

RESOLUTION NO. JR-023-2021

**A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE
LAFAYETTE PARISH COUNCIL CREATING THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT CHARTER COMMISSION FOR THE PURPOSE
OF REVIEWING, STUDYING AND PROPOSING REVISIONS, ADDITIONS,
AMENDMENTS TO AND/OR THE REPEAL OF THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT HOME RULE CHARTER**

BE IT RESOLVED by the Lafayette City Council and the Lafayette Parish Council,
that:

WHEREAS, the Lafayette City-Parish Consolidated Government Home Rule Charter
(the "Charter") was adopted in 1992 and became effective in June of 1996; and

WHEREAS, the Charter has been amended twice, in 2015 and 2018, with the Lafayette
City-Parish Council directly proposing specific Charter amendments to the voters in both cases;
and

WHEREAS, notwithstanding prior amendments, issues pertaining to the autonomy and
governance of the City of Lafayette and the Parish of Lafayette under the Charter, particularly in
light of population growth in the parish relative to the city, compel further study of the Charter
and areas or provisions thereof which might be clarified, modified or restructured in the interest
of the general welfare, safety, health, peace and good order of the City of Lafayette, the Parish of
Lafayette, and the citizens of the city and parish, including whether the city and parish should be
governed by separate charters and their governmental functions deconsolidated; and

WHEREAS, Article VI, Section 5(A) of the Louisiana Constitution of 1974 provides
that "any local governmental subdivision may draft, adopt, or amend a home rule charter in
accordance with this Section," and further provides that "[t]he governing authority of a local
governmental subdivision may appoint a commission to prepare and propose a charter or an
alternate charter, or it may call an election to elect such a commission;" and

WHEREAS, La. R.S. 33:1395.1 specifies the composition and manner of appointment of
a commission created to consider amendments to a home rule charter; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council believe that a
Charter Commission should be appointed for the purpose of reviewing and studying the Charter
and suggesting proposed revisions, additions or amendments to the Charter, including proposing
separate charters for the City and Parish of Lafayette, which proposals will then be submitted for
ratification to the qualified electors of the City-Parish government at an election already
authorized for other purposes or at a special election jointly called by the Lafayette City Council
and the Lafayette Parish Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this resolution.

SECTION 2: The Lafayette City Council and the Lafayette Parish Council hereby create and establish the Lafayette City-Parish Consolidated Government Charter Commission (the “Commission”) for the purpose of reviewing and studying the Charter and suggesting proposed revisions, additions and/or amendments to the Charter, including separate charters for the City of Lafayette and the Parish of Lafayette, which proposals will then be submitted for ratification to the qualified electors of the City-Parish government at an election already authorized for other purposes or at a special election jointly called by the Lafayette City Council and the Lafayette Parish Council, in the manner provided by applicable law.

SECTION 3: The creation, organization and operation of the Commission shall be, as follows:

- (a) The Commission shall consist of 11 persons, each of whom shall be a resident and qualified voter of and domiciled in the Parish of Lafayette at the time of appointment and must remain a registered voter and domiciled in the Parish of Lafayette during his or her term of office. No employee of the Lafayette City-Parish Consolidated Government, nor any person who, at the time of appointment, has a contractual relationship with the Lafayette City-Parish Consolidated Government, shall serve as a member of the Commission. Each member of the Lafayette City Council and the Lafayette Parish Council shall have one (1) appointment, and the Lafayette Mayor-President shall have one (1) appointment. Furthermore, at least six (6) members of the Commission shall be a registered voter and domiciled in the City of Lafayette and at least three (3) members of the Commission shall be members of a minority race.
- (b) The members of the Commission shall take office immediately after appointment. The terms of Commission members shall expire with either the expiration of 18 months from the appointment of the Commission without the drafting and filing of such proposed revisions, additions and/or amendments, or the adopted or rejection of the proposed revisions, additions and/or amendments by the voters, whichever occurs first. The Clerk of Court shall administer an oath of office to each Commission member. At the initial meeting of the Commission, the Chair of the Lafayette Parish Council shall preside as Acting Chair for the purpose of calling the meeting to order, directing the administration of the oath of office and the election of a Chair in the manner specified in subsection (f) of Section 3 of this resolution.
- (c) Except as provided in subsection (b) above, each member of the Commission shall hold office until a charter is either adopted or rejected by the qualified electors of the City-Parish government, and any vacancies in the Commission shall be filled by appointment of the remaining members of the Commission with the successor to be from the same classification and category.
- (d) It shall be the duty of the Commission to study and prepare revisions, additions or amendments to the Charter, and to file such proposed revisions, additions or amendments with the Clerk of the Lafayette City Council and the Lafayette Parish Council and the Lafayette Mayor-President. The proposed revisions, additions or amendments shall be approved by a majority vote of the membership of the Commission as a condition precedent to filing as provided in this Section. The Commission shall file such proposed revisions, additions or amendments no

later than 18 months from the appointment of the Commission. Upon the filing of such proposed revisions, additions or amendments in the manner specified above, the Lafayette City Council and the Lafayette Parish Council shall promptly take all actions as required by law for the calling of an election to consider such proposals.

- (e) Commission members shall serve without compensation. The Commission shall have authority to employ such experts, employees, and consultants as it may deem necessary to assist the Commission in the discharge of its responsibility to the extent that funds are available; however, all proposed expenditures shall have prior approval by the Lafayette City Council and the Lafayette Parish Council, jointly.
- (f) The Commission shall have complete and sole authority to elect a chairman and any other officers as it may deem necessary from the membership of such Commission by majority vote of its total membership.
- (g) Unless a quorum is present, the Commission shall not take any binding or final action on any item. A quorum shall be defined as a majority of the total membership of the Commission. The approval of a majority of the total membership shall be required for the Commission to take official action on any matter.
- (h) The Commission shall conduct its business pursuant to Robert's Rules of Order and may adopt such other procedural rules as it deems necessary. Meetings shall be held in accordance with the Louisiana Open Meetings Law, La. R.S. 42:11, *et seq.*
- (i) The Lafayette City-Parish Attorney or his designee shall serve as advisor to the Commission. All requests, questions or inquiries directed to the Lafayette City-Parish Attorney or his designee are to be communicated through the Chair of the Commission.
- (j) It is the intention of the Lafayette City Council and the Lafayette Parish Council to afford wide latitude, subject to all general laws of the state applicable to municipalities and parishes, to the Commission in studying and proposing revisions, additions or amendments to the Charter, including, without limitation, proposing separate charters for the City of Lafayette and the Parish of Lafayette.

SECTION 4: All resolutions, or parts thereof, in conflict herewith are hereby repealed.

This resolution having been submitted to a vote, the vote on behalf of the Lafayette City Council thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

This resolution having been submitted to a vote, the vote on behalf of the Lafayette Parish Council thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

AND, the resolution was declared adopted on this, the ____ day of _____, 2021.

VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** A joint resolution of the Lafayette City Council and the Lafayette Parish Council creating the Lafayette City-Parish Consolidated Government Charter Commission for the purpose of reviewing, studying and proposing revisions, additions, amendments to and/or the repeal of the Lafayette City-Parish Consolidated Government Home Rule Charter.

2) **ACTION REQUESTED:** Adoption of Resolution

3) **REQUESTED ACTION OF LAFAYETTE CITY COUNCIL:**

A) INTRODUCTION: 08-03-2021

B) FINAL ADOPTION: 08-03-2021

4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Resolution

B) Submittal Form

5) **FISCAL IMPACT:**

 Fiscal Impact (Explain)

 X No Fiscal Impact

AUTHORED BY:

/s/ Pat Lewis

PAT LEWIS, DISTRICT 1

LAFAYETTE CITY COUNCIL