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BGR Media Release

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On the November Ballot: West Bank Flood Protection, St. Tammany Charter Changes

The Bureau of Governmental Research today releases *On the Ballot: Jefferson, Orleans and St. Tammany Parishes, November 21, 2015*. The report explains, analyzes and takes positions on two tax propositions meant to sustain west bank flood protection systems and three proposed St. Tammany charter amendments. Find the report at www.bgr.org.

Jefferson Parish: West Jefferson Levee District New Property Tax

Voters on the west bank of Jefferson Parish will decide whether to approve a new 5.5-mill property tax to maintain post-Katrina infrastructure investments in the West Jefferson Levee District. The tax would take effect in 2016 and remain in place for 30 years, expiring in 2045.

BGR Position: FOR. The Levee District's maintenance and operations obligations have increased dramatically in recent years due to the massive scale and complexity of post-Katrina improvements. In addition, the Levee District is scheduled to perform significant levee improvements and major maintenance on its three pump station complexes during the next 30 years. The proposed millage would provide the funds for this work. Should voters reject the millage, maintenance of levees and infrastructure will suffer and levee improvements will go unfunded, increasing the risk of flooding and likely resulting in higher flood insurance rates.

Orleans Parish: Algiers Levee District Property Tax Renewal

Voters in Algiers will decide whether to renew a 6.35-mill property tax to support the Algiers Levee District. The renewal would take effect in 2016 and remain in place for 30 years, expiring in 2045.

BGR Position: FOR. The Levee District relies on the current millage to meet its existing expenses. It also needs the millage renewal to cover its increased operations and maintenance responsibilities. Should voters reject the millage, maintenance of levees and infrastructure will suffer, increasing the risk of flooding and likely resulting in higher flood insurance rates.

St. Tammany Parish Proposition 2: Mandatory Charter Review

The St. Tammany Parish charter does not require a periodic charter review. The amendment would change that by requiring a charter review at least once every 15 years by an 11-member committee (including at least two council members) appointed in a manner to be determined by the Parish Council. Recommendations of the charter committee would be submitted to the Parish Council for approval and then put to a vote.

BGR Position: AGAINST. While mandatory periodic review of the charter is important, the proposed amendment could undermine the integrity of future charter amendment efforts because the proposed charter advisory committee would lack independence from the Parish Council.

St. Tammany Parish Proposition 5: Legal Representation for Parish Government

Under the current charter, the district attorney serves as the legal adviser to the Parish Council, president, and all parish departments, offices and agencies. His office also represents the parish government in legal proceedings. The parish government may retain special legal counsel, but only for a specific purpose and subject to a written contract and approval by a majority of the Parish Council.

Proposition 5 would significantly change legal representation for the parish government. Specifically, the proposition would:

- Remove language naming the district attorney as the legal advisor to the Parish Council, parish president and all parish departments, offices and agencies.
- Require the parish president to appoint an Executive Counsel who would advise and represent the parish president, parish employees and all departments comprising the administration.
- Authorize the parish president to retain outside legal counsel without Parish Council approval on matters where there is a conflict with the council.

BGR Position: FOR. While the amendment is less than specific with regard to legal representation for the Parish Council, it would eliminate the potential conflicts that could arise under the current requirement that the parish president and council use the district attorney as their legal adviser. In the future, the Parish should come back to voters with an additional proposition that is more tightly crafted to specifically allow the Parish Council to retain its own attorneys.

St. Tammany Parish Proposition 8: Deleting Language on Personnel and Parish Departments

The charter currently establishes personnel policies and procedures regarding parish employees and sets forth an array of parish departments and department responsibilities. Proposition 8 would make significant changes to these charter provisions. It would:

- Remove the charter provisions on personnel policies and procedures.
- Add language that would require the parish president to submit personnel policies and procedures in the form of an ordinance to the Parish Council for approval.
- Remove the charter provisions creating all parish departments and department responsibilities, except those of the legal department.

BGR Position: AGAINST. The proposed amendment would remove language from the charter that protects against a spoils system. It would also move in the wrong direction with regard to planning by deleting what little specificity exists concerning a comprehensive long range plan for parish-wide development.

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BGR is a private, nonprofit, independent research organization. Since its founding in 1932, it has been dedicated to informed public policy-making and the effective use of public resources in the Greater New Orleans area. For more information call 504-525-4152 or visit BGR's website, www.bgr.org.