

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2023

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: BOND COUNSEL

A resolution ordering and calling a special election to be held on Saturday, May 5, 2007, in Road Lighting District No. 15 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 Road Lighting District No. 15 of the Parish of St. Tammany, State of Louisiana, (the "District"), 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, a special election is hereby called and ordered to be held in the District on **SATURDAY, MAY 5, 2007**, 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 election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

**ROAD LIGHTING DISTRICT NO. 15 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (SERVICE CHARGE)**

SUMMARY : 10 YEAR ANNUAL SERVICE CHARGE OF NOT TO EXCEED \$60.00 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. 15 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 ROAD LIGHTING DISTRICT NO. 15, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 15 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 \$60.00 per structure or lot (an estimated \$7,800 reasonably expected at this time to be collected from the levy of the service charge for an entire year) 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?

SECTION 2. Publication of Notice of Elections. A Notice of Special Election shall be published in the *St. Tammany Farmer*, a weekly (Thursday) newspaper of general circulation within the District, 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 election, 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, JUNE 7, 2007, 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 election.

SECTION 4. Polling Place. The polling place set forth in the aforesaid Notice of Special Election is hereby designated as the polling place at which to hold the said election, and the Commissioner-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 Commissioner-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 election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Thursday, June 7, 2007, as provided in Section 3 hereof. All registered voters in the District will be entitled to vote at the special election, 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 election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election 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 election, in order that each may prepare for said election 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 election as herein provided, and in the event said election carries, for further consent and authority to levy and collect the service charge 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 1ST DAY OF MARCH, 2007, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

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. 15 of the Parish of St. Tammany, State of Louisiana (the "District"), on March 1, 2007, NOTICE IS HEREBY GIVEN that a special election will be held within the District on **SATURDAY, MAY 5, 2007**, and that at the said election there will be submitted to all registered voters in the District qualified and entitled to vote at the election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

**ROAD LIGHTING DISTRICT NO. 15 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA
PROPOSITION (SERVICE CHARGE)**

SUMMARY : 10 YEAR ANNUAL SERVICE CHARGE OF NOT TO EXCEED \$60.00 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. 15 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 ROAD LIGHTING DISTRICT NO. 15, AS PROVIDED IN, AND SUBJECT TO, R.S. 48:1309.2.

Shall Road Lighting District No. 15 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 \$60.00 per structure or lot (an estimated \$7,800 reasonably expected at this time to be collected from the levy of the service charge for an entire year) 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?

The said special election will be held at the following polling place situated within the District, which poll 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. 15 POLLING PLACE	
Precinct	Location
313	(IN PART) Northlake Christian School, 70104 Wolverine Dr., Covington

The polling place set forth above is hereby designated as the polling place at which to hold the election, and the Commissioner-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election 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 election, as provided in this Notice of Special Election, or such substitute 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, JUNE 7, 2007**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the return and declare the result of the said special election. All registered voters of the District are entitled to vote at the special election and voting machines will be used.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this, the 1st day of March, 2007.

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK