

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3409 ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR: MR. DEAN PREPARED BY: CAO

INTRODUCED BY MR. DEAN SECONDED BY MR. THOMPSON

ON THE 5<sup>TH</sup> DAY OF OCTOBER, 2006.

ORDINANCE TO AMEND THE OPERATING AGREEMENT GOVERNING PROCEDURES FOR ANNEXATION AND RELATED GROWTH MANAGEMENT ISSUES BETWEEN THE PARISH OF ST. TAMMANY AND THE CITY OF COVINGTON; AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, on March 26, 2003 the St. Tammany Parish Council adopted Ordinance C.S. 03-0639 authorizing the Parish President to enter in to an agreement to govern annexation and related growth management issues between Parish of St. Tammany and the City of Covington; and

WHEREAS, the Parish of St. Tammany and the governing authority for the City of Covington have entered into an operating agreement to govern procedures for annexation and related growth management issues as per said ordinance; and

WHEREAS, the Parish of St. Tammany and the City of Covington currently operate under the Growth Management and Revenue Sharing Agreement of 2003, COB number 1365867, Parish of St. Tammany, hereinafter, "The Agreement;" and

WHEREAS, the Parish of St. Tammany and the City of Covington wish to amend the Agreement to reflect the passage of the Sales Tax Continuation and Rededication referred to hereinafter as "Sales Tax District No. Three Proposition commencing December 1, 2006;" and

WHEREAS, the Parish of St. Tammany and the City of Covington wish to amend the Agreement to more accurately reflect the intent of the parties regarding the use of proceeds from the sales tax collected in St. Tammany Sales Tax District No. 3.

NOW, the Parish of St. Tammany and the City of Covington do hereby contract and agree to amend and supplement the Growth Management and Revenue Sharing Agreement of 2003 on the following manner:

Article 7. Uses of tax is amended to read

ARTICLE 7. Use of tax

Proceeds from the tax shall be used for the purposes set forth in the Sales Tax District No. Three Proposition commencing December 1, 2006.

Article 14. Joint projects and other cooperative endeavors is amended to read:

ARTICLE 14 Joint projects and other cooperative endeavors

Pursuant to the development of effective infrastructure and growth management initiatives within the growth management and revenue sharing areas of Tax District #3, the Parish and City may enter into joint projects to provide improvements to the area. These include but are not limited to constructing, acquiring, extending, improving, maintaining and/or operating (i) roads, streets and bridges and (ii) drains and drainage facilities, including acquiring all necessary land, equipment and furnishing for any of said public works, improvements and facilities.

These projects will be jointly funded, and all funds collected from sales taxes in the revenue sharing and growth management areas may be used to purchase, design, construct and maintain these facilities. Funds from this area may be used as match for federal funds to develop these improvements.

Article 18. Term is amended to read:

ARTICLE 18. Term

This Agreement shall be effective for a term of twenty-five (25) years from the date of execution hereof or for the full term of the Sales Tax District No. Three Proposition commencing December 1, 2006, which ever period is greater.

BE IT FURTHER ORDAINED that the Parish President is authorized to sign said amendment and the amendment shall be filed in the conveyance records of the St. Tammany Parish Clerk of Court.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after final adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006; AND BECOMES ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
DIANE HUESCHEN, COUNCIL CLERK

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: \_\_\_\_\_, 2006  
Published Adoption: \_\_\_\_\_, 2006

Delivered to Parish President: \_\_\_\_\_, 2006 @ \_\_\_\_\_  
Returned to Council Clerk: \_\_\_\_\_, 2006 @ \_\_\_\_\_

**2006 SUPPLEMENTAL AND AMENDING GROWTH MANAGEMENT AND REVENUE SHARING AGREEMENT BY AND BETWEEN THE PARISH OF ST. TAMMANY, LOUISIANA AND THE CITY OF COVINGTON, LOUISIANA**

On the \_\_\_\_ day of June 2006 came and appeared, before undersigned

witnesses:

**The City of Covington**, appearing herein through its Mayor, Candace Watkins, pursuant to the ordinance of the City dated \_\_\_\_\_ and attached hereto, hereinafter referred to as "the City,"

And

**The Parish of St. Tammany** in its own behalf and on behalf of the **St. Tammany Sales Tax District No. 3**, appearing herein through \_\_\_\_\_ its \_\_\_\_\_ pursuant to the resolution/ordinance of the St. Tammany Parish Council dated \_\_\_\_\_ and attached hereto, hereinafter referred to collectively as "the Parish."

Whereas, the City and the Parish currently operate under the Growth Management and Revenue Sharing Agreement of 2003, COB number 1365867, Parish of St. Tammany, hereinafter, "The Agreement;"

Whereas the City and the Parish wish to amend the Agreement to reflect the passage of the Sales Tax Continuation and Rededication) referred to hereinafter as "Sales Tax District No. Three Proposition commencing December 1, 2006"); and,

Whereas the City and the Parish wish to amend the Agreement to more accurately reflect the intent of the parties regarding the use of proceeds from the sales taxes collected in St. Tammany Sales Tax District No. 3; and,

Now, the City and the Parish do hereby contract and agree to amend and supplement the Growth Management and Revenue Sharing Agreement of 2003 in the following manner:

Article 7. Uses of tax is amended to read:

**ARTICLE 7. Use of tax**

Proceeds from the tax shall be used for the purposes set forth in the Sales Tax District No. Three Proposition commencing December 1, 2006.

Article 14. Joint projects and other cooperative endeavors is amended to read:

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These projects will be jointly funded, and all funds collected from sales taxes in the revenue sharing and growth management areas may be used to purchase, design, construct and maintain these facilities. Funds from this area may be used as match for federal funds to develop these improvements.

Article 18. Term is amended to read:

ARTICLE 18. Term

This Agreement shall be effective for a term of twenty-five (25) years from the date of execution hereof or for the full term of the Sales Tax District No. Three Proposition commencing December 1, 2006, which ever period is greater.

All other terms of the Growth Management and Revenue Sharing

Agreement of 2003 shall remain in full force and effect.

THUS DONE AND SIGNED in the presence of the undersigned witnesses on the day, month and year written.

WITNESSES:

THE CITY OF COVINGTON

\_\_\_\_\_

BY:

\_\_\_\_\_  
Candace Watkins  
Mayor

\_\_\_\_\_

THE PARISH OF ST. TAMMANY  
and the PARISH OF ST. TAMMANY  
as the governing authority of Sales Tax  
District No. 3 of St. Tammany Parish

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BY:

\_\_\_\_\_  
Kevin Davis  
President

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