

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1389

COUNCIL SPONSOR: CANULETTE/BAGERT PROVIDED BY: FOLEY & JUDELL

A resolution ordering and calling special elections to be held in Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana, and Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of service charges therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the St. Tammany Parish Council (the "Governing Authority"), acting as the governing authority of Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana, and Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana, (said districts being collectively referred to as the "Districts"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, Section 1309.2 of Title 48 of the Louisiana Revised Statutes of 1950, as amended, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, special elections are hereby called and ordered to be held in the respective Districts on **SATURDAY, JULY 16, 2005**, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the respective elections there shall be submitted to all registered voters qualified and entitled to vote at the said elections under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

ROAD LIGHTING DISTRICT NO. 9 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION
(SERVICE CHARGE CONTINUATION)

SUMMARY: 10 YEAR ANNUAL SERVICE CHARGE CONTINUATION OF NOT TO EXCEED \$50.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NONRESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 9 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.

Shall Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess an annual service charge of not to exceed Fifty Dollars (\$50.00) per structure or lot for a period of ten (10) years, beginning with the year 2005 and ending with the year 2014, to persons occupying residential and nonresidential 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?

ROAD LIGHTING DISTRICT NO. 10 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION
(SERVICE CHARGE CONTINUATION)

SUMMARY: 10 YEAR ANNUAL SERVICE CHARGE CONTINUATION OF \$50.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NONRESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN THE BOUNDARIES OF ROAD LIGHTING DISTRICT NO. 10 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.

Shall Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess an annual service charge of Fifty Dollars (\$50.00) per structure or lot for a period of ten (10) years, beginning with the year 2005 and ending with the year 2014, to persons occupying residential and nonresidential 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?

SECTION 2. Publication of Notice of Elections. A Notice of Special Elections shall be published in the *St. Tammany Farmer*, a weekly (Thursday) newspaper of general circulation within the Districts, published in Covington, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the elections, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Council Chambers of the Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, on **THURSDAY, AUGUST 4, 2005, at SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special elections.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Elections are hereby designated as the polling places at which to hold the said elections, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special

elections as herein provided, and shall make due returns of said elections for the meeting of the Governing Authority to be held on Thursday, August 4, 2005, as provided in Section 3 hereof. All registered voters in the Districts will be entitled to vote at the respective special elections, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Clerk of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said elections, the necessary equipment, forms and other paraphernalia essential to the proper holding of said elections and the Chairman and/or Clerk of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of St. Tammany Parish and the Registrar of Voters of St. Tammany Parish, as notification of the special elections, in order that each may prepare for said elections and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special elections as herein provided, and in the event said elections carry for further consent and authority to levy and collect the service charges and to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

SECTION 9. Request to Board of Election Supervisors. This Governing Authority does hereby request that the Parish Board of Election Supervisors (the "Board") consolidate the polling places and reduce the number of Commissioners per polling place so far as the Board deems practical in accordance with the provisions of R.S. 18:1286.1.

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 7TH DAY OF APRIL, 2005, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

NOTICE OF SPECIAL ELECTIONS

Pursuant to the provisions of a resolution adopted by the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana, and Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (collectively referred to as the "Districts"), on April 7, 2005, NOTICE IS HEREBY GIVEN that special elections will be held within the Districts on **SATURDAY, JULY 16, 2005**, and that at the said elections there will be submitted to all registered voters in the Districts qualified and entitled to vote at the respective elections under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following propositions, to-wit:

ROAD LIGHTING DISTRICT NO. 9 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION
(SERVICE CHARGE CONTINUATION)

SUMMARY: 10 YEAR ANNUAL SERVICE CHARGE CONTINUATION OF NOT TO EXCEED \$50.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NONRESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 9 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.

Shall Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess an annual service charge of not to exceed Fifty Dollars (\$50.00) per structure or lot for a period of ten (10) years, beginning with the year 2005 and ending with the year 2014, to persons occupying residential and nonresidential 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?

ROAD LIGHTING DISTRICT NO. 10 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION
(SERVICE CHARGE CONTINUATION)

SUMMARY: 10 YEAR ANNUAL SERVICE CHARGE CONTINUATION OF \$50.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NONRESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN THE BOUNDARIES OF ROAD LIGHTING DISTRICT NO. 10 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.

Shall Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess an annual service charge of Fifty Dollars (\$50.00) per structure or lot for a period of ten (10) years, beginning with the year 2005 and ending with the year 2014, to persons occupying residential and nonresidential 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?

The said special elections will be held at the following polling places situated within the respective Districts, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

ROAD LIGHTING DISTRICT NO. 9 POLLING PLACES	
Precinct	Location
S05	(IN PART) Aldersgate United Methodist Church, 360 Robert Blvd., Slidell
805	(IN PART) Little Oak Elementary School, 59241 Rebel Dr., Slidell
807	Honey Island Elementary School, 600 S Military Rd., Slidell
812	Boyet Jr. High School, 59295 Rebel Dr., Slidell

ROAD LIGHTING DISTRICT NO. 10 POLLING PLACES	
Precinct	Location
802	(IN PART) Clearwood Jr. High School, 130 Clearwood Dr., Slidell
803	(IN PART) Clearwood Jr. High School, 130 Clearwood Dr., Slidell

The polling places set forth above are hereby designated as the polling places at which to hold the respective elections, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special elections will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said elections, as provided in this Notice of Special Elections, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Council Chambers of the Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, on **THURSDAY, AUGUST 4, 2005, at SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special elections. All registered voters of the respective Districts are entitled to vote at the respective special elections and voting machines will be used.

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"), the governing authority of (i) Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana, and (ii) Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (collectively referred to as the "Districts"), do hereby certify that the foregoing _____ () pages constitute a true and correct copy of a resolution adopted by the Governing Authority on April 7, 2005, ordering and calling special elections to be held in the Districts, to authorize the levy of a special tax and service charges therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish at Mandeville, Louisiana, on this, the 7th day of April, 2005.

Clerk

(SEAL)