intersection with Columbus Drive; westerly along the centerline of Columbus Drive to North Oak Street; southerly along the centerline of North Oak Street to Carter Lane; easterly along the centerline of Carter Lane and continuing along an extension of the centerline of Carter Lane to its intersection with the Illinois Central Railroad tracks; southerly along said tracks to their intersection with Robinson Street or an extension of the centerline thereof (also known as the east-west railroad right of way); westerly along the centerline of said street or railroad right of way to its intersection with North Spruce Street, northerly along the centerline of North Spruce Street to point of beginning.

- F. It is the intent of this charter that council district boundaries described in this section coincide with the map labeled Plan A prepared by the Public Affairs Research Council of Louisiana and submitted to United States District Judge Lansing L. Mitchell on March 14, 1977.

Section 8-02. - Continuation of officers.

Nothing in this charter shall be construed to affect the term of office of the mayor, commissioner of finance, commissioner of streets and parks or of any officer or member of a board or commission appointed for a fixed term. All such officers shall serve the terms for which elected or appointed until their successors are elected or appointed and qualified.

Section 8-03. - Continuation of actions.

- A. All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, contracts, franchises, debt or other obligations due by the City, rights or causes of action, claims, demands, titles and rights existing on the effective date of this charter shall continue unaffected. All sentences for punishment for ordinance violations or for crime shall be executed according to their terms.
- B. All ordinances of the City in force prior to the effective date of this charter shall, insofar as they are not inconsistent with this charter, remain in full force and effect until amended or repealed by the council or until they expire by their own limitation. All actions of the mayor and the commission council and all administrative rules and regulations, not inconsistent with this charter, shall remain and be in full force and effect until changed or repealed.

Section 8-04. - Special districts.

Any special district heretofore established and existing in the City shall continue to exist to effectuate the purpose for which it was created, to complete any works begun or authorized therein to pay the debts of the district and to levy taxes and other charges as may have been or may be legally authorized in the district.

Section 8-05. - Special acts.

All special acts pertaining to the City, insofar as they are in conflict with the provisions of this charter, shall henceforth be inoperative and of no effect.

Section 8-06. - City retirement systems.

All pension or retirement systems presently in existence in the City shall not be affected in any way by this charter and shall remain in full force and effect and shall be carried out and regulated in accordance with applicable laws and procedures.

Section 8-07. - Declaration of intent.

This charter shall be liberally construed in aid of its declared intent which is to establish for the people of the City effective home rule free from legislative interference as to the structure and

organization of its local government, and with the power and authority to manage its local affairs, all as contemplated and intended by the provisions of Article VI, Sections 5 and 6 of the constitution.

Section 8-08. - Severability.

If any provision of this charter is declared invalid for any reason, that provision shall not affect the validity of this charter or any other provision thereof.

Section 8-09. - Schedule of transition.

The provisions of this charter pertaining to the election of the mayor and council created hereunder shall go into effect on the date established by the judicial order implementing this charter, the intent being to provide for the election of the officials of the government in the Hammond municipal election of 1977. The remaining provisions of the charter shall become effective on the date of taking office of the newly elected mayor and council, such date being provided in Section 8-10 (Election of Officials).

Section 8-10. - Election of officials.

The municipal election to coincide with the State Congressional Elections.

(Ord. No. 2163, C.S., § 1(4), 1-3-89)

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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

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A Meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on March 25, 2021, at 5:35 p.m. Members present were: Arlene Knighten, Frank DiVittorio, Lesli Bolner, and Chris Broadwater. Doug Johnson and Tracy Wells were absent.

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The Minutes of the January 25, 2021, Meeting were approved. The Minutes of the January 30, 2021, Meeting were approved. The Minutes of the February 8, 2021, Meeting were approved. The Minutes of the March 2, 2021, Minutes were approved.

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Past Councilman Perspective – Dr. Tony Licciardi

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As a past City Councilman, he served as the Chairman of the 2010 Hammond Charter Review Committee which concluded its work in 2012. Currently, he acts as a Political Analyst. He has worked with the current Council and past Councils.

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Voter Turnout

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He had researched and found that in the past four (4) or five (5) Mayorial Elections, the turnout ranges from 27% and 45% as opposed to 70% in Presidential Elections. Regarding non-white v. white voter turnout, there was a 18% gap in Mayorial Elections and only a 13% gap in a Presidential election. In Hammond, 48% are white voters versus 51% are non-white voters. In off-cycle elections in the City of Hammond, there is a lower turnout of non-white voters. He suggested that having those elections during a Presidential Election would be more representative of the population of Hammond as there has been a 5% swing in non-white voter turnout.

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Mayor Alternate

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The prior Charter Review Committees had earlier decided that the Director of Administration would succeed the Mayor in a vacancy versus using the City Council President. Knighten asked about defining temporary inability versus absence of the Mayor. DiVittorio asked whether it would have been better to have the Mayor's backup be elected as opposed to being hired by an elected official. The part-time position of other elected Members would only be part-time, and the Mayor was full-time, so it was decided then that the Director of Administration would be the best substitute. Also, the DOA would have been confirmed by the Council. Also, the Mayor's position is prohibited from outside employment and so any substitute Council person would have a hardship and then another City Council position would have to be filled. Another idea is to have the City Council appoint the substitute. Broadwater suggested that if a Council Member were substituted for the Mayor, that they not be bound by the outside employment prohibition. Knighten described the definition of prohibition of "outside employment" is broadly defined that may help with that situation.

48

Pay for Elected Officials

49
50
51
52

When this Charter Committee reviewed the salary for the City Councilmen it was \$600.00, which lasted for about 11 years until it was raised to the current level of \$1,000.000.

48 The 2004 Mayor's Salary was revised before Mayor Foster to be \$40,000.00 per year and
49 has not been changed since then.

50

51 He suggested the pay for Police Chief should be higher to allow for regional searches for
52 well qualified officials. He suggested careful considerations of Department Head
53 compensation so as to encourage well-qualified individuals. Knighten asked if he knew
54 what percentage of Police Chiefs are elected or appointed. He described that in the Larcen
55 Act, municipalities are appointed and that is the overwhelming majority in other states,
56 particularly in small communities where there may be a limited pool of potential candidates
57 with particular training, education, etc. The objective criteria were adopted in the current
58 Charter because his Review Committee found they didn't want the popularity contest of an
59 election to determine the department. Having an appointed Chief gives flexibility to hire a
60 more qualified Chief. If this Council wants more of a say in the appointment, there could be
61 a provision that the Police Chief serves at the pleasure of the Mayor and the Council.

62

63 Broadwater suggested that we have an existing recall process -- 20% of voters have to sign
64 within a time frame to initiate a recall election.

65

66 Other alternatives to type of government structure:

67

- 68 1.) City Manager form of government.
- 69 2.) Larcen Act -- Mayor has all the power.
- 70 3.) City Council/Mayor.

71

72 Knighten suggested having a more robust review process by the City Council before the
73 appointment by the Mayor. Dr. Licciardi suggested that the City Council can create an
74 Ordinance to define how they approve of the Mayor's appointment. This would not require a
75 change to the Charter.

76

77 Knighten suggested we include language in the Charter now that says what the City
78 Council is required to review in a Confirmation Hearing, and perhaps make requirements
79 of the Mayor to provide information of candidate within a certain period before the
80 Confirmation Hearing.

81

82 Broadwater says that if we are changing the Charter, the Council can go ahead and change
83 their confirmation process without the cost of an election to change the Charter. Licciardi
84 favors the Council having the power to create its own Confirmation Rules rather than
85 having them imposed by the Charter. In 1999, Mayor Tallo went to the State Legislature to
86 take the Police Chief position from Civil Service through state legislation.

87

88 Knighten asked about an at-large City Council position. His Charter Review Committee
89 thought that five (5) representatives were enough to represent 25,000 voters back then.
90 Didn't like the idea of three (3) and didn't want an even number. They discussed four (4)
91 Councilmen and one (1) at-large; he thought it gave citizens double representation with an
92 at-large Council Member. Broadwater asked if he thought that an at-large person would
93 create competition with the Mayor for a City-wide elected official and Licciardi didn't think
94 that was such an issue. That Charter Review Committee only presented to the Council
95 those issues on which they unanimously consented. DiVittorio suggested an at-large

96 position may increase representation of the majority vote at the expense of the minority
97 opinion.

98
99 Term limits were increased for the Council from two (2) to three (3) terms.

100
101 The role of an attorney advisor to the City Council was changed. Licciardi remembered his
102 surprise that the ballot limited the availability to the City Council only to hire a legal
103 advisor "on an issue by issue basis" but he didn't recall that language being recommended
104 to the Council. He suggested striking "on an issue by issue basis." Or the Charter could be
105 revised to have the City Attorney serve at the pleasure of the Mayor and the Council.

106
107 Andre Coudrain says the question is "continuing representation" versus representing the
108 Council on a certain issue. Broadwater suggested three options:

- 109
110 1.) Hire attorney on only one issue;
111 2.) Renew the attorneys over and over; or
112 3.) Would it be wise use of City funds to pay a yearly contract, but only
113 use a few times?
114

115 Bolner suggested that the consensus is that the language is broad and can be interpreted.
116 DiVittorio suggested that the "issue by issue basis" has been used as a restraint to keep the
117 Council from hiring an attorney. Broadwater suggested this issue is baffling because of the
118 availability of capable, honest, and open advice of the current City Attorney. Knighten
119 suggested there may be a conflict of interest based on the political priorities of the Mayor
120 versus the City Council. DiVittorio suggested that these are two (2) equal forms of
121 government and there are inherent conflicts. Coudrain described that in the past where
122 those conflicts have arisen he has suggested that they seek the Opinion of the Attorney
123 General. Knighten pointed out attorneys often have opposing points of view and her
124 suggestion is not disparaging of the current City Attorney.

125
126 He suggested that each Charter Revision change be separately on the ballot to support
127 constitutionality.

128
129 Bolner asked his opinion about qualification of residency requirements for Mayor or City
130 Council and he believes that is the Judge's call. Licciardi stated that the earlier Charter
131 Review Committee did not study the words defining residency versus domicile for Mayor or
132 City Council Persons. They did discuss it in connection with the Police Chief and he
133 wondered whether being in City Limits are required for an Administrator or Department
134 Head.

135
136 Broadwater asked about election required for bonded debt. Licciardi never had any
137 discussions about this issue because as Councilman, he always had what was the
138 equivalent of a Line of Credit Loan up to a certain loan capacity. Coudrain explained that
139 Bond Referendum was that because of the language it gave the City flexibility for the use of
140 the money up to a certain limit. Coudrain thinks that if that could have been done again, it
141 would have been done.
142

143 **Compensation Consultant**

144 Broadwater reported that we establish parameters for amount and timing for authority to
145 hire a candidate. He suggested that he interview the potential candidate professors at SLU
146 and have them appear at future meetings to be interviewed by the Committee. DiVittorio
147 suggested we find someone and then suggest to the City the parameters of scope and cost.
148 Bolner volunteered to join Broadwater to interview the potential candidates. Knighten
149 suggested she could be a backup. He would obtain potential dates of candidates.

150
151 **Public Comments**

152 No emails were received. No Member of the public were present to speak.
153

154 **Section 6-01**

155 Coudrain suggested language to change the Charter to resolve a conflict with Louisiana
156 law. He asked whether we should still allow a Special Election to be called by the Council.
157 Broadwater pointed out in Section 7-04, that the Council must call an election. Attached to
158 these Minutes is the February 15, 2021, email from Andre Coudrain to Frank DiVittorio
159 describing the suggested changes.

160
161 Further dates were established for future meetings for April 15th, May 10th, and May 24th,
162 2021. The Members noted that our Final Report is due to the Council on June 30, 2021.

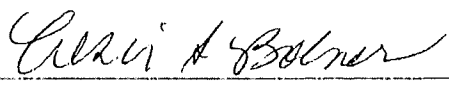
163
164 The meeting adjourned at 7:05 p.m.
165

CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

Sandra F. Paradelas

From: Andre G. Coudrain
Sent: Monday, February 15, 2021 9:17 AM
To: Frank DiVittorio
Cc: Sandra F. Paradelas
Subject: recommend change to 6-01 (6) of the Charter

Frank- as discussed at the last meeting- I recommend a change to section 6-01 (6) of the charter to resolve a conflict with Louisiana election law. See below:

(6) If an initiatory ordinance is submitted to a vote of the electors as provided in Section 6-01 (4) above, the election shall take place within ~~sixty~~ (60) days after the date of the public hearing in accordance with State law, preferably in an election already scheduled for other purposes, otherwise in a special election called by the council. The results shall be determined by a majority vote of the electors voting on the proposal.

We can discuss if the group wants to recommend allowing the Council to call a special election.

Let me know if you have questions,

Thanks,

Andre



ANDRE G. COUDRAIN

Cashé Coudrain & Bass

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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

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A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on April 15, 2021, at 5:35 p.m. Members present were: Arlene Knighten, Frank DiVittorio, and Lesli Bolner. Tracy Wells, Chris Broadwater, and Doug Johnson were absent.

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The Minutes of the March 24, 2021, Meeting were tabled until the next meeting.

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Compensation Consultant Update. Bolner reported that the consultants to analyze increases in compensation for the Mayor and Council Members had not yet been interviewed, but she will attempt to schedule the same with Broadwater.

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Planning and Zoning Commission Structure.

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Members discussed the Planning and Zoning Commission. City Attorney Coudrain described that the State Statute requires no mutual holding office. Some jurisdictions, like Mandeville and Covington, have carved out a legislative exemption. Coudrain explained that rather than have a Board of Adjustments to handle deals with appeals as to actions of the "Building Official or Building Planner", but not the decisions of the Planning and Zoning Commission. Hammond has taken the function of the Board of Adjustments and assigned that duty to the Board of Adjustments. For discretionary decisions, the resolution is the Court.

45
46
47
48

The Members discussed alternatives to Planning and Zoning Commission Structure. A separate Board of Adjustments could be formed, but Coudrain questioned whether we need another layer of bureaucracy. Tracy Wells' email of April 15, 2021, was reviewed by the Committee Members. She suggested that Members of this Committee should be seven (7) Members, one (1) appointed by each Council Member and two (2) by the Administration. Also, she opined that the Board of Adjustments need not be separated out from the Planning and Zoning Commission. The email is attached to these Minutes.

Knigheten asked if the Charter would need to be changed if the Council Members would be appointing the Members. Coudrain explained an alternative would be to include in the Charter that all Boards and Commissions, including State Law required Board (not just City Commissions), should be approved by the Council. For State created Commissions, the Charter cannot change the function of the Committee, but it can change qualifications by term limits, residency, and terms of office.

Coudrain suggested that the Council should not interview the candidate. DiVittorio suggested the Council could have a meeting with the prospective candidate. Others suggested that the Council could express its expectations to the Administration.

Comments were made that some Boards and Commissions are so influential, that they need further oversight by the Council other than just the power of appointed. If we are not going to change qualifications to those appointed by Council Members, Knighten suggests that we have a more rigorous approval process. Before the next meeting, a suggestion was made to

49 get a list of the Boards and Commissions for our consideration as to which Boards need
50 more definitive approval. One Committee Member suggested that the Commission Member
51 appointed by the Council-Person need not necessarily live in that Council-Person's District.
52

53 Discussion ensued about the challenges of the mostly freshman current Council Members
54 who expressed frustration in not knowing what their powers are under the Charter. Bolner
55 asked if the Charter could require the Council or Administration to provide training to new
56 Council Members. Others emphasized that naturally an Administration would not
57 necessarily undertake that task. Coudrain says that he has been involved in an orientation
58 and he observes that that new Council Members are overwhelmed. Knighten suggested that
59 a Handbook be created with step-by-step instructions as to processes, such as how to pass
60 an Ordinance. MLA may have Handbook, Coudrain suggested. Knighten suggested
61 procedure "Cheat Sheet" for new Council Member. Bolner suggested another way to change
62 this dynamic of seeming lack of institutional knowledge is to extend Term Limits. After
63 discussion, the Members determined that there should be no Charter change to inform
64 Council Members of rights and duties.
65

66 The Committee discussed the UDC. Some commented that the Council has the power to
67 amend the UDC to create a separate Commission without any change of the Charter. The
68 City has decided by UDC the qualifications of the Members, but those could be changed by
69 Ordinance.
70

71 Capital Improvement Program

72
73 Coudrain was asked when is electorate vote required for Bond Issues? Coudrain explained
74 that the Attorney General issued an Opinion involving a checkpoint with the Bond System.
75 There is a preemptive period during which folks can complain that the loan didn't comply
76 with the required period. Apparently, the Attorney General has broadened the definition of
77 debt and now many governmental agencies are reviewing to determine if any changes
78 should be made to their systems. Much depends upon the definition of what type of debt
79 and how is it secured. The Committee Members agreed that we should obtain input from
80 Bond Council. Brennan's email of January 4, 2021, contained suggestions. The Members
81 suggested asking Brennan to attend a meeting and as well as Council Members to attend to
82 discuss the alternatives. Coudrain suggested the alternative that perhaps a "no brainer"
83 loan could be made without voter election if special public meeting for special purpose (or
84 funding from specific state program), with perhaps unanimous Council approval, or at least
85 4 of 6 Council Members with the Mayor's approval. DiVittorio will try to get them at the
86 next meeting: Brennan Black from Foley Judel on May 10th. Bolner suggested we go back
87 and look at comments attached to the January 25th Meeting regarding alignment of 5-04
88 and 5-08.
89

90 Alternatives Regarding Debt. DiVittorio described that the prior seated Council tried to
91 borrow \$15.1 million. Apparently, the votes were there to pass the Resolution, but there
92 was no clearly defined purpose for what the funds would be spent on. DiVittorio thinks that
93 the electorate spoke on that issue by voting out the proponent of that Bond Issue.
94

95 The next Meetings will be May 10th and May 24th 2021, at 5:30 p.m. in the City Council
96 Chambers.

97
98 The meeting adjourned at 6:20 p.m.

99
100 The meeting adjourned at 7:20 p.m.

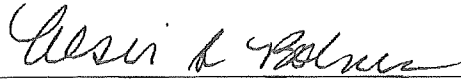
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CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

102

Frank DiVittorio

From: tracy washington <tracyjwt@yahoo.com>
Sent: Thursday, April 15, 2021 3:15 PM
To: Frank DiVittorio
Subject: Re: agenda_3-2-2021 (003)

I will not be there tonight.

My input regarding the planning & zoning: there should be 7 members. 1 appointed by each council member and 2 by the administration.

I can speak to this at the next meeting if needed.

The board of adjustments may need to be separated out from planning & zoning.

On Thursday, April 15, 2021, 9:25:12 AM CDT, Frank DiVittorio <fjd@chehardy.com> wrote:



**CHEHARDY
SHERMAN
WILLIAMS**

MURRAY, RECILE,
STAKELUM & HAYES, LLP

Frank J. DiVittorio

Chehardy Sherman Williams Murray
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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on May 24, 2021, at 5:40 p.m. Members present were: Arlene Knighten, Tracy Wells, Frank DiVittorio, and Lesli Bolner. Doug Johnson was absent at roll call but joined later. Chris Broadwater was absent, and it was announced he would depart from the Committee. Mr. Broadwater will be replaced by Nicholas Gagliano at the next meeting.

The meeting commenced at 5:45 p.m. The Minutes of the January 25, 2021, as revised, and January 28, 2021, and February 8, 2021, Meetings were adopted.

Bond Counsel Presentation

Brennan Black of Foley Udell addressed the Committee. He explained that in 2018, an AG Attorney Opinion found an election was required for the City of Hammond to issue indebtedness. Usually, he said that elections were only needed for general bonds, and he stated that the City use the general authority because the taxes had been approved by the voters.

Mr. Black suggested deleting Section 5.08 in its entirety and cleaning up Section 2.16 which includes power to levy taxes and the power to incur debt – there is a catch all that says the City can do what laws allows. He suggested avoiding confusion by substituting the municipalities.

The Committee addressed the alternatives emailed by Dr. Lacy Landrum regarding how other municipalities handle this issue.

Mr. Black suggested that only General Obligation Bonds should require an election – those are bonds payable from unallocated ad valorem (real estate property) taxes. Others should be able to be done without election.

Doug Johnson questioned the ability of the City incurring indebtedness without voter input, which he opined would effectively disenfranchise the voters. He recalled the lessons of the Boston Tea Party. In the City of Hammond, he reflected, we have been blessed with a “pay as you go attitude.”

DiVittorio recalled that a past prior Council Member was trying to force through a Bond Issue. He opined that because the bond had to go to an election, it was vetoed and the \$15 million dollar issue was defeated. Mr. Black explained there is no imposition to pay debt unless it has already been improved. He reflected that at the time our Charter was adopted, the law required elections before bonding. Now it does not and this provision could be changed.

DiVittorio asked whether there could be any safeguards imposed to offset the risks of issuing bonds without an election. Mr. Black described the following:

- 49 1.) 75% limitation on Sales Tax which is currently imposed by law.
50
51 2.) Set the maximum amount of debt to be 1.13 times coverage maximum
52 annual debt service and calculate the biggest payment the City could
53 pay on the debt - principal and interest.
54

55 Mr. Black commented that he's never seen a threshold floor. Bolner asked about a
56 threshold floor.
57

58 DiVittorio further described the sewer/water is a project which is required to show an
59 income source tied to it to guarantee repayment of the funds. Mr. Black reflected that
60 Louisiana R.S. 39:1430 provides that State law required description of where the revenue is
61 coming from.
62

63 Johnson described his late mother's intimate involvement with work on former committees,
64 and that she had traveled the state to determine what should be imposed for the City of
65 Hammond, and he is against allowing indebtedness to be incurred without a vote of the
66 people or at least, some significant safeguards. Doug Johnson's May 21, 2021, email to Dr.
67 Landrum was attached to the Minutes of this meeting.
68

69 Knighten queried, what is the downside to remove the requirement of election? One
70 downside addressed was timing. There are four (4) elections per year, and the entire
71 process may take nine (9) months to complete. The State Bond Commission meets only once
72 a month and advertising deadlines cause each election to take about six (6) months for
73 election plus an additional two (2) months for changes.
74

75 DiVittorio suggested the Charter already contains provisions for emergencies; that is not
76 the issue at this time.
77

78 Mayor Panepinto asked Mr. Black if the requirements were left in for election of all
79 indebtedness, what provisions would Mr. Black change? Mr. Black suggested eliminating
80 the need for an Economic Feasibility Study. Later Mr. Black explained if we leave the
81 election process in place, he would exempt decreasing interest rates and consider carving
82 out refinance bonds to reduce interest billing and that do not extend debt.
83

84 The Committee reviewed the 2-13 Emergency Ordinance. Dr. Landrum sought a description
85 of each of the steps to be completed to bond indebtedness whether there is an election or
86 not.
87

88 Mr. Black suggested the Council would need to prepare a Preliminary Resolution after one
89 (1) City Council Meeting (2 weeks) and then make application to the State Bond
90 Commission. Generally, it takes about another month to be placed on the Bond Commission
91 Agenda for approval. If the City were to use a direct bank or underwriter to investors, the
92 timing would be shorter. Once a purchaser for the bonds is lined up, two (2) Council
93 Meetings must take place, resulting in at least a month for two (2) Public Meetings and an
94 Ordinance (up to 3 ½ and 4 weeks). Two (2) Ordinances are required; one (1) to set the
95 parameters of the loan and then one (1) to actually approve the terms of the sale. Then
96 about two (2) weeks later, the Closing could happen.
97

98 Johnson raised the issue of natural disasters and how municipalities handled these issues
99 and Mr. Black explained all bond issues have a sinking fund.
100

101 Bolner asked for an explanation of potential safeguards. Mr. Black explained feasibility
102 requirements are often seen only seen in Utility Revenue Bonds.
103

104 Knighten asked if other cities in our surrounding areas show that we are an outlier. Dr.
105 Landrum recalls in that the bond community appeared to be following a certain path and
106 when the City of Hammond asked for the AG Letter - and the results changed the City's
107 path.
108

109 Mr. Black explained the 2018 AG Opinion. The issue presented to the Attorney General was
110 whether the Utility Bonds could be issued and found that Section 508 says that an election
111 is required before debt may be incurred.
112

113 Knighten asked what the other cities are doing. Dr. Landrum responded that frequently the
114 cities don't even address the issue until a problem arises. Knighten would rather see us
115 keep the vote to approve the issuance of the bonds in place.
116

117 **Mayor Panepinto** shared that prior Administrations had multiple bonds outstanding and
118 at some points, the sales tax revenues were not strong enough to support the bonded
119 indebtedness. He believes that the requirement for election helps prevent the City from
120 having general bond balance for sewer. He described that Mayson Foster's Administration
121 had struggled with this debt burden. When the bonds at issue were retired, the auditors
122 opined that the City did not have enough money in the Emergency Fund. He was advised
123 that the sum should be \$3 million in savings.
124

125 Currently, Mayor Panepinto observed that the City now has \$600,000 plus in the General
126 Fund (may have a bond, but it is a buffer) and described the funds as a "good buffer." He
127 anticipates there will be about \$5 million in federal funds available. He is convinced that
128 the City is fiscally in a good place. He observed the coming growth of Hammond. He
129 described that we needed \$2.1 million for the new pond for the sewer plant - this is a
130 necessity. However, he sees the sales tax dollars coming in and he is concerned about
131 restricting the cash flow on a day-to-day basis when we are issuing further indebtedness.
132 Mayor Panepinto described that as a developer, he wants to make significant improvements
133 in all Five (5) Districts of this City, some of which have infrastructure over 200 years ago.
134

135 Mayor Panepinto recommends keeping the election process in place. He described that
136 when the City assumed the Administration of the Airport, the budget was in the red. Now,
137 the budget is in the black. He suggested seeking bonding only when we truly need it. He
138 does not agree that the City should obtain a bond issue and pay a bonding fee with interest
139 on money the City is not using.
140

141 **Sandy Weary**, District 1 spoke. She described that she has lived in Hammond for 62 years.
142 She concurs that if there is an issue and if the City needs money, and then the need should
143 be explained to the citizens. If the message is received, the people will vote appropriately.
144 She believes that the voters will make a good decision if they are informed.
145

146 **Compensation Consultant.** DiVittorio reported having contacted recommendations
147 provided for Southeastern professors, but none were available to work on the project.
148 DiVittorio circulated a proposal for the SSA (attached to the Minutes), the cost which will
149 be \$5,625.00. Wells questioned the parameters and confirmed with the other Council
150 Members that the consultant will review compensation for both the Mayor and Council
151 Members. Johnson suggested that Loren Scott would be an excellent consultant. Knighten
152 suggested asking Scott for a proposal, but asking the City Administration to choose the
153 consultant. It was observed that the compensation could actually be changed by Ordinance
154 under current structure, and may not be an emergency to rush through. Johnson believes
155 that current Councilman and Mayor are underpaid and it is difficult for them to change
156 this by Ordinance. Knighten suggested we ask the City Administration for them to pay for
157 the consultant and choose. Bolner observed that the termination date of our Committee is
158 scheduled to be June 30th, and given the timing, she moved that the Committee seek the
159 Administration's approval of the SSG proposal and to consider any alternative proposal Mr.
160 Loren Scott may make. The Motion seconded and was unanimously approved.

161
162 The Members suggested that we may not have enough time to complete our work. Bolner
163 reported that one (1) councilmember suggested extension of the Committee deadline would
164 be acceptable. Councilwoman Gonzales agreed that more time would be effective. Mr. Black
165 suggested that insofar as timing, the State Bond Council is required to approve Hammond
166 Charter changes so we should take that timing into effect. The Committee agreed to
167 request the City Council extend our delivery of a Report through August 31, 2021.

168
169 The Meeting dates are scheduled for June 14th and/or 17th meeting dates at 5:30 pm. Other
170 dates suggested were June 28th, July 12th, and/or July 22nd. The Chairman agreed to
171 coordinate dates with Gagliano and suggested we need one (1) more Public Meeting for last
172 topics and then assign one (1) person in charge of a Position Paper for each proposal.

173
174 The meeting adjourned.

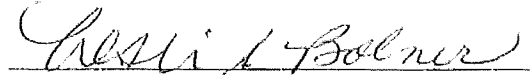
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CHAIRMAN



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

City of Hammond

Proposal for Compensation Plan Study for City Council and Mayor

May 21, 2021

SSA CONSULTANTS, LLC

10000 West 10th Street

Overland Park, Kansas 66204

Phone: 913.241.1100

www.ssaconsultants.com

There is a national trend for state and local governments and companies to examine their employee compensation programs. Organizations wish to remain as an employer of choice offering competitive and fair compensation to current and future employees.

An effective compensation plan is a thoughtful, delicate balance between sustained operations in the present and future, while also motivating and rewarding people fairly. An effective compensation plan provides the organization with a competitive edge in the never-ending race for top talent by improving employee and stakeholder satisfaction and improving the effectiveness strategic planning.

Founded in 1970, SSA has a long history of conducting compensation and classification studies both in the private and public sector, including recent compensation studies for the City of New Orleans, Plaquemine, Ascension Parish, Rapides Parish, City of Baton Rouge, and the City of St. Gabriel.

Additional information about SSA's experience, qualifications, and proposed methodology is included in this proposal. SSA understands the intricate nature of compensation and benefits programs and would look forward to working with the City to provide a fair and market competitive compensation program for its elected officials.

Project Methodology

The objective of the study is to create recommendations for the City's compensation plan. SSA's methodology includes the following activities.

Gather Data:

- SSA will gather data from both the City of Hammond itself and approximately six other entities of similar size and scale to the City for comparable research
- Other entities chosen for comparison will be determined through discussions with representatives from the City and SSA's project team
- Data requests from other entities will be submitted by SSA and, if necessary, public information requests

Analyze Data:

- SSA will synthesize data gathered from other entities into a comparable format for review by the City
- SSA will recommend potential compensation changes based on the current compensation offered by the City

Presentation of Results

- SSA will present the results and subsequent recommendations based on the comparable review to the Council and any other entities. This will include a presentation and availability from the project team to answer any questions regarding the research or recommendations.
- SSA will recommend potential implementation options based on availability of funds and potential gaps in compensation

SSA has extensive experience in assessing and designing compensation and benefit plans for organizations across a variety of private and public industry sectors. SSA's experience in both the human resources and financial arenas, combined with industry expertise creates practical, creative compensation solutions to keep our clients at their competitive best.

In the past five years, SSA has completed several compensation studies in the public and private sectors similar in scope as the proposed study. SSA has recently completed compensation and benefit plan studies for the City of Plaquemine, Baton Rouge Police Department, Baton Rouge Recreation (BREC) and the East Baton Rouge Sheriff's Office.

The following are select project descriptions of completed compensation and benefit plan studies SSA has conducted for public agencies.

St. Tammany Parish Sheriff's Office

SSA conducted a Compensation and Benefit Plan Study for the St. Tammany Parish Sheriff's Office.

As part of this study, SSA examined the compensation system practices and pay ranges for the St. Tammany Parish Sheriff's Office employees. A comparative analysis of the Parish's benefit package to that of private and public organizations was also conducted.

SSA has developed a report of findings and recommendations for St. Tammany Parish Sheriff's Office leaders. Recommendations are based on best practice compensation models and market-based compensation ranges.

East Baton Rouge Sheriff's Office

SSA conducted a Compensation Plan and Internal Equity Study for the East Baton Rouge Sheriff's Office.

As part of this study, SSA examined the compensation system practices and pay ranges for the East Baton Rouge Sheriff's Office employees. SSA also conducted a comparative analysis of the Parish's internal equity of the organization's structure.

SSA has developed a report of findings and recommendations for East Baton Rouge Sheriff's Office leaders. Recommendations are based on best practice compensation models, market-based compensation ranges, and internal equity best practices.

Capital Region Planning Commission (CRPC)

SSA conducted a Compensation Plan Study for the Capital Region Planning Commission.

As part of this study, SSA examined the compensation system practices and pay ranges for the CRPC's employees. SSA developed new and consistently formatted job descriptions for the 16 CRPC positions.

SSA has developed a report of findings and recommendations for Capital Region Planning Commission's board members. Recommendations are based on best practice compensation models and market-based compensation ranges.

Baton Rouge Police Department (BRPD)

SSA conducted a total compensation (benefits plus pay) study for sworn officer positions in the Baton Rouge Police Department as authorized by the Metro Council.

The total compensation study required two separate methodologies – one to address benefit package evaluation and one to address pay. These methodologies were designed to examine each element of the Baton Rouge police officers' compensation including base pay, longevity pay, overtime, extra duty, health care benefits, retirement benefits, and post-retirement benefits (also called OPEB, Other Post-Employment Benefits).

In addition to conducting a comparative market analysis on the BRPD total compensation package, SSA provided the BRPD with findings and recommendations to continue to be an employer of choice and provide their employees competitive and fair compensation.

Plaquemine City Government

The City of Plaquemine engaged SSA to conduct the city's first ever compensation and benefit review. The study provided data for the creation of over 100 job descriptions via a Job Analysis Questionnaire, a detailed market analysis, and the structure to put recommendations into place. The project was completed within four months of the start date.

Related Services Provided to Governmental Entities

In addition to compensation plan studies, SSA has provided a variety of related services to governmental entities and affiliated organizations since its inception in 1970. These services include, but are not limited to, strategic planning, education and outreach, facilitation, performance management, organization design, change management, and leadership and team development.

Sample governmental entities and affiliated organizations client list includes:

- Baton Rouge Police Department
- Capital Region Planning Commission
City of Alexandria (Louisiana)
- City of Plaquemine (Louisiana)
- Coastal Protection and Restoration Authority
DeSoto Parish Police Jury
East Baton Rouge Sheriff's Office
- Governor's Office of Homeland Security and Emergency Preparedness
- Governor's Office, Children's Cabinet
- Health Education Authority of Louisiana
- Lieutenant Governor's Office of Cultural Recreation and Tourism
- Louisiana Board of Social Work Examiners
- Louisiana Community and Technical Colleges System
Louisiana Emergency Response Network
Louisiana Physical Therapy Board
Louisiana State Board of Nursing
- Louisiana State Legislature, Streamlining Commission
- Louisiana State University
- Sabine Parish Police Jury
- St. John the Baptist Parish Government
- St. Tammany 911 District
- St. Tammany Sheriff's Office
- State of Louisiana
 - Department of Health and Hospitals
 - Department of Children and Family Services
 - Department of Education
 - Department of Natural Resources
 - Department of Revenue
 - Department of Wildlife and Fisheries
 - Department of Transportation and Development
 - Division of Administration
 - State Civil Service

SSA provides the following public-sector references for whom SSA has provided classification and compensation studies within the past five years.

1. Capital Region Planning Commission (CRPC)

Baton Rouge, Louisiana

Jamie Setze, Executive Director
(225) 383-5203
jsetze@crpcla.org

Compensation Plan Study

Description: SSA examined the compensation system practices and pay ranges for CRPC employees. SSA also provided recommendations to the organization based on compensation-related areas. SSA will be pursuing further projects with the CRPC to help establish a Performance Management System and a new officer handbook.

2. Baton Rouge Police Department

Baton Rouge, Louisiana

John Dunnam, Deputy Chief
(225) 389-2000
JDunnam@brla.gov

Compensation and Benefit Plan Study

Description: SSA examined the compensation system practices and pay ranges for BRPD employees. SSA also conducted a comparative analysis of the department's benefit package to that of private and public organizations and provided recommendations to the Parish.

3. City of Plaquemine

Plaquemine, Louisiana

Georneisha Johnson, Human Resources Director
(225) 687-3725
gjohnson@plaquemine.org

Compensation and Benefit Plan Study

Description: SSA examined the compensation system practices and pay ranges for Parish employees. SSA also conducted a comparative analysis of the Parish's benefit package to that of private and public organizations and provided recommendations to the Parish.

SSA Consultants (SSA) is an organizational development and management consulting firm based in Baton Rouge, Louisiana and founded in 1970. SSA is a team of professionals with diverse academic credentials and complementary, real-world management experience. The expertise of this team enables SSA to provide the quality of consulting services that help organizations improve their performance.

OUR MISSION

We are in the business of helping our clients improve their performance.

SSA's consulting services are designed and delivered to meet clearly defined client needs. Our clients span both the public and private sectors and range from nonprofits to Fortune 500 companies to government entities (state and local). Utilizing a collaborative methodology combining our insights and expertise with those of our clients, SSA provides straightforward consulting services and simple organizational tools that have the power to create new understanding and positive change.

SSA's services include: compensation and benefit studies, strategic planning, organizational design and development, operational design and planning, work process redesign, performance management and improvement, systems integration and design, cultural transformation, training and leadership development, customer service improvement, stakeholder outreach, project management, best practice research and analysis (including public policy), grant writing, facilitation/negotiation/problem-solving, executive searches, and communications development and management.

SSA and its clients have received numerous awards as a result of their projects. Some of the more notable awards are the Better Business Bureau for South Central Louisiana's 2008 Douglas Manship Jr. Torch Award for Ethics in Business; the Press Ganey Compass Award for the most improvement in Customer Satisfaction scores in large hospitals awarded to Covenant Medical System in Texas; the Journal of Emergency Medical Services (JEMS) award for the nationally-recognized "Carpe Diem" program designed for Acadian Ambulance; the Louisiana Quality Award for process improvement work with Rapides Regional Medical Center; and the Louisiana Association of Business and Industry 2017 Free Enterprise Award for Innovator of the Year.

SSA's consulting team spans multiple generations and possesses a wide range of expertise and experience. Team members are entrepreneurs, innovators, teachers, researchers, planners, writers, problem-solvers, and community leaders that come from executive

OUR VALUES

- Sensitive, responsive to customer needs
- Loyalty to customers and company
- High quality
- Ethics and integrity
- Teamwork
- Trust and openness in dealing with others
- Ongoing learning
- Self-evaluation for continuous improvement
- Sensitive to individual's needs and family
- Commitment to community

positions in the worlds of banking, health care, petrochemical, service industries, and academia.

OUR VISION

Our clients will see us as a partner and a progressive, results-oriented resource.

We strive to be the preeminent consulting firm in the region and to have a presence at the national and international level.

SSA partners with and advises leading organizations in the private, nonprofit, and public sectors. By leveraging team members' diverse academic and professional backgrounds, deep industry knowledge, and areas of expertise, SSA provides high-quality services and resources that meet clients' needs.

Since 1970, SSA's approach has stayed the same — combine SSA's management expertise and experience with the knowledge and passion of our clients to build stronger, more successful organizations.

Project Team Members

SSA will utilize a mix of project team members to deliver the scope of services identified in the project methodology and approach. Resumes for the project team members, with a focus on compensation study experience, are provided for review.



Cody Saucier | Director of Compensation

Cody Saucier has a variety of experience in process management and analysis for projects in both private and public organizations. His experience includes developing process management flows for organizational assessment and evaluation, analyzing current practice standards, and implementing best practice research from a variety of industries and regions.

Cody's experience includes working with the Baton Rouge Police Department, St. Tammany Sheriff's Office, East Baton Rouge Sheriff's Office, St. Tammany Parish Government, Ascension Parish Government, DeSoto Police Jury, City of New Orleans, Baton Rouge Recreation, Sabine Parish Police Jury, St. John the Baptist Parish, City of Plaquemine, and the Diocese of Baton Rouge's Child Nutrition Program to create Compensation and Benefits Studies for all employees of each organization. He has been involved in many compensation and benefit plan studies for public entities, ensuring accurate and relevant market comparisons and actionable recommendations.

Areas of Expertise

- Compensation and Benefit Analysis
- Process Management
- Complex Analysis
- Organizational Assessment
- Survey Administration
- Best Practice Research

Representative Clients

- Compensation & Classification Studies*
- Ascension Parish Government
- Baton Rouge Metropolitan Airport
- City of Baton Rouge
- City of New Orleans
- East Baton Rouge Sheriff's Office
- Baton Rouge Police Department
- St. John the Baptist Parish Government
- St. Tammany Parish Government
- St. Tammany Parish Sheriff's Office
- DeSoto Parish Police Jury

He has also worked with the Jefferson Parish Permit and Code Enforcement Department, Engineering Department, and Planning Department to improve the building permit and inspection process through process mapping and redesign. He has also assisted the Louisiana State Board of Medical Examiners in their operational analysis of the Licensure Division and created process workflows for each individual license type.

He has worked with the City of Baton Rouge in the reorganization of the Department of Public Works, which included separating the department into six separate entities and finding new leadership for the newly-created departments.

Prior to joining SSA in 2013, Cody worked with developmental disabilities organizations to provide logistical support and volunteer coordination for fundraising events.

Education & Certifications

B.A., History and Political Science, LSU



Sarah Bowden | 10

Sarah Bowden has developed a breadth of experience and in specialized research and complex analysis for projects in both private, public, and nonprofit organizations. Her experience includes developing operational designs for organizational assessment and evaluation, analyzing current practice standards, developing performance management tools, and implementing best practice research from a variety of industries and regions.

Areas of Expertise

- Compensation and Benefit Analysis
- Job Description Development
- Best Practice Research
- Survey Development and Analysis

Representative Clients

Compensation &

Classification Studies

- Ascension Parish Government
- Baton Rouge Police Department
- Capital Region Planning Commission
- Leadership Academy
- BREC
- BASF
- BRAC
- City of Baton Rouge, Parish of East Baton Rouge
- City of New Orleans CRPC
- East Baton Rouge Sheriff's Office

Sarah's experience includes working with the Baton Rouge Police Department to create a Compensation and Benefits Study for all sworn officers in the organization, which included the formulation of recommendations to maximize the organization's efficiencies and employee satisfaction. She has been involved in several other compensation and benefit plan studies for public entities, playing a key role in data analysis and comparable market research.

She has also worked with the Parish of Ascension in developing up-to-date job descriptions and implementing a performance-management system, in order to enact cultural change within the parish. In addition, she has also assisted the Baton Rouge Area Chamber in their operational analysis of the Intern BR Program.

She has worked with the Dioceses of Baton Rouge in the reorganization of the IT, CLTV, and other internal departments, which included developing a funding plan for organizational changes.

Education & Certifications

- On-going B.A., Economics, LSU
- Minors: Psychology, Global Diplomacy, Sociology

Frank DiVittorio

From: Doug Johnson <dougjohnsonins@gmail.com>
Sent: Friday, May 21, 2021 8:17 AM
To: Lacey Landrum
Cc: Frank DiVittorio; carlee@cwglawoffice.com; dknighthen56@gmail.com; tracy washington; Lesli Bolner
Subject: Re: Charter Review Committee Agenda May 10

Dr. Landrum,

Thank you for your note. To be clear, I have not spoken to anyone outside of this committee on subjects being discussed.

I have attempted to learn more about the need for this bonding attorney to come before us in an effort to gain knowledge as to the need for his appearance?

As a representative of the mayor on this commission, I decided that I should have background necessary to be an informed participant, thus my memo to Frank.

I have not had a meeting with the mayor since the committee started its work., so we have not discussed matters to date because you and committee members have answered my questions.

I did run into the mayor at Home Depot this past weekend and have asked to visit with him over a few subjects that we will ultimately advise on and in particular this one.

I do also intend to visit with mayors who have served since the charter came into existence to gain their views ,so as to have a body of knowledge present to advise the mayor which is my duty on the committee.

It would then be his place to act as he sees fit in public forums should a move be attempted to change the current language in the charter.

I can tell you that as a life long resident, businessman, City of Hammond Property Tax payer and a State Income Tax Payer, the matter of incurring debt without a vote of the people being taxed will not be supported by the vast majority. If there is any political agenda from anyone that has an interest to bond taxpayers to debt without a vote of the people, that is going to be a problem for any mayor and council.

I know why we as a community and city moved to a charter form of government.

I was there and my late mother worked on the committee that surveyed cities in Louisiana that helped the City of Hammond to create the original charter.

In large part, it was to protect residents and taxpayers from being bonded to debt without a vote of the people.

People make choices in life, just look at those cities across our country that bond their cities and states into huge debts and where they are now.

People and business picks up and leaves.

The charter is specifically designed to keep special interest from bonding taxpayers to debt that is not for the common good and voted on by the taxpayers/residents.

My point is that this can and is a very slippery slope and we must be vigilant and completely informed to avoid pitfalls that can cause great harm.

Thanks,

Doug

On May 19, 2021, at 11:26 AM, Lacy Landrum <landrum_l@hammond.org> wrote:

I would caution the committee from discussing this issue in detail outside of the meeting. The bond attorneys presenting information have been used by the city for many years, have worked with multiple public agencies throughout the state, and are well respected in the bond community. The purpose of the discussion is to interpret the current charter language that has been reviewed by the attorney general and others as requiring the city to have an election of the people to incur any type of debt—regardless of the project or amount. The committee will then decide whether to recommend any changes.

Thanks!

Lacy

Lacy Landrum
Director of Administration
City of Hammond
O: 985-277-5653

On May 19, 2021, at 10:59 AM, dougjohnsonins@gmail.com wrote:

Good Morning,

Frank, I have a question?

What is the purpose of having the proposed bonding attorney appear before us?

I went through my meeting minutes and do not see much to reflect that discussion. I would like to learn more about the reasoning of this appearance, as I have an upcoming meeting with the mayor to have him share his views for my impute to the committee since I represent him on this committee.

Although I have no vote on matters, I am required to insert his views into the discussion for the record.

Recalling from some years gone by there was a rather large community question over excessive fees charged by some bonding attorney at that time for some bond. I just remember hearing about it in the business community and others.

I do not know who that was or what the circumstances were but will ask the Mayor, Andrea and perhaps Mayson for feedback and background just in case it is the same person or firm.

For the most part it is my understanding that the city can float a bond for certain things like the expansion of the oxidation pond, critical matters, but outside of that, additional debt must go before voters and much like the parish we have adopted a pay as you go way of doing business that seems to set well with the voting public.

Just want background on this to garner a better understanding of what is at play here.

Thanks,

Doug

From: Frank DiVittorio <fjd@chehardy.com>

Sent: Friday, May 7, 2021 6:59 PM

To: dougjohnsonins@gmail.com; carlee@cwglawoffice.com; Arlene Knighten
<adknighten56@gmail.com>; 'tracy washington' <tracyjwt@yahoo.com>; Lesli Bolner
<lbolner@sealeross.com>
Subject: Charter Review Committee Agenda May 10

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SSA will utilize a mix of team members to complete each activity in the scope of work based on the activity and its complexity. The cost proposal for the City Compensation Plan Study is presented as a fixed, lump sum price of \$5,625 which is inclusive of all consultant time, travel, and material production. SSA will require a memorandum of understanding completed by all parties before project work can begin.

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on June 28, 2021, at 5:40 p.m. Members present were: Arlene Knighten, Tracy Wells, Frank DiVitorrio, Lesli Bolner, Doug Johnson, and Nicholas Gagliano.

The meeting commenced at 5:35 p.m. The minutes of the April 15, 2021, meetings were adopted with revision on line 31 to replace "need not" with "should" and eliminate line 100. Tracy Wells and Nick Gagliano abstained. The minutes of the March 25, 2021 were deferred.

Compensation Study Update

DiVittorio reported that the consultant is reviewing other markets and said they would be ready to discuss the May 21, 2021. He believes we will have an initial report to discuss by telephone July 9th and expects to give an update as to what they believe the relevant market to research. Johnson reported that Dr. Scott had expressed to him that Hammond is experiencing unparalleled growth. Dr. Scott suggested that looking into a sales tax study as a market reflection, noting that Hammond is a shopping island between Baton Rouge and New Orleans. Johnson suggested that we provide some parameters about our market to provide to the consultant.

DiVittoiro described some questions he has about the methodology the clients are using to identify target markets. He believed they consider transient populations, including college students and items other than census. Johnson said many come to shop here and worship here and we should set those issues as criteria that the consultants should consider. That our market is more like 140,000 people using the City services, not 25,000 population. Knighten asked if it could be conference call for all to join to discuss with the Consultant their parameters. Knighten suggested we request the consultant to speak at the July 12th meeting to discuss the criteria. Gagliano asked if we are moving forward with this consultant. Chris Broadwater had generated some prospective professors at SLU and then resigned from the committee. None of the consultants seemed to work and they had no other suggested referrals. DiVittorio received input from Dr. Landrum as to consultants. The City has agreed to pay for the consultant. Doug Johnson contacted Dr. Loren Scott. DiVittorio said the city accepted the lowest bidder. Bolner observed the consultant should also consider economic activity generated from church festivals, private festivals, the Show, and DDD events.

The approval of the minutes of the May 24, 2021, were deferred.

Section 4-04

Christine Monistere (Camellia Avenue) opined that the police chief should be required to live in the city in where they are living and that they should be elected. She suggested that 30 years experience on the force could satisfy education requirements. DiVittorio described that the City of Baker has an elected marshal who also serves as the police chief. Independence elects their

47 police chief. Divittorio suggested that smaller places elect while bigger cities appoint. Ms.
48 Monistere mentioned that the City of Harvey has an elected chief and then they depend upon the
49 parish sheriff. Johnson described that the Marshall's office covers both Ponchatoula and
50 Hammond and serves as security for the court and also to serve notices.

51

52 Johnson pointed out that if the mayor is elected and he appoints the chief. Monistere believes
53 that the appointment gives the mayor too much power. She is unaware of any surrounding areas
54 that appoints the police chief. Gagliano cited that Covington appoints their chief and that the
55 Louisiana law (Larcen Act) contains certain provisions for election of the mayor, alderman, and
56 chief of police, such as Ponchatoula and Covington.

57

58 City Councilmen, Devon Wells believes that the chief should be elected by the people. He
59 suggested that we are to watch over his constituents, tries to make sure he can do whatever he
60 can to stay in office. Wells said that in District 3 he observes that citizens are scared to come to
61 the Charter Review Committee meeting or City Council because of retaliation. He described that
62 he is pulled over by the police often for such things as being out late, tail light out, etc. He
63 described that black men are scared every time the police stops them, because they know the
64 event could cause them to lose their life. He reported that he never had an issue with the police,
65 but since he became a City Councilman, things of have gotten worse. He asked why should his
66 community be scared when they have drivers licenses, insurance, and up to date registration.
67 Wells commended the situation in Ponchatoula where the chief and the mayor did not get along,
68 and ultimately the police chief won his election but the mayor did not. He described a former
69 police chief who diverted the DUI details to the 3rd District rather than downtown. Wells
70 expressed frustration that does not get the same treatment of others in the community.

71

72 Bolner asked if the police chief were not elected, what other remedies could help. Wells
73 responded that the police complaints about the police chief are not being responded to
74 appropriately. He opined that a committee (like an advisory committee) would help, but he
75 questioned who would pick the committee and on what criteria? He commented that the
76 committee should be composed of dedicated citizens and described that just because some
77 people look like him, doesn't mean they are on his team. He commented that on the subject of
78 community policing, the police presence was noticeable for about two weeks, but that was right
79 before the budget meeting.

80

81 Wells commented that community police would be better and said the mayor has not done what
82 he said he was going to do regarding the community police. One person (young white guy) had
83 trained by a black man. Wells warned that presently, criminals are shooting in his neighborhood,
84 but one day they will shoot in other neighborhoods if something doesn't change. And, on the
85 subject of residence, he believes that former Police Chief Stewart actually stayed overnight in
86 town when he was working. Wells questioned how many black men Chief Blair had in place.

87

88 Wells suggested that as Councilman, he has very little influence to help his citizens. He
89 described that if he doesn't vote the way the mayor wants, his community doesn't receive
90 everyday services like getting his ditch cleaned. Wells described the system that every request
91 has to go through the mayor, and that as Councilman, he has no ability to go directly to the
92 Department Heads.

93 Knighten believes that if a police chief is elected, candidates will be available that meet the
94 qualifications. Knighten expressed concern that any elected chief needs to be responsible to the
95 entire community. She believes that whether the police chief is elected or appointed, we cannot
96 remove the politics from the discussion.

97

98 Knighten asked this is about whether the Mayor should have the power or the people should have
99 the power. She echoed Wells concerns and described personal experience of warning her
100 husband not to keep his wallet in the glovebox for fear of getting killed. She instructed her son
101 on what to do if he gets stopped by a policeman so he will not get killed. The police chief should
102 be the leader of the police department and one of his duties should be to help make the
103 community feel safe.

104

105 DiVittorio expressed concern that the number of candidates for police chief elected is limited by
106 by the community. He described the difficulty of attracting talent outside of the community who
107 do not live here and won't run. Knighten countered that others might move in to run for the
108 position. Divittorio described that the need seems to be for increased accountability, but whether
109 the position is elected or not will not solve that issue.

110

111 Johnson commented that we could change the charter to require chief to engage in community
112 policing.

113

114 DiVittorio questioned the number of candidates that would meet the requirements of law
115 enforcement skills and electability. He suggested we should identify the goal and then determine
116 the best way to get there. Gagliano described his concern that elected officials tend to cater to a
117 specific constituency. He suggested that one unintended consequence may be that an elected
118 police chief would favor one group (60%) over another (40%) by pandering to his voters and
119 take certain stances before the election to treat one group differently than another.

120

121 Knighten suggested that the Council should have opportunity to interview folks and to
122 participate more fully in the confirmation process. She also suggested the Mayor may bring
123 multiple candidates to the Council and let the Council decide.

124

125 DiVittorio questioned whether it would help if the Council had a mechanism to nominate a
126 police chief to the Mayor. Wells said that Nick's suggestion of 60/40 is interesting. Wells is
127 looking to save our community, as he sees the elders and the kids are the ones that suffer. He
128 described that the next generation has moved away and won't return because the community is
129 not safe and clean. He wants his wife to be able to take walks in the neighborhood safely. IN the
130 past, folks from the other side of town would have baseball challenges, then get together. Now,
131 the 18 years old are killing each other. He described that kids are passing by the park to shoot
132 guns - not water guns and eggs. Wells wants the chief and the mayor to respond to the
133 community. Let's be fair to the community. We want a safe community.

134

135 Lisa White, (Richardson Street) asked about the procedure for body cam tapes. She expressed
136 her concern that citizens do not have the real ability to report issues for fear of retaliation.

137

138 Bolner commented that all seem to agree that the community should be made safer and
139 community policing seems desired. Perhaps we should adding to 4-04 Section B. definitions of
140 police chief responsibilities the requirement that the police chief be responsible for the protection
141 and safety of the community. Knighten suggested that she will look for community policing
142 standards that other groups may have published, such as the state police.

143

144 The committee discussed, how do we make the police chief accountable? Suggestions were
145 discussed, such as termination by Council by unanimous vote. DiVitorrio suggested that the
146 police chief perhaps needs to be reappointed and approved by the mayor every five years.
147 Knighten suggested that a unanimous competency survey should be sent to the citizens for every
148 department head, not just the police chief.

149

150 Knighten's described removal by something like a vote of confidence, the same way elected
151 judges might be removed. Bolner suggested an outright ballot initiative to remove the police
152 chief could be done by a vote of the people after a petition process.

153

154 Johnson pointed out that the police chief is not subject to civil service and how does that affect
155 the ability of applicants?

156

157 Bolner described a potential work around to increase the candidate pool, but suggesting that a
158 police chief candidate for election need not live in the city to qualify run but could be required to
159 move in the City after election. Divittorio cautioned if the police chief will be elected position,
160 the pool of candidates will be those who are politically connected. Johnson questioned if we
161 recommend that the position be elected, would that person want to be accountable and answer to
162 every citizen in the community rather than just one person, the mayor. Others commented that
163 the fact the position is elected or appointed doesn't make a difference because they should serve
164 everybody in the community. The issue is how can we increase accountability?

165

166 One suggestion is to require the police chief's reign be limited to a term. At the end of the term,
167 there would be opportunity for anonymous public input or comment by email. Knighten
168 suggested we should shore up the confirmation process to provide more notice to council
169 members, including resumes, and provide the Council a real opportunity to interview and vet the
170 candidate.

171

172 The members discussed the need for the City Council members to have more administrative
173 support to answer emails. Section 2-08 should be amended to require the clerk of council to
174 serve at the pleasure of the council. We should consider specifying that the Council should have
175 the ability to hire administrative support to allow them to received feedback from the community
176 and work more effectively.

177

178 **Emails**

179

180 As of 4:00 today, there were no emails, but the chairman will check before the next meeting and
181 introduce.

182

183 **Process**

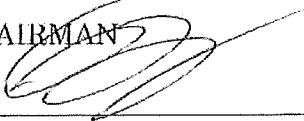
184 The Committee discussed our deadline through the end of July to suggest changes to make the
185 March election, but the urgency to complete the report is not as pressing. DiVittorio suggested
186 we have the option to ask the City Council for an extension for our work and final report. The
187 chairman will ask for an email from the bond counsel as to timing and ask the City Attorney if a
188 compensation change could take effect next term. He will also have the Consultant speak at the
189 next meeting July 12, 2021. The committee agreed to seek from the Council an extension
190 through the end of December, 2021.

191
192 Next meetings will be held on July 12th and July 22nd, at 5:30 p.m. City Council Chambers.

193
194 The meeting adjourned at 8:05 p.m.

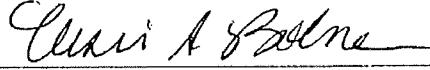
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CHAIRMAN



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE
JULY 12, 2021

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on July 12, 2021, at 5:34 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano. Absent at roll call were Doug Johnson and Arlene Knighten. Knighten joined the meeting later.

The meeting commenced at 5:35 p.m. The minutes of the meetings of March 25, May 24, and June 28, 2021 were deferred.

Compensation Study Update

Cody Saucier of SSA Consultants described the Project Overview. He described that first they would gather data from City of Hammond as to what is being paid now to Mayor and Councilman, and then gather data from other cities. Other areas to be reviewed are the total population, population or areas of significant traffic or attraction, available city budgets, expenditure per citizens of city, overall population average incomes. The first task is to identify primary comparison targets, most notably population and geographic regions looking. Primary comparison targets would be the cities of Alexandria, Central, Slidell, Ruston, Thibodaux, and Gonzales. Potential secondary comparison targets would be the Cities of Monroe, Zachary or Denham Springs.

Bolner asked for sales tax revenues to be considered, as well as festivals, airport, interstate, rail and university presence. Dr. Landrum reported that the Hammond airport is now the largest general aviation airport in the state and also that the primary consideration targets are also cities that the administration often looks to these facilities.

Gagliano asked about timing of a final report. Saucier responded that depends upon how fast they generate information from other areas, target date for analysis completion is second week of August. Ms. Wells also asked that these areas are mayor/city council structure and Mr. Saucier confirmed. Attached hereto is an image of the document shared by Saucier with the committee.

Public Discussion

Nina Mims (Whitmar Drive) asked for records of meeting and emails. DiVittorio described that requests should be made to the City through the public records process and minutes are available when they are approved. Bolner reported that about 12 meeting minutes have been finalized and the City will have those minutes available. Nims suggested that regarding the police chief issue, there are standards issued by a National Association of Police Chiefs and also an international association. She described that even if community policing standards are in place, if the officers are not trained and implementation is not made, it will not help. The implementation must be real, not just buzzwords.

Jermaine Luckett (Baton Rouge) described his belief that if the goal is to win hearts and minds of the people, communication is key. He called for oversight by the community to review problems,

48 emphasizing that the purpose is to build the community. He described his experience in being detained
49 by police because of the rims on his car, notwithstanding his college education, military service, and
50 business ownership. He described impatience with getting information about police activity, saying that if
51 he cannot obtain it and he doesn't live in the community, how can locals, living in the community expect
52 access to information? Discussion ensued about how police complaints are handled. Lockett believes the
53 police chief should be elected directly by the people. He suggested a structure of a formal oversight
54 committee to investigate, like they have in Baton Rouge, to hold the police chief accountable.
55

56 Gagliano described that when the chief is elected, his constituency would be the whole city and one
57 person would be responsible to keep everybody happy, rather than just one mayor. Lockett countered that
58 in an election, at least the community would have chosen the police chief, not one mayor.

59 Knighten joined the meeting.

60 Discussion ensued about an oversight committee working with the Mayor. Lockett opined it would be
61 best for the committee to have the authority to fire/hire the police chief to minimize issues of personal
62 problems. He complained that as is, only one person picks the chief and has sole discretion in matters.

63 Divittorio suggested we have a limited supply of volunteers to fill such committees. Divittorio asked if
64 giving the council the right to fire the police chief would be the right approach. Lockett responded that
65 most folks would not appear before the City Council because they are afraid.

66 Knighten suggested that there are plenty of volunteers available and believes that those serving on such a
67 committee would be more involved and have an idea about what they want because they would be
68 invested in the City of Hammond.

69 Knighten asked how the oversight committee would interact with an elected chief. She suggested that we
70 keep the police chief accountable to an oversight committee which would have the opportunity to assess
71 the complaint against the police chief and make recommendations to the mayor. The mayor could always
72 refuse to follow the recommendations of the committees, but the discussions and information would be
73 transparent and discussed. Members could be appointed as follows: two representatives by NAACP, one
74 by Chamber of Commerce, one by Mayor, one by City Council, and a random community person. If we
75 have a mayor that rejects the findings of the committee, then all know at next election.

76 Knighten also suggested that the process of the approval by the council needs to be evaluated and vetted.
77 Beforehand, the Council should have the ability to interviewing the candidate for police chief, hold
78 community meetings, and get information from background well in advance of a vote on the appointment.
79 In the past, the packet describing qualifications of potential police chiefs were delivered just a couple of
80 days before the planned confirmation hearing.

81 DiVittorio said that the council already has the power to vote to not approve the appointment and queried
82 why this process should change.

83 Bolner asked how such a committee would work. Lockett suggested looking to the Baton Rouge model
84 which works well.

85 Luckett described that the committee should be set up to help make sure the chief does his job. He
86 criticized the internal affairs method and said when an item would be brought up before a committee; it
87 should be the last resort. He considered whether the internal affairs officer should be the assistant police
88 chief. He described that there must be a different way to implement change including reprimanding and
89 admonishing, other than just firing.

90 Dr. Landrum added the concern of a civilian component. Perhaps the Hammond Municipal Fire and
91 Chief Civil Service Board could be of help, just like other states of Georgia and Nebraska use. These
92 communities receive complaints and review trends. She noted that our city is under a civil service fire and
93 police system that has specific investigation procedures that must be followed strictly to effectuate
94 review. She described the technically complex process. Dr. Landrum expressed concern that if there is a
95 different committee involved, it may interfere with this highly structured, technical process. Dr. Landrum
96 described that all complaints they receive are sent to the internal affairs officer directly. That IAO is a
97 police officer serving under the Police Chief.

98 The members discussed the civil service system and opined that the system is set up to protect the
99 employee not the community.

100 Knighten asked if La State Police has grounds to withdraw the certification of the police chief.

101 Ms. Mims further shared thoughts about police chief election versus appointment. Election and term
102 limits are preferable. She prefers the accountability of having an elected official. She believes that the
103 committee would be educated and training to be informed about standard procedures. Those procedures
104 should be formed and available to the committee. On the issue of community policing, she thought of
105 restorative justice and calls for restorative policing. She expressed the need for healing and restoration
106 where community thinks they can go to the police and share. She will send in emails and resources.

107 Mr. Luckett explained his experience with internal affairs and requests for information and his frustration
108 with the process and lack of accountability.

109 Gagliano asked how Baton Rouge handles these matters. Luckett explained that the BR internal affairs
110 office does its job well and they have a great leader. FBI has a Civil Rights division in New Orleans.

111 **Timing**

112 The committee addressed timing of delivery of report to the Council. If we make an October deadline,
113 the issues might make it to the spring election. Gagliano reported before the meeting he asked the City
114 Attorney if each item requires a separate resolution and vote and understands that is required.

115 DiVittorio said when we conclude the public input meeting we will have a work session to come up with
116 procedures in terms of how we bring recommendations together and what form they will end up.

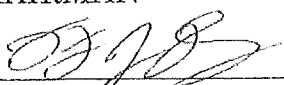
117 Next meeting will be July 22nd, at 5:30 p.m. City Council Chambers. Divittorio will get possible
118 dates for further meetings.

119

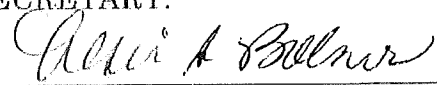
120 The meeting adjourned at 7:25 p.m.

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CHAIRMAN


FRANK DIVITTORIO

SECRETARY:


LESLI S. BOLNER

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attach to 7/12/2021

Frank DiVittorio

From: Lacy Landrum <landrum_l@hammond.org>
ant: Monday, June 28, 2021 7:07 PM
To: Frank DiVittorio; Lesli Bolner; Doug Johnson; dknighten56@gmail.com; tracy washington; Nick Gagliano
Subject: Fwd: Appointment of law enforcement positions

This email came to the hammond charter email address during the charter meeting tonight.

Thanks!

Lacy

Lacy Landrum
Director of Administration
City of Hammond
O: 985-277-5653

Begin forwarded message:

From: Jermaine L <divinelivin83@gmail.com>
Date: June 28, 2021 at 6:15:11 PM CDT
To: hammondcharter@hammond.org, eugenehivwork@gmail.com, wellsdevon22@yahoo.com, "Weiss2, Michael (NBCUniversal)" <Michael.Weiss2@nbcuni.com>, theyoungturks@protonmail.com
Subject: Appointment of law enforcement positions

First I must apologize to the citizens for my absence. This meeting will set a standard that will have an impact well beyond the scope of what is seen. I would be remiss if I did not attempt to reach out in some way.

In life, there are moments in which we must question the legacy we are leaving behind. As violence sweeps across the nation, the veils of racism and tyranny are being lifted. Intolerance of others runs rampant in the smallest of towns. Those who swore an oath to protect us have forsaken that oath. An undeniable fact that we must face head-on. Shall we honor the inevitable truth that all men are created equal, or shall we relish in the historic traditions of a broken nation? There seems to be a sense of urgency to regress to the days of burning crosses and lawless mobs who have no fear of legal repercussions due to lawmen leading the charge. It's as dangerous as cancerous cells lying in dormant - slowing building their strength - waiting patiently for the nation to feed into their desires.

When that time comes - will we all be victims of tyranny or victors who prevailed just as our forefathers did. We cannot be a divided nation while claiming to be a nation of unity. Our very name gives the assumption of an unbreakable bond, yet history teaches us the cruelty set forth by those who are meant to guide us into a prosperous and promising future are the same who drown that future with gloom and doubt. For centuries we have been hung, burned, shot, sold, and enslaved. The sins of this nation have been hidden for far too long. The old ways have yet to be eradicated. They simply evolved to a modern standard. It pains me to say in 2021 - there are still factions who enslave people in this country.

Slavery comes in many aspects. Physical, mental, and financial slavery is just the primary ones. Even as the Emancipation Proclamation was being read with the walls of our nation's strongest symbol, the concept of using black men and women as pawns was ever-present. Only the slaves of states who were

in rebellion were declared free. Others would continue to suffer. It's time to acknowledge the cruelty of this nation and make it right. It's time to unite against systematic conditioned learning, racism, and tyranny. A policeman is the servant of the people, to be appointed by the people in order to ensure he does his best for the people. The choice you make today will be etched into the pages of history. How do you want to be remembered? Will you be embraced by God as a person of good moral character or hated as a bigot?

CHOOSE YOUR PATH CAREFULLY - EACH WILL HAVE ITS OWN CONSEQUENCES IN THE HOUR OF JUDGEMENT.

sincerely,
Jermaine Lockett
Civil Rights Advocate/Investigator

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on November 22, 2021, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano, and Arlene Knighten. Absent was Doug Johnson

The meeting commenced at 5:33 p.m. The minutes of the meetings of March 25, May 24, and June 28, 2021 were approved.

The committee members discussed the SSA Consultants report. Bolner had asked whether the consultant had specific suggestions for how to implement their recommendation number 2. Cody Saucier answered the email describing three suggestions: (1) increase based on cost of living increases, (2) create salary range with regular step increases (which can't apply to sitting councilpersons), (3) continue Hammond's current plan which does not work and why we hired the consultant.

The members discussed how City of Thibodaux according to the report seem to be the most similar, in median income, revenue, expenditures, university, but not population. The City of Thibodaux seems the same. Gagliano asked whether City of Ruston's councilpersons were paid.

Knighten asked how much support the councils in these cities have, as the salary paid for work performed could be significantly different. DiVittorio will ask the consultant to incorporate that information in the report. Bolner asked if the number of councilpersons could be shown for each of the municipalities.

New Business

The minutes of the July 12, 2021, meeting was approved.

All past minutes have all been approved. Sarah agreed to take the signed minutes approved at this meeting and provide a list of the meeting dates, so we can double check the dates. Bolner will obtain the copies of the minutes that are not signed and send to Divittorio to sign and she will sign and deliver to Sarah to keep in the public records. Sarah will seek to put signed minutes on the Google Drive. Sarah asked if we had verification of public notices and Divittorio suggested that she check with Lisa. Bolner suggested that the minutes will be scanned as a searchable pdf and send pdf minutes to all members to use in preparation for the meetings. Bolner also suggested that DiVittorio send out agendas earlier so that the public can have more input.

Public Input. None, no emails were received and no persons were present to comment.

DiVittorio said he had sought the report from the last Charter Committee meeting. Bolner will ask Jay Seale for copy. DiVittorio asked Dr. Liccardi for their report, but did not agreement. DiVittorio will pick topic to sort into the categories of specific recommendation.

47 Knighten suggested that we list the start with the ones we have agreed to and will move forward
48 on.

49

50 One such item would be the Bond Issue.

51

52 Knighten suggested our work product to the Council include Recommendations and Issues.
53 Recommendations would be those issues on which the members of the committee are
54 unanimous. Issues would include those other matters raised by the public and committee and
55 considered so that the Council will know what is important to the community and what was
56 discussed.

57

58 Divittorio suggested we provide a synopsis that is more like the PAR report which shows the
59 items on ballot pros and cons. Bolner suggested just a description of the topic, not describe pros
60 and cons. Divittorio suggested that we describe generally the topic, what folks said in favor and
61 against.

62

63 Washington quoted the Resolution and the work product described therein.

64

65 **Adopt Meeting Schedule**

66

67 The Committee will meet on December 6, 2021. DiVittorio will send a list of items out to the
68 committee so we can contemplate the issues beforehand. He will also ask the consultant to
69 finalize the report.

70

71 The meeting concluded at 6:30 p.m.

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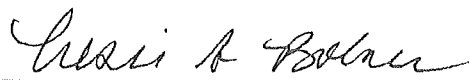
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CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:

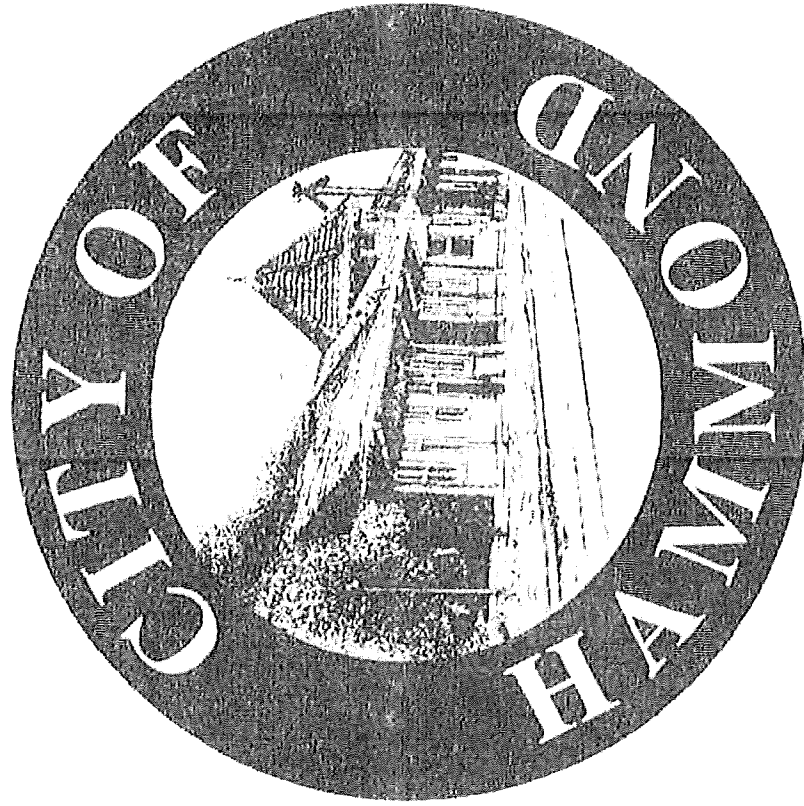


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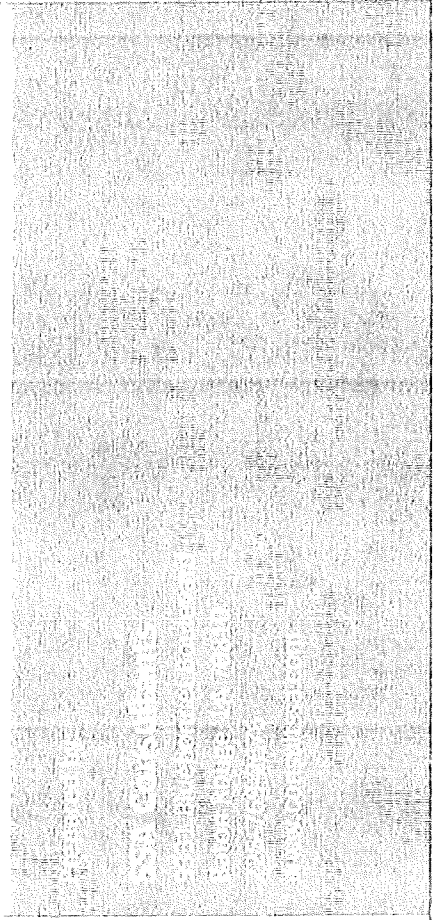


City of Hammond

Elected Official Compensation Review

DRAFT

November 19, 2021



DRAFT

INTRODUCTION

The City of Hammond (the City) hired SSA Consultants (SSA) in July 2021 for professional consulting services for a targeted compensation evaluation elected City positions including the Mayor and Council Members. The goal of the compensation evaluation was to gather information from similar sized municipalities within the State of Louisiana. The primary activities included:

- * Determining primary targets for comparison
- * Contacting and gathering information from determined comparison targets
- * Creating a brief report detailing gathered information

SSA Consultants (SSA), a Louisiana-based business management and organizational design consulting firm with experience in conducting similar scopes of work, was selected by the City to conduct the evaluation. SSA has conducted compensation studies for over 30 other organizations in both the public and private sectors.

This report constitutes the final deliverable of the project. The report includes SSA's findings and recommendations, along with a discussion of methodology, techniques, and data used to develop the findings and recommendations. All data and information gathered is contained within tables housed in this report.

EVALUATION AND ASSESSMENT

Methodology for Market Comparison

The project process included three key steps: 1) determining primary target municipalities for comparison; 2) collection of data; and 3) comparative review report. This section of the report provides a description of each step.

Primary Target Municipalities

SSA worked closely with the primary contact for this project (Frank DiVittorio) and a compensation review committee to determine the municipalities within the State of Louisiana for comparison to the City of Hammond. SSA proposed 16 potential candidates for review. Of those initial 16, six were selected as primary comparison targets and three as secondary. Primary factors for determining target municipalities included: overall population, potential commuter aspects, presence of universities, and political structure (Mayor plus Council). No two cities are exactly alike, but for the purposes of this review, SSA targeted cities with key similarities. A table containing some demographic and other information is included in this report.

Data Gathering

SSA contacted each of the determined targets to gather data and information related to this report. The primary request involved salaries for the Mayor and Council Members, whether or not there is an institutional way to increase those salaries over time, and whether or not the target municipality provided benefits to the elected officials.

Comparative Review

Based on the information gathered in the preceding step, SSA has created the following tables for review by the City of Hammond as well as some potential recommendations regarding the compensation of the positions. By using regional peers for comparison, the City may ensure it is remaining competitive and providing salaries which are in line with the overall market.

DRAFT

Regional Peer Informational Table

Category	City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary
Population	21,437	46,180	28,781	21,854	15,948	10,957	19,316
Population Density (per square mile)	1,428.5	1,679.8	1,823.5	1,048.5	2,417.1	1,167.2	625.1
Total Revenue	\$42,633,465	\$1,083,754,824	\$72,414,000	\$66,680,081	\$32,297,436	\$17,812,101	\$15,037,750
Total Expenditures	\$48,795,958	\$1,083,754,824	\$54,257,000	\$65,917,273	\$41,856,019	\$17,011,874	\$15,018,475
Median Household Income	\$36,921	\$43,497	\$54,906	\$29,128	\$38,269	\$52,923	\$84,795
Median Home Value	\$159,300	\$148,900	\$161,700	\$169,600	\$166,800	\$161,200	\$224,500
Cost of Living (percent of national)	-6.4%	-14.3%	-8.5%	-12.8%	-5.4%	-7.1%	-6.4%
University	Southeastern	LSU of Alexandria	N/A	Louisiana Tech	Nicholls State	N/A	LSU & Southern

SSA

Special Services Administrator

City of Hammond Elected Official Compensation Schedule

DRAFT

Comparative Salary Analysis

This section of the report details the salaries provided by the City of Hammond and the target peer group. Each column displays the representative salary of that municipality.

Mayor Compensation Review Chart

City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary	Average of Peers
\$75,500	\$131,106	\$123,091	\$98,077	\$82,400	\$140,916	\$85,000	\$110,098

Council Member Compensation Review Chart

City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary	Average of Peers
\$12,000	\$25,704	\$22,487	\$--	\$14,098 (At Large)	\$12,000	\$10,164	\$16,891
				\$12,651 (District)			

Comparative Salary Range Analysis Observations

The comparative salaries of the regional peer group as identified in the above charts show a distinct difference between Mayoral compensation for the City of Hammond.

- * The City of Hammond's compensation for the Mayor lags behind the regional peer group. The City should adjust the compensation to be in line with this group to ensure it remains competitive and can attract qualified candidates for the position in the future. Often, salary plays a distinct role in the decision of individuals to run for publicly elected office. By increasing the compensation offered, the City may alleviate some of those concerns.
- * The City's compensation for the Council Members is slightly below the average of the regional peer group. The City should adjust the compensation for the Council Members to be more in line with the regional group. There is a split between two peers offering over \$20,000 and three peers offering right around the same rate as the City of Hammond.
- * They City may explore future opportunities for structural increases to compensation over time. This may be politically sensitive but may help the City remain competitive for the future. Two of the regional peer group (City of Alexandria and City of Slidell) expressed interest in implementing a structural pay increase for elected officials, but have not implemented anything as of yet. The City of Zachary has built in pay increases as follows:
 - Mayor: Compensation increases by \$1,000 annually with a \$95,000 cap
 - Council Members: Compensation increases by \$250 per year with a \$11,164 cap
- * All members of the regional peer group offered benefits for employment similar to the City's current offering. There are no changes recommended to benefits.

DRAFT

Recommendations

The following two recommendations are provided to the City:

Recommendation 1: Implement Market Based Compensation Review

The City should implement the market based changes for the Mayor as the current salary lags behind other regional peer groups. This will help ensure the City can attract qualified candidates in the future and compensate the position accordingly. Additionally, the City should adjust the Council Member salaries to reflect the rates offered by the regional peer group.

Recommendation 2: Implement a System for Structurally Increasing Elected Official Salaries

While not common among the peer group, creating a system for structurally increasing elected official salaries over time can help the City remain competitive in lieu of regular compensation reviews. This is traditionally done for regular employees of the City and a similar structure may be implemented for elected officials.

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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

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A Meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on December 6, 2021, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano, and Doug Johnson. Arlene Knighten joined the Meeting during the discussion of the first topic.

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The Meeting commenced at 5:43 p.m.

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Elected Official Compensation Review

The Chairman presented the final SSA Consultant's Elected Official Compensation Review.

Currently, the Mayor's salary is \$75,500.00 and each Councilperson's compensation is \$12,000.00. DiVittorio had instructed the consultant to complete their report without modification given the passage of time. He had provided the City Council with Page 4 of the Report. Gagliano suggested that we take this information and roll it in to our recommendations for increase compensation. The consensus was that the current system to determine the salary should be changed. The next step would be to determine what system we should propose.

Gagliano mentioned that perhaps the base salary would be increased by a certain percent increase every year over time. One example might be increase 2% each year. Knighten described that State salaries are set for incoming positions, and automatic cost of living increases are made while the person is in the office. She suggested like the State, that we consider for newly elected officials resetting the salary to the set figure (not starting with the last salary paid to the prior office holder) and allow cost of living increases on that matter, so to prevent dramatic increases in salary. Bolner suggested this is better than the current system of relying on Council action to increase mayor and councilman salaries which has not been implemented in many years. The Committee Members agreed that the Mayoral salary is significantly low and needs to be changed. There was no determination made about the City Councilperson's salaries.

One suggestion was made to increase the salary for Mayor, which should be increased to \$95,000.00, then certain percentage increase annually. The concern would be that the salary would grow too high.

Johnson described the explosive growth in industry coming and the results after Ida, folks are moving north in droves and there is no housing inventory. Knighten questioned whether our revenues are keeping up with the City Expenditures, as it appeared that we are operating in the red by reviewing the consultant report. She questioned whether the public would vote to increase salaries if the City is operating with a loss. DiVittorio suggested that he'd asked that the consultant list the expenditures which might be more reflective of the actual money available (because some may be grants, congressional relief). Johnson suggested that Scott could have unbundled these figures to give us a real status. Knighten believes that we should investigate revenue and expenditures before suggesting a

49 number. DiVittorio also commented that the budget has to be a zero budget and we have in
50 the past booked a surplus that goes into another account. He observed that the budget is
51 not intentionally misleading. Rather, it is just difficult to determine whether we are
52 comparing the same expenditures with different municipalities. The committee asked who
53 is the CFO of the City - Laura Hammett. Knighten suggested that perhaps we ask if the
54 City has booked a surplus during the last several years. Johnson suggested that we cannot
55 make a recommendation to the Council regarding the funds with the insufficient
56 information. Knighten believes that we should not make a recommendation to the Council
57 to increase without some investigation as to whether the City can afford it. Perhaps we ask
58 the CFO to describe whether there have been surpluses in the last several years. Gagliano
59 and Bolner concurred. Gagliano asked that the Finance Director and Lacy Landrum to
60 come to the next Meeting to answer some questions. 2021-22 year Budget seems to be the
61 source of the SSA Report, but most believe that the City is not in the red although the
62 Budget may show otherwise. Knighten suggested that voters will not agree to a salary
63 increase if the City is in the red. Others asked whether the salary suggested will attract the
64 talent needed to administer the City.

65
66 Gagliano reported historical fact from the last Charter Review Session which resulted in
67 November 6, 2012 election - seven (7) things were on the Ballot; only three (3) items passed.
68 The increase Council President's salary of \$500.00 failed. This was during a Presidential
69 Election.

70
71 The Minutes of the November 22, 2021, Meeting were tabled until the next Meeting; they
72 were circulated to Members for review. DiVittorio is recording the Meeting on audio
73 tonight. He will send a list of the Meeting dates to Bolner to compare with the Minutes that
74 have been signed and scanned.

75
76 **Public Input.** There was no public input. No emails were received.

77
78 **Report to Council.** The Members discussed who will draft the Charter Amendment
79 Proposals, or how our Report to the Council would be changed. Knighten suggested that we
80 presented on an issue that we described the idea, not necessarily change the Charter
81 language. This is what we considered and this is why we are making this proposal.
82 DiVittorio will gather the emails from the City Attorney and include those in our public
83 records.

84
85 **Section 7-10. Changes – facsimile signatures.** Bolner suggested we cite the State statute
86 on electronic records and add certain items. Bolner will draft language and email to Council
87 Members.

88
89 **Transitional Provisions.** The City Attorney will be asked for recommendations on Article
90 8. Prior notes that we need to leave in 8-03B and perhaps remove 8-02. DiVittorio will bring
91 printed copies of the emails from Bond Council and City Attorney

92
93 Items 7-14 were tabled until the next Meeting.

94
95 December 13th at 5:30 p.m. will be the next meeting.

96
97 The Meeting adjourned at 7:05 p.m.

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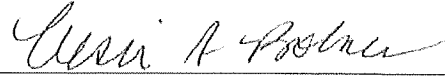
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CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on December 13, 2021, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano. Arlene Knighten joined the meeting as indicated.

The meeting commenced at 5:37 p.m. The minutes of the meetings of November 22, 2021, were approved. The minutes of the December 6, 2021, meeting were amended upon Gagliano's suggestion to change line 67 that seven (7) items passed and were adopted.

Form of Presentation. DiVittorio described an email he sent members with forms of presentation we can use to present to the City Council.

Financial Picture of City. In light of the plan to readjust mayor and city councilpersons' salaries after many years of no increase, the committee asked for more information about whether the City is operating in the red or the black.

Dr. Landrum presented the consolidated budget for 2021-2022 which describes a summary of expenditures are transfers in and out, transfers for capital projects, and the ending fund balance. She explained that the City operates in the black every year and during the last several years, there have been surpluses every year. Landrum described that sales tax increases have been occurring last few years. Last year, the administration revised the budget based on Covid impact anticipating a reduction in sales tax, but even more sales taxes were collected that year. If the combined potential increases of salaries for Mayor and City Councilpersons' salaries totaled less than \$250,000, she doesn't think would affect the city's financial position. The City's starting fund seems to always have funds in it at the beginning of the year. Generally after we complete the year, the administration does a mid-year budget adjustment.

Bonded Debt. The members reviewed some capital expenditures that have been made, such as the \$300,000 borrowed by DDD for the pavilion, the \$2.1 sewer grant to expand the sewer treatment plant and \$5 million for the sewer treatment plant several years ago. At the time, the City council had a debate about what was the bonding capacity and procedures to use. The Attorney General's opinion concluded in Hammond the bonded indebtedness required the vote of the people.

Comments were considered by the members. If what you are taking out requires more money of taxpayers for the debt, there was a suggestion that this issue should go to the voters. If you already had enough in reserves to pay for the loan payments and no new tax, the bond counsel opined that bond could go forward.

Bolner asked whether there seem to be compelling reasons to change the rules now to eliminate the election requirement. DiVittorio suggested that projects could be moved forward faster, such as the airport hangar. Johnson asked what would be the purpose of requiring both surplus funds and ability of the administration to incur debt. Landrum described the minutia that may be included, such as purchasing a fire truck \$500,000 over a two year period apparently now

47 requires a vote of the people. Gagliano asked Landrum if the City had missed any opportunities,
48 and she responded no, but that much work and time is involved in obtaining the vote of the
49 people. DiVittorio suggested that the election could be a chilling effect. Johnson believes the
50 City Council should not have the ability to incur debt that is shouldered by the citizens who had
51 no input. There seemed to be no consensus as to a change to the charter, but the members
52 suggested that the report to the City Council could describe suggestions on ways the bond
53 indebtedness could be incurred.

54 **Section 3-06 Mayor Salary Increase**

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57 **Proposal One.** 3-06 Gagliano presented motion to increase annual salary from \$65,000 to
58 \$95,000 with increases each 2% each year. The members discussed setting the salary more or
59 less than that number. Knighten suggested that we should not exceed the amount suggested by the
60 consultant. The City intends to pay 2% increase every year, but that can be changed by ordinance
61 (budget). Knighten says 2% is better because the City employees get that as well. Bolner
62 suggested a cost of living increase used by the state be used. Members commented that the
63 recent COL increase is significantly more than 2%. Gagliano moved that we present proposal
64 (1) – namely the newly elected mayor’s salary would be \$95,000 with 2% increase during the
65 term of the office. With each new mayor, the annual salary would revert to \$95,000 level again.
66 The change would take effect January 1, 2023. The members voted unanimously to recommend
67 to the council. Motion was made by Gagliano, second by Knighten.

68
69 **Proposal Two.** 2-04 Newly elected council member annual salary was proposed to increase to
70 \$15,000 with 2% increase during the term of the office. The change would take effect January
71 1, 2023. When a new person is elected, the Councilperson’s salary would go back to
72 \$15,000. The members voted unanimously to recommend this proposal to the Council. Motion
73 was made by Nick Gagliano, second by Knighten.

74
75 **City Council.** Knighten asked what support staff are available to the City Councilmen. Landrum
76 answered that a City Clerk and other random administrative staff are available. Bolner noted that
77 current Section 2-05 does not allow the Council and its members to oversee any City employee
78 unless the Charter provides otherwise, so if we intend the council to hire help, the Charter will
79 need to be changed. Knighten asked if there is a mechanism/system for calls to the City Hall to
80 be directed to the council member of the affected district? Landrum responded that the Clerk fo
81 Councils’ responsibility to direct those inquiries. Landrum suggested that the Charter could be
82 amended for Council to have more direction, and perhaps the Parish might have a model.
83 Washington commented that we could create a position for a support position. The consensus
84 was to change 2-05. The City Council should serve at the pleasure of the Council Knighten
85 suggested. The contra argument is that the clerk will always be a city council employee.
86 Knighten suggested that 2-08 should be changed as serving at the pleasure of the council (hiring
87 and firing). Knighten suggested that the Council clerk be supervised by the majority of the
88 Council.

89
90 **Proposal 3** Much discussion was made of the ability of the Council to oversee and fire the
91 Clerk of Council. The members unanimously approved a proposal to change the first sentence of
92 2-08 to delete: “The council shall appoint an officer of the City who shall have the title of clerk

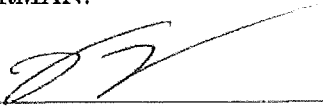
93 of the council” and to insert the following sentence: “The Council shall appoint, remove, direct
94 and supervise an employee of the City who shall have the title of Clerk of the Council **who shall**
95 **serve at the pleasure of the Council.**” Washington made the motion and DiVittorio seconded
96 the motion. The motion passed without opposition.

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98 The next meeting will be December 20, 2021, at 5:30 p.m. The meeting was adjourned at 7:30
99 p.m.

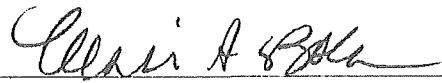
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CHAIRMAN:



FRANK DIVITTORIO

SECRETARY:



LESLI S. BOLNER

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2021) was held at the City Council Chambers on **December 20, 2021**, at 5:39 p.m. Members present were: Frank DiVittorio, Lesli Bolner, Nick Gagliano and Doug Johnson. Arlene Knighten and Tracy Wells were absent at the beginning of the meeting.

The meeting commenced at 5:37 p.m. in a very cold room with no apparent ability to control the heat setting.

Authority of Council Budget Expenditures. The issue arose as to who has the authority to create an expenditure. Hood had discussed it at the January 11th meeting. DiVittorio will ask City Attorney Coudrain whether a procedure should be adopted to ensure budgeted items are actually paid. Apparently there have been times when the checks have not been cut despite the budgeted expenditure and the procedure seemed to have failed.

Ethics Section 7-03. Proposal Number 4. The suggestion was made to eliminate the last sentence of Section 7-03 because no Ethics Board exists. The suggestion was to eliminate the second and third sentence and change the first sentence to add to the first sentence "all officers, employees and employee of the City whether elected or appointed, paid or unpaid, shall be subject to and comply with all State ethics laws, codes, and regulations."

Administrative Support for Council. The members discussed adding Section 2-08 pertaining to the Clerk of the Council to add another paragraph regarding whether or how the City council could hire support staff. Further discussion on the issue was tabled.

Records. Pertaining to Sections 2-11, 2-14, 2-15 Online Records. The Committee unanimously agreed to take no action to change the language of the Charter, but agreed to note to Council that the public made comments about the non - availability of records. The Committee suggests that the Council should consider a proposal to have minutes of meetings, ordinances, resolutions, codes and technical regulations available online in a searchable form for public review. The idea was that much of this information should be accessible to the public online.

Succession- of Mayorial Power. The Committee considered the language of Section 7-11 "Reconstitution of Government" and decided to take no action to change the section

Term Limits. The matter was discussed and the minutes of January 11, 2021, were reviewed. The committee members agreed to table the matter until the next meeting.

Investigations by the Council Section 2-06. The Committee reviewed this provision made no recommendations for change.

Department Heads, Identification, Clarification and Confirmation issues were tabled until the next meeting.

47 **City Attorney** Section 4-02. Gagliano questioned the wisdom of requiring the assistant city
48 attorney serving at the pleasure of the City Attorney, rather than the City Council. Knighten
49 described the benefits of having the City Attorney oversee an assistant attorney. No suggestions
50 for change were made for this section.


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52 The next meeting was not scheduled. The meeting was adjourned at 7:10 p.m.

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CHAIRMAN:

SECRETARY:



FRANK DIVITTORIO

LESLI S. BOLNER

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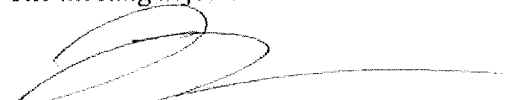
MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE


A meeting of the Hammond Charter Review Committee was held at the City Council Chambers on February 10, 2022 at 5:30 p.m. Members present were: Tracy Wells, Frank DiVittorio, Nick Gagliano, Doug Johnson, and Arlene Knighten.

1. **Recommendation:** Mr. Gagliano made a motion for term limits be left alone. Ms. Knighten seconded the motion. All in favor, no opposition.
2. **Investigations:** Mr. Gagliano made a motion to leave 2-06 unchanged. Ms. Wells seconded the motion. All in favor, no opposition.
3. **Department Heads:** Moved to table, Ms. Wells seconded, all in favor, no opposition.
 - a. Discussion that a 4-01(C) be added that all department heads be appointed by the mayor, subject to council approval, at the pleasure of the mayor, removal by council vote, subject to re-confirmation upon term
4. **Organizational Chart of City:** The status of request for organizational chart of city was reviewed.
5. Committee to seek information if there is a recognized center of City that could be used for determining five mile radius.
6. **Budget Review:** Mr. DiVittorio made a motion to recommend to the council that they consider retaining a consultant to review the budget contents for compliance with the requirements in the charter. Ms. Knighten seconded the motion, all in favor no opposition.
7. **Planning and Zoning:** Mr. Gagliano made a motion to table the topic. Ms. Knighten seconded the motion. All in favor, no opposition.
8. **Amending Agenda:** Mr. DiVittorio made a motion to amend the agenda for item 1 on new business. Mr. Gagliano seconded the motion, all in favor unanimously.
9. **Minutes:** Mr. Gagliano moved to approve December 21st minutes. Mr. DiVittorio seconded the motion. Ms. Wells and Ms. Knighten abstained, no oppositions.
10. **New Business:** Mr. DiVittorio moved to table number 2 on new business. Ms. Wells seconded, all in favor, no opposition. Mr. DiVittorio moved to table number 3 and 4. Ms. Knighten seconded, all in favor, no opposition.

The next committee meetings will take place on February 21st, March 7th, March 14th, and March 21st.

The meeting adjourned.


Frank DiVittorio, President


Lesli S. Bolner, Secretary

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE


A meeting of the Hammond Charter Review Committee (2020-2022) was held at the City Council Chambers on February 21, 2022, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano, Doug Johnson, and Arlene Knighten.

The meeting commenced at 5:36 p.m. The approval of the February 10, 2022, meeting was deferred.

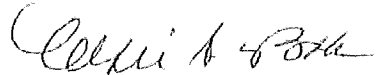
1. **Authority of the Council Budget Expenditures.** DiVittorio will get a list of the department head from the City. Discussion ensued about whether all Department heads have to be submitted to the council for approval. Query, if we suggest Mayor would get council approval and the Mayor is reelected, would the council have to reapprove the City Attorney? The members agreed that 4-01 (c) would require reconfirmation at the end of the mayor's term, so that if the mayor gets reelected the department heads should all have to be reapproved. Proposal Number 6 was adopted that "All department heads shall be appointed by mayor and shall serve at the pleasure of the mayor subject to council approval. Said department heads shall be subject to reconfirmation upon the renewal of each mayoral term." The members discussed the value of having a forum and time to have department heads be reviewed. Bolner suggested that the power of reapproval really means the power to fire and the charter allows for only the Mayor to fire. After discussion, all members agreed under some parameter that a reconfirmation if the mayor gets re-elected may be desirable, but could not come to a consensus about the details of that re-approval. One member suggested we could require a higher vote to deny reconfirmation, such as a supermajority. No consensus was reached and the members decided to describe this issue as a Recommendation to the Council.
2. **Article 4-01.** The members discussed the residency requirement of five mile radius provided for in 4-01. Knighten suggested the parameter should instead provide that the candidate be either an elector of the City of Hammond or live within a 5 mile radius of City Hall. The members discussed whether some department heads should have different requirements, depending upon the emergency nature of their positions. Knighten presented the Proposal 5, Bolner seconded. 4-01 shall define: "All department heads during their term of office shall live within the Parish of Tangipahoa but not further than a 2 miles radius of the nearest point of the City Limits."
3. **Article 4-04.** The members discussed whether the Charter specifically provides that the police chief can only be fired by the Mayor.

The next committee meetings will take place on March 7th, March 10th, March 14th, and March 21st

The meeting adjourned at 7:15 p.m.



Frank DiVittorio, President



Lesli S. Bolner, Secretary

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of the Hammond Charter Review Committee (2020-2022) was held at the City Council Chambers on March 7, 2022, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVitorrio, Lesli Bolner, Nick Gagliano, and Arlene Knighten. Doug Johnson joined later.

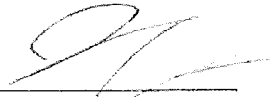
The meeting commenced at 5:36 p.m.

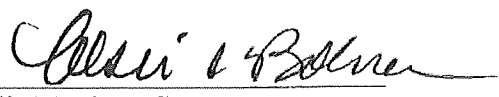
1. **Planning Commission.** Wells remembered that the board of adjustments and planning commission are the same. There was a suggestion that we have a seven person commission, five appointed by Council from each district and two appointed by the Mayor. Or, the Mayor could appoint one from each district and two at large. Make a note to the Council. Gagliano moved that we recommend to the Council that the P&Z commission get expanded to 7 members, two at large and one from each of the 5 council districts, appointed by the Mayor with input from Councilpersons. Doug Johnson joined the meeting. The City Council will have the discretion to make a Charter Amendment, or an Ordinance, or do nothing. The members discussed whether the City Charter must be amended before we can require qualifications to be from each district. Knighten asked to table the issue until the March 10th meeting and ask the city attorney, Mr. Coudrain to attend.
2. **City Attorney 4-02.** The members determined that 4-02 language is vague, but agreed that this gives the Council flexibility. Ms. Knighten left the meeting. DiVittorio will ask for the list of the Boards and Commissions.
3. **Additional Boards and Commissions.** The members discussed the notion of an Advisory Council earlier described by Ms. Knighten and the members voted to table the discussion until the next meeting.
4. **Administrative Code 7-08.** The topic was tabled until the next meeting.
5. **Public Input.** Dr. Landrum described that we had not received any e-mails.
6. **Approval of the Feb. 10th minutes.** The approval was deferred.
7. **Approval of the Feb. 21st minutes.** The minutes were circulated on March 4, 2022, and the members asked to defer the approval of the minutes.
8. **Department Organizational Structure.** The members reviewed the chart of the department heads. 4-10 describes a specific process spelled out to revise the organizational structure. DiVitorrio described that the current org chart did not follow this procedure. Bolner questioned whether this detailed procedure is required. Wells answered that it was a question in 1989, when the Council added (c) and (d). The members discussed whether every "department head" has to be provided for by the Charter and the nomenclature is different in the Charter versus the use on the City's website. **Recommendation** Ms. Wells moved that the Committee Members recommend to this City council that it review the departments in relationship to the Charter which provides for certain department heads and a process under 4-10 to alter the organizational structure. The current organizational chart does reflect the department heads listed in the charter or a reorganization plan adopted as provided for in 4-10 and we recommend council address this discrepancy.

46 9. **Other topics.** We discussed the issues needed to be discussed, police chief, residency
47 requirements, planning and zoning, additional boards, and administrative code.

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49 The next committee meetings will take place on March 10th, March 14th, and March 21st.

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51 The meeting adjourned at 7:40 p.m.

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55 Frank DiVitorrio, President



Lesli S. Bolner, Secretary

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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

10 A Meeting of the Hammond Charter Review Committee was held on March 10, 2022,
11 at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick
12 Gagliano, Arlene Knighten, and Doug Johnson.

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The Meeting commenced at 5:36 p.m.

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1. **Planning Commission.** The Chairman reported that the email exchanges with the City Attorney left us with more questions. He followed-up with the City Attorney. The Members reviewed the State Law and discussed whether to include in the Hammond Charter the requirement of a Planning and Zoning Commission. Most Members expressed concerns that the Uniform Development Code (“UDC”) of the City allows Commissioners to make decisions even though they are not residents of the City (or the State for that matter) or that they are land owners or vested in the community. Knighten presented a Motion for nine (9) Committee Members, five (5) to be appointed by each Councilperson, although the appointee would need not come from that District. The Members examined the requirements of the State Law regarding the Planning Board, the Zoning Board (which are separate) and the Board of Adjusters. The Members agreed that the Commission Member shall be an elector of the City or a landowner.

Other issues discussed included: how many, who chooses the committee, and how to reconcile with State statute, and how to make changes that would make the Council confirmation effective.

The Members discussed whether to use five (5), seven (7), or nine (9) recommended by each Council Member and two (2) appointed by the Mayor. One suggested that the Mayor could appoint the BOA Members (whose power LRS 33:4407). The Members discussed the following questions and the Chairman asked all to submit their questions to him to pose to the City Attorney.

- What procedure would be required to have City Council appoint a person to the Planning and Zoning Board?
- How do we make Councilmen Wells’ request operate.

The Members discussed the Mayor can appoint five (5) Members to the BOA, but should they be the same folks as on the Planning and Zoning Board? The Planning and Zoning could be seven (7) Members, five (5) chosen by each Councilman and confirmed by the Council, two (2) would be appointed by the Mayor and subject to the confirmation of the Council. Bolner moved to table the matter and the Committee Members agreed.

Section 7-08. The Committees Members decided make no changes to Section 7-08.

Minutes. The Meetings of February 10, 2022, and February 21, 2022, were approved. The Minutes of the March 7, 2022, Meeting were revised and approved as revised.

48 **Additional Boards or Commissions.** Knighten described her suggestion to add to the
49 Charter the requirement of an Advisory Committee, which would meet quarterly and offer
50 a community forum for commentary. The group would not vote or have any power of
51 investigation or subpoena. No votes would be made, but the Minutes of the discussion
52 would be kept and submitted to each Councilperson and Mayor for review. Knighten
53 suggested that one (1) from each Council District, and representative groups from such
54 groups such as Chamber of Commerce, local NAACP, Downtown Development District,
55 Southeastern Louisiana University. No further discussion was made.

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57 **Public Input.** Dr. Lacy Landrum was present and stated that she is opposed to reducing
58 the domicile requirement for department heads from 5 miles to 2 miles. DiVittorio asked if
59 some department heads should be differently treated based on their job requirements. The
60 Members were concerned that a person working for the City but living in another space
61 would have less interest in the community than someone who lives there.

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63 Dr. Landrum believes this post-Covid super technology world would support expanding the
64 residency requirements. Knighten believes we need to have folks here within physical
65 proximity with a vested interest in the City - especially for the Fire Chief and Police Chief.
66 The Members discussed the concerns and did not change the recommendation to the
67 Council.

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69 **Police Chief.** The matter was tabled until the next meeting.

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71 The next Committee Meetings will take place on March 14th and March 21st.

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73 The meeting adjourned at 7:40 p.m.

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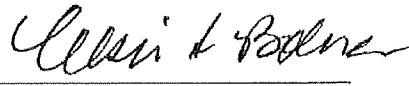
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Frank DiVittorio, President



Lesli S. Bolner, Secretary

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**MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE**

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A Meeting of the Hammond Charter Committee was held at the City Council Chambers on March 14, 2022, at 5:35 p.m. Members present were: Tracy Wells, Frank DiVittorio, Lesli Bolner, Nick Gagliano, and Doug Johnson. Arlene Knighten was absent.

The Meeting commenced at 5:36 p.m.

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1. Minutes of the March 7, 2022, Meeting were adopted. All voted in favor except Tracy Wells abstained.

2. Planning Commission. DiVittorio explained that the emails and discussion to the City Attorney sent Friday, March 10th had not been answered. Bolner reported that she discussed with a person who used to be employed with the City Planning Department and she would get written recommendations from the American Planning Association. The person she spoke to had been employed in the City Planning Office in the past and commented that about the need to keep the position as non-political as possible. The person suggested no pay for the Members of the Commission, between five (5) and seven (7) Members, but no more. The person thought having no separate Board of Adjustments with different Members helped residents get finalization faster with less administrative burden. The person commented that if the Planner resides out of town, it shouldn't have any bearing on their commitment to planning, as long as qualifications for Planner is that they be certified with national planning organizations or have experience of a certain number of years. The number of Commissioners should be five (5), as the ideal, but nine (9) is too many. The person will provide the American Planning Association standards. The person believed that the qualifications set forth in the UDC suffice as written because they just need Members to follow UDC and Master Plan and take a holistic approach to the community. Knighten described that at the next Meeting we should review the April 15, 2021, Meeting Minutes regarding Coudrain's comments. No further discussion was had on the matter.

3. Police Chief. The Committee Members reviewed Minutes of the past Meetings, the public input, and past discussions. The Members discussed the matter intently and Bolner read from Minutes of past Meetings commentary by former and current public officials and residents. The biggest topic appears to be about accountability, whether the Charter should provide that if the Police Chief violates the law he should be fired. The Members discussed how do we hold the Police Chief accountable if other than by the Mayor. One Member suggested providing in the Charter for a petition to recall by the public. The Committee Members discussed the benefits of affording the City Council a longer opportunity for intense screening prior to the confirmation of the Mayor's appointment. Wells and Knighten suggest the Police Chief be elected.

On the subject of election and voting, Johnson described again his frustration that the Council had appointed this Hammond Charter Review Committee with the requirement that the Mayor's appointee has no vote. Johnson suggested for future

49 committees, he request an Attorney General's Opinion about whether the Mayor's
50 appointment on the Hammond Charter Committee should have a vote.

51
52 The Committee Members discussed whether the confirmation process of the Police
53 Chief and other departments should be amended in the Charter to provide 30-day
54 prior notice and delivery of documents to the Council prior to the Confirmation
55 Meeting.


56
57 **Proposal Number 6.** For department heads subject to confirmation by the Council,
58 the Council Members shall receive at least 30-days prior notice to any Proposed
59 Council Confirmation Hearing information and documentation concerning the
60 potential candidate, including, but not limited to, the candidate's name, application,
61 background check, criminal check, resume, references, and qualifications. Gagliano
62 proposed the Motion and Bolner seconded the Motion. The Members voted
63 unanimously.

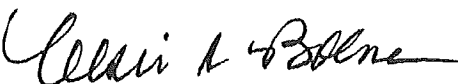
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65 **Police Chief.** The discussion about accountability of the Police Chief was tabled.

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67 **Advisory Committee.** The Committee agreed to amend the Agenda to add back the
68 topic of the Advisory Committee. Knighten moved to make the Proposal: "To add to
69 the Charter the requirement of the formation of an Advisory Committee which could
70 create a community forum for discussion of community concerns. The Committee
71 would meet quarterly and take Minutes of discussions, but not have any power of
72 investigation or subpoena. The Committee would not take any votes but would keep
73 Minutes and submit the notes from the Meeting to the Council and Mayor for
74 review. The Committee shall consist of the following Members to serve for one (1)
75 year terms: Members appointed by each Council Member, Members appointed by the
76 Mayor, and one (1) Member appointed by each of the following groups: Tangipahoa
77 Chamber of Commerce, local NAACP, Downtown Development District, and
78 Southeastern Louisiana University. The Committee shall elect a Chairman, a Vice-
79 Chairman and a Secretary from among its Members, which shall all be electors of
80 the City of Hammond. The Meetings of the Committee shall be open to the public,
81 subject to reasonable rules of participation." The Members discussed whether this
82 should be done by Ordinance or by amending the Charter and made no final
83 decisions.

84
85 The next Committee Meetings will take place on March 21st, 24th and 28th at 5:30
86 p.m.

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88 The meeting adjourned at 7:40 p.m.

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91 _____
92 Frank DiVitorrio, President



Lesli S. Bolner, Secretary

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MINUTES OF THE MEETING OF THE HAMMOND CHARTER REVIEW COMMITTEE

9 A Meeting of the Hammond Charter Review Committee was held March 21, 2022, at
10 5:35 p.m. at the City Council Chambers. Members present were: Tracy Wells, Frank
11 DiVittorio, Lesli Bolner, Nick Gagliano, Arlene Knighten, and Doug Johnson.

12 The Meeting commenced at 5:38 p.m.

- 13
- 14 1. **Planning Commission.** The Members discussed that volunteers are available and
15 that they are not asked to serve. Knighten suggested that the Members of all Boards
16 and Commission Members should be recommended by the leaders in the community.
17 She proposed that we recommend this to the Council.
 - 18 2. **Proposal Number 6.** The Members discussed whether to add the Planning and
19 Zoning Commission to the Charter. Knighten moved to amend the Charter to
20 provide for a Planning and Zoning Commission to consist of five (5) persons, each
21 appointed by the Mayor, subject to confirmation by the City Council. The Members
22 of the Commission shall be chosen by the Mayor, one (1) from each Council District.
23 Each Member shall be an elector or owner of real estate in the City (either as an
24 individual or through a company).
 - 25 3. **Recommendation.** The Members recommended that the Council update the
26 Hammond Master Plan, as it has not been amended since 2011. The Committee also
27 suggested that Council should adopt an Ordinance requiring the systematic and
28 periodic review and update of the Master Plan in the future.
 - 29 4. **Police Chief.** Knighten described that we had determined the hardest problem is
30 accountability of the Police Chief other than the Mayor. Bolner commented that her
31 discussions with other matters described the problem as ongoing for many
32 administrations, that the issue has been the same for many administrations.
33 Knighten described six (6) methods to increase accountability. (1) annual evaluation
34 of Police Chief, perhaps expert overseen by Mayor would prepare, but posted online.
35 (2) Citizen's Committee. (3) Citizen's Comment Form available on City Website. (4)
36 Police Department complaint reporting. (5) Complaints of serious dereliction of duty
37 of Police Chief reported to Mayor, and if no response, the Council could take action
38 and terminate the Chief.
 - 39 5. The Members discussed the annual evaluation would be the best. Other
40 communities have annual evaluations of Police Chief, one (1) of which Knighten
41 suggested. The suggestion was made that this could be submitted in the form of
42 surveys to various Members and groups in the community and the City Government
43 and that the Surveys would be consolidated into an evaluation that would be shared
44 with the Mayor and City Council and the public. Gagliano suggested this apply to all
45 department heads identified in charter.
 - 46 6. Knighten moved to make the **Proposal 8** concerning an Advisory Council: "To add
47 to the Charter the formation of an Advisory Committee which could create a
48 community forum for discussion of community concerns. The Committee would meet

49 quarterly and take minutes of discussions, but not have any power of investigation
50 or subpoena. The Committee would not take any votes but would keep Minutes and
51 submit the notes from the Meeting to the Council and Mayor for review. The
52 Committee shall consist of the following Members to serve for one (1) year terms:
53 Members appointed by each Council Member, Members appointed by the Mayor, and
54 one (1) Member appointed by each of the following groups: Tangipahoa Chamber of
55 Commerce, local NAACP, Downtown Development District, and Southeastern
56 Louisiana University. The Committee shall elect a Chairman, a Vice-Chairman and
57 a Secretary from among its Members, which shall all be electors of the City of
58 Hammond. The Meetings of the Committee shall be open to the public, subject to
59 reasonable rules of participation.”
60

61 7. **Recommendation.** Bolner suggested that we make the recommendation to the
62 Council that it have the City post a Citizens Comment Form (on paper and the City
63 website) designed to elicit both positive and negative comments and submitted in a
64 manner which would protect the anonymity of the commenter. Others suggested
65 that the Forms be delivered to the Mayor’s Office, which would share with the
66 Citizens Advisory Committee for discussions.
67

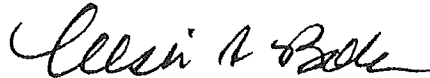
68 8. **Knighen Proposal Number 10.** Knighen moved that we propose a Charter
69 Amendment to require Annual Evaluations for each Department Head designated in
70 the Charter which shall be disseminated to the Mayor, the Council, and the Public.
71 The Motion passed unanimously.
72

73 **Minutes.**

74 The Meetings of March 10, 2022, and March 14, 2022, were deferred. Bolner will send the
75 searchable Minutes of these Meetings to all Members by Friday.
76

77 The meeting adjourned at 8:00 p.m.
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81 Frank DiVittorio, President



Lesli S. Bolner, Secretary

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MINUTES OF THE MEETING
OF THE HAMMOND CHARTER REVIEW COMMITTEE

A meeting of March 28, 2022, of the Hammond Charter Review Committee was held at the City Council Chambers. Members present were: Frank DiVittorio, Lesli Bolner, Nick Gagliano, Tracy Wells, Doug Johnson, and Arlene Knighten.

The meeting commenced at 5:38 p.m.

1. **Minutes** of the March 10, 2022, and March 14, 2022, meetings were adopted. All voted in favor, except that Tracy Wells abstained.
2. **Public Input.** A member of the public attended but made no appearance.
3. **Minutes** of the March 21, 2022, meeting were revised and adopted as revised.
4. **Report Work Session/Preparation.** The members revised and changed the Committee Report to the Council.

Public comment by Nnenna Minimah (Whitmar Avenue). She suggested that brevity in the language of the report is preferable. Regarding Proposal Number 5, she believes that having a 2 mile radius is too onerous for all department heads. She suggested that the City leadership should cultivate these positions in our community.

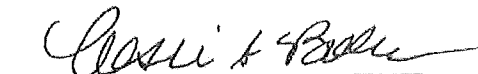
The members concluded the committee report.

5. **Residency requirements.** Bolner described inconsistencies in the Charter that the Mayor "lives" in the City (Section 4-01) and Councilpersons must have "actually resided" (Section 2-01). Also, the Charter uses different words to describe "registered voter" (Section 6-01) and "qualified voters" (Section 7-04) and that the terms should be made consistent. DiVittorio suggested that these terms have been defined in the courts and do not need resolution. Knighten suggested that what really happens is that these issues are litigated. The members of the committee reached no consensus on the matter.

The minutes were read and approved unanimously. This last meeting of the Hammond Charter Committee was adjourned at 8:01 p.m.



Frank DiVittorio, President



Lesli S. Bolner, Secretary