

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4168

COUNCIL SPONSOR: FALCONER/BRISTER PROVIDED BY: LEGAL DEPARTMENT

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A UTILITY SERVICES AGREEMENT WITH SPRING HAVEN, LLC OR ITS AFFILIATES FOR THE PROVISION OF WATER AND SEWERAGE TREATMENT SERVICES TO SPRING HAVEN SUBDIVISION (WARD 1, DISTRICT 4).

WHEREAS, St. Tammany Parish Government desires to enter into a Utility Service Agreement with Spring Haven, LLC and/or its affiliates to provide water and sewer treatment service for Spring Haven Subdivision, located on the west side of Dummyline Road and south of Brewster Road in Madisonville; and

WHEREAS, Spring Haven, LLC and/or its affiliates will install the water/sewer lines and related equipment needed to connect to Parish’s existing systems, at their expense and as more fully described in the Utility Service Agreement to be effected; and

WHEREAS, upon completion and acceptance of the water and sewer lines and related equipment, Spring Haven, LLC and/or its affiliates will donate said lines and equipment to Parish, as more fully described in the Utility Service Agreement to be effected.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that St. Tammany Parish Government, through the Office of the Parish President, pursuant to Home Rule Charter sections 1-04, 3-01 and 3-09 is authorized to execute a Utility Services Agreement with Spring Haven, LLC and/or its affiliates, which meets or exceeds all requirements of Louisiana law and jurisprudence, regarding the provision of water and sewer services to Spring Haven Subdivision and to take all actions necessary, including entering into all agreements or negotiations in furtherance of the actions contemplated herein.

BE IT FURTHER RESOLVED, that all acts previously taken by the Office of the Parish President in furtherance of the actions or agreements contemplated herein are hereby ratified and approved.

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

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 4 DAY OF SEPTEMBER , 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

Resolution Administrative Comment

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A UTILITY SERVICES AGREEMENT WITH SPRING HAVEN, LLC OR ITS AFFILIATES FOR THE PROVISION OF WATER AND SEWERAGE TREATMENT SERVICES TO SPRING HAVEN SUBDIVISION (WARD 1, DISTRICT 4).

Parish seeks to enter into a Utility Service Agreement with Spring Haven, LLC and/or its affiliates for the purpose of providing water and sewer treatment services to Spring Haven Subdivision located west of Dummyline Road in Madisonville. The use of “and/or its affiliates” relates to the need of a sewer force main tie-in into Autumn Creek