

JANUARY 14, 2016 - ITEMS OFF-THE-FLOOR

1. Resolution directing the levy and collection of an annual service charge of not to exceed \$50.00 per structure or lot to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District") and to persons owning lots located wholly or partly within the District upon which no structure is located, for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, authorized under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 48:1309.3 and other constitutional and statutory authority as applicable, for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District; and providing for other matters in connection therewith. (Canulette)

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. _____

COUNCIL SPONSOR: _____ PROVIDED BY: _____

A resolution directing the levy and collection of an annual service charge of not to exceed \$50.00 per structure or lot to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District") and to persons owning lots located wholly or partly within the District upon which no structure is located, for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, authorized under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 48:1309.3 and other constitutional and statutory authority as applicable, for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District; and providing for other matters in connection therewith.

WHEREAS, under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 48:1309.3 and other constitutional and statutory authority supplemental thereto, including an election held in Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District") on November 21, 2015, the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of the District, desires to levy and collect an annual service charge as authorized at the election by virtue of the favorable passage of the proposition attached hereto as **Schedule A** setting forth the rate and duration of the annual service charge; and

WHEREAS, in compliance with the provisions of said authority and other applicable constitutional and statutory authority, an election was held in the District on Saturday, November 21, 2015, to authorize the levy and collection of the annual service charge, it is now the desire of the District to levy the annual service charge and provide for the collection thereof and other matters in connection therewith as hereinafter provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Authority, that:

SECTION 1. Pursuant to the authority of an election held in the District on November 21, 2015, there be and there is hereby levied within the geographic boundaries of the District for the purposes stated in the proposition attached hereto as **Schedule A**, an annual service charge of not to exceed \$50.00 per structure or lot to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of the District and to persons owning lots located wholly or partly within the District upon which no structure is located, beginning with the year 2016 and ending with the year 2025, to be dedicated and used for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District, all in the manner and subject to the provisions and terms of La. R.S. 48:1309.3.

SECTION 2. That the annual service charge described in Section 1 above shall be levied, assessed, imposed, collected, paid and enforced according to law.

SECTION 3. The obligations and rights of taxpayers in connection with the annual service charge levied hereby shall be as provided taxpayers by the provisions of law applicable to annual service charges levied by the District.

SECTION 4. If any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Resolution which validates or makes legal any provision of this Resolution which would not otherwise be valid or legal, shall be deemed to apply to this Resolution.

SECTION 5. Upon adoption, this Resolution shall be published in full in one (1) issue of the *St. Tammany Farmer* and shall be recorded in the mortgage records of the St. Tammany Parish Clerk of Court.

SECTION 6. The Chairman of the Governing Authority be and he is hereby authorized, empowered and directed to take any and all such action as may be necessary to carry into effect the provisions of this Resolution.

SECTION 7. This Resolution shall immediately take effect upon adoption.

[Remainder of this page intentionally left blank]

MOVED FOR ADOPTION BY _____ AND SECONDED BY
_____.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 14TH DAY OF JANUARY, 2016, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

SCHEDULE A

PROPOSITION

Shall Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to levy and collect an annual service charge of not to exceed Fifty Dollars (\$50.00) per structure or lot (an estimated \$67,732.00 is reasonably anticipated to be collected for an entire year) for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of the District and to persons owning lots located wholly or partly within the District upon which no structure is located for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District?

STATE OF LOUISIANA
PARISH OF ST. TAMMANY

I, the undersigned Clerk of the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority") do hereby certify that the foregoing constitutes a true and correct copy of a resolution adopted by the Governing Authority on January 14, 2016, directing the levy and collection of an annual service charge of not to exceed \$50.00 per structure or lot to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District") and to persons owning lots located wholly or partly within the District upon which no structure is located, for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, authorized under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 48:1309.3 and other constitutional and statutory authority as applicable, for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Governing Authority, on this 14th day of January, 2016.

THERESA L. FORD, COUNCIL CLERK

[SEAL]

ADMINISTRATIVE COMMENT

It is necessary for this Resolution to be heard Off-the-Floor on January 14, 2016 because Louisiana Revised Statute requires it to be completed within a certain time period after the election, and that deadline is before the February Council Meeting.