

RESOLUTION NO. OF 2020

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AMEND THE CADDO PARISH COMMISSION BYLAWS TO REQUIRE FORMAL REQUESTS FOR COMMISSION APPROPRIATIONS TO ENTITIES NOT PART OF CADDO PARISH GOVERNMENT, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Caddo Parish Commission makes many appropriations to entities other than those it is required by law to support; and

WHEREAS, there is not a formal process in place for these entities to request the appropriations; and

WHEREAS, a formal process will allow all pertinent information to be concisely placed before the Commission as the request is considered;

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that it hereby amends its bylaws to read as follows:

ARTICLE V

Rights and Duties of the Commission

RULE 1: In the absence of a quorum during a session of the Commission, the members present may take such measures as they deem necessary to secure the presence of a quorum and may direct the Sheriff of Caddo Parish to compel the attendance of any absent member and may impose such censure or pecuniary penalty, not exceeding \$10.00, as provided in the Louisiana Statutes (R.S. 1227- 1235), on a member who, on being called for that purpose shall render no sufficient reason for his absence.

RULE 2: When the Commission shall be equally divided on any question, including the President's vote, the question shall be deemed lost.

RULE 3: Sessions of the Commission, Work Sessions, and ad hoc committees shall be open to the public, except when the Commission or committee shall meet in executive session in accordance with State law, at which time all persons not invited by the Commission to remain shall be excluded.

RULE 4: Annually in January, the Caddo Parish Commission shall give written public notice of its meetings by resolution showing the dates, times and places of the meetings.

RULE 5: Election of all officers shall be by electronic voting machine. The passage of all other questions shall be by electronic voting machine, voice or hand vote, and shall be by majority of the members constituting a quorum.

RULE 6: The Parish Administrator shall be appointed by the commission and shall serve at its pleasure. The Administrator shall be appointed solely on the basis of executive and administrative abilities, and compensation shall be fixed by the Commission.

RULE 7: The Commission shall appoint a Clerk of the Commission who shall serve at the pleasure of the Commission. The Clerk shall give notice of the Commission

meetings to its members and the public, keep the journal of its proceedings, be official secretary of the Commission and perform such other duties as are assigned to the position by the Home Rule Charter or by the Commission. The Commission shall, by ordinance, fix the salary of the Clerk.

RULE 8: At the first regular meeting of a newly elected Commission and annually thereafter, a President and Vice President shall be elected by the Commission from among its members. Said officers shall be elected for a one-year term or until a successor is elected. No person may serve more than one consecutive term as President, Vice President or Parliamentarian. The President shall preside at meetings of the Commission, and in the absence or disqualification of the President, the Vice President shall preside. In the absence or disqualification of both the President and the Vice President, the Commission shall designate one of its other members as temporary presiding officer. The President, Vice President, and temporary presiding officer shall be voting members of the Commission. The President or Vice President may be removed by the procedure outlined in Rule 10 of this section.

RULE 9: The Commission may elect annually a Parliamentarian. The Parliamentarian shall be elected for a one-year term or until a successor is elected. The parliamentarian may be removed by the procedure outlined in Rule 10 of this section. On any question, at the request of the President, the Parliamentarian may advise. If there is any question, any Commission member may call for a Division of the House.

RULE 10: The Commission may remove the President, Vice President or Parliamentarian for one or more of the following causes: persistent violation of the rules; assaults on the floor; slanderous or insulting remarks such as calling a member 'lair' or 'thief', etc.; disorderly conduct; reference to personalities; misconduct in office; neglect of duty; disobedience to instructions by delegates or committees; threats to hurt a member of the organization; defrauding or cheating the organization; bribery; conspiracy; larceny; misuse of funds; false charges and accusations; violation of the oath; disloyalty; secession; vilification of a member or the presiding officer or the organization; willful destruction of organization property; absenteeism. The procedure for removal is:

(1) The commission shall adopt by affirmative vote a resolution calling for an investigation committee to investigate the behavior of the officer. The investigation committee shall not include the commissioner making the resolution or the officer to be investigated. The investigation committee shall consist of five members of the commission, appointed by and headed by the most senior officer not under investigation. No more than two members of the committee, total, shall be members of the same political party as the officer being investigated.

(2) Within thirty (30) days of the time an investigation committee is convened, the investigation committee shall either (a) report to the entire commission, in writing, that it found no cause for removal or (b) report to the entire commission, in writing, that it found evidence of cause for removal and recommend a written resolution specifying the cause(s) along with supporting evidence thereof and recommending trial.

(3) If a resolution of the investigation committee recommending trial is adopted, a trial date shall be set no sooner than thirty (30) days and no later than forty-five (45) days from the date the resolution is adopted. A special meeting for the purpose of the trial shall be called by the most senior officer not under investigation, and notice of the time and date of the meeting shall be sent by the commission clerk to the officer to be tried, within five days of the date the trial resolution is adopted.

(a) The trial shall be held in executive session of the commission unless the officer being tried requests it be held publicly.

(b) The trial shall be held before a quorum of the commission.

(c) The regular rules regarding speakers before the commission shall govern speakers at the trial.

(d) At the end of the trial, the commissioners hearing the trial will convene into regular session and adopt a resolution of “no cause for removal” or resolutions of cause for removal for each charge cited in the investigation committee’s resolution for trial. Resolutions of cause for removal will require a majority vote of the quorum to move to the full body. Resolutions of no cause for removal shall end the matter.

(e) Resolutions of cause for removal shall be placed on the next regular commission meeting agenda and if adopted by a majority of the entire commission, they will cause the removal of the officer as recommended.

**RULE 11:** In order to be considered for introduction and final passage, all ordinances appropriating funds to entities not part of Caddo Parish Government, must be accompanied by a formal request from the entity on its letterhead or a completed NGO application, Exceptions to this requirement shall be:

(a) Funds for programs related to local, state and national emergencies

(b) Funds for economic development projects subject to non-disclosure agreements

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

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Parish Attorney

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Date