

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1565

COUNCIL SPONSOR: STEFANCIK/DAVIS

PROVIDED BY: FOLEY & JUDELL

A resolution ordering and calling special elections to be held on Saturday, January 21, 2006, in (i) St. Tammany Parish Lighting District No. 6 to authorize the levy of a special tax therein, (ii) Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of a service charge therein, and (iii) Road Lighting District No. 14 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of a service charge therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of St. Tammany Parish Lighting District No. 6, Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana, and Road Lighting District No. 14 of the Parish of St. Tammany, State of Louisiana (collectively, 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 1502.1 of Title 40 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 Districts on **SATURDAY, JANUARY 21, 2006**, 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 said 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 proposition, to-wit:

**LIGHTING DISTRICT NO. 6 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (MILLAGE CONTINUATION)**

SUMMARY: 10 YEAR, 3 MILLS PROPERTY TAX CONTINUATION FOR PROVIDING AND MAINTAINING ELECTRIC LIGHTS ON THE STREETS, ROADS, HIGHWAYS, ALLEYS AND PUBLIC PLACES IN LIGHTING DISTRICT NO. 6.

Shall St. Tammany Parish Lighting District No. 6 (the "District") levy a special tax of three (3) mills on all the property subject to taxation in the District for a period of ten (10) years, beginning with the year 2006 and ending with the year 2015, for the purpose of providing and maintaining electric lights on the streets, roads, highways, alleys and public places in the District?

**ROAD LIGHTING DISTRICT NO. 11 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 TO PERSONS OCCUPYING RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 11 AND 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, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess, and to adopt a resolution providing for the assessment, of an annual service charge of not to exceed \$50.00 per structure or lot for a period of ten (10) years, beginning with the year 2007 and ending with the year 2016, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the District and 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, all as provided in, and subject to, the provisions of R.S. 48:1309.2 of the Louisiana Revised Statutes of 1950, as amended?

**ROAD LIGHTING DISTRICT NO. 14 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (SERVICE CHARGE)**

SUMMARY : 10 YEAR ANNUAL SERVICE CHARGE OF NOT TO EXCEED \$100.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 14 AND 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, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 14 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess, and to adopt a resolution providing for the assessment, of an annual service charge of not to exceed \$100.00 per structure or lot for a period of ten (10) years, beginning with the year 2006 and ending with the year 2015, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the District and 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, all as provided in, and subject to, the provisions of R.S. 48:1309.2 of the Louisiana Revised Statutes of 1950, as amended?

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 Council, 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, FEBRUARY 2, 2006, 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 result 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, February 2, 2006, as provided in Section 3 hereof. All registered voters in the Districts will be entitled to vote at the 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 elections, 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 election, 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 special tax and to levy and collect the service charges 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.

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 3RD DAY OF NOVEMBER, 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 St. Tammany Parish Lighting District No. 6, Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana, and Road Lighting District No. 14 of the Parish of St. Tammany, State of Louisiana (collectively, the "Districts"), on November 3, 2005, NOTICE IS HEREBY GIVEN that special elections will be held within the Districts on **SATURDAY, JANUARY 21, 2006**, 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:

**LIGHTING DISTRICT NO. 6 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (MILLAGE CONTINUATION)**

SUMMARY: 10 YEAR, 3 MILLS PROPERTY TAX CONTINUATION FOR PROVIDING AND MAINTAINING ELECTRIC LIGHTS ON THE STREETS, ROADS, HIGHWAYS, ALLEYS AND PUBLIC PLACES IN LIGHTING DISTRICT NO. 6.

Shall St. Tammany Parish Lighting District No. 6 (the "District") levy a special tax of three (3) mills on all the property subject to taxation in the District for a period of ten (10) years, beginning with the year 2006 and ending with the year 2015, for the purpose of providing and maintaining electric lights on the streets, roads, highways, alleys and public places in the District?

**ROAD LIGHTING DISTRICT NO. 11 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 TO PERSONS OCCUPYING RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 11 AND 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, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess, and to adopt a resolution providing for the assessment, of an annual service charge of not to exceed \$50.00 per structure or lot for a period of ten (10) years, beginning with the year 2007 and ending with the year 2016, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the District and 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, all as provided in, and subject to, the provisions of R.S. 48:1309.2 of the Louisiana Revised Statutes of 1950, as amended?

**ROAD LIGHTING DISTRICT NO. 14 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (SERVICE CHARGE)**

SUMMARY : 10 YEAR ANNUAL SERVICE CHARGE OF NOT TO EXCEED \$100.00 PER STRUCTURE OR LOT FOR PERSONS OCCUPYING RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND PERSONS

OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN ROAD LIGHTING DISTRICT NO. 14 AND 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, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 14 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to assess, and to adopt a resolution providing for the assessment, of an annual service charge of not to exceed \$100.00 per structure or lot for a period of ten (10) years, beginning with the year 2006 and ending with the year 2015, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the District and 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, all as provided in, and subject to, the provisions of R.S. 48:1309.2 of the Louisiana Revised Statutes of 1950, as amended?

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:

LIGHTING DISTRICT NO. 6 POLLING PLACES	
Precinct	Location
M10	(IN PART) Mandeville Middle School, 2525 Soult St., Mandeville
403	(IN PART) Mandeville City Hall, 3101 E Causeway Approach, Mandeville
408	Lake Harbor Middle School, 1700 Viola St., Mandeville
409	(IN PART) Big Branch Civic Club, 24678 Esquinance St., Lacombe
412	Mandeville Middle School, 2525 Soult St., Mandeville
422	Mandeville Middle School, 2525 Soult St., Mandeville
425	Lake Harbor Middle School, 1700 Viola St., Mandeville
703	(IN PART) Lacombe Fire Station, 60267 S 8 th St., Lacombe

ROAD LIGHTING DISTRICT NO. 11 POLLING PLACE	
Precinct	Location
806	(IN PART) Little Oak Elementary School, 59241 Rebel Dr., Slidell

ROAD LIGHTING DISTRICT NO. 14 POLLING PLACE	
Precinct	Location
802	(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, FEBRUARY 2, 2006, 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 Districts are entitled to vote at the respective special elections and voting machines will be used.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this, the 3rd day of November, 2005.

ATTEST:

STEVE STEFANCIK, COUNCIL CHAIRMAN

DIANE HUESCHEN, COUNCIL CLERK