

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2611

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: BOND COUNSEL

RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING ONE MILLION DOLLARS (\$1,000,000) OF UTILITY REVENUE BONDS, SERIES 2009, OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, PROVIDING CERTAIN TERMS OF SAID UTILITY REVENUE BONDS, MAKING APPLICATION TO THE STATE BOND COMMISSION FOR THE APPROVAL OF SAID BONDS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THERETO.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that

Section 1. Preliminary Approval. Preliminary approval is given to the issuance of not exceeding \$1,000,000 of Utility Revenue Bonds, Series 2009, of the Parish of St. Tammany, State of Louisiana (the "Bonds"), pursuant to Chapter 4, Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 30:2079, and other constitutional and statutory authority, for the purpose of paying costs related to the design and engineering of additions, improvements and upgrades to the sewerage component of the sewage collection, treatment and disposal systems and the waterwork treatment and distribution systems of the Parish of St. Tammany, State of Louisiana (collectively, the "System") and the construction and acquisition of improvements to said sewerage component of the System, including equipment and facilities therefor, and paying the costs of issuance of the Bonds. The Bonds will be payable in principal and interest solely from the income and revenues derived by the Parish from the operation of the System, including moneys in the Environmental Service Fund, after paying the reasonable and necessary expenses of operating and maintaining the System. The Bonds shall mature over a period of not exceeding 22 years from the date thereof and shall bear interest at a rate or rates not exceeding .95% per annum (which may include an administrative fee of ½% per annum on the outstanding principal of the Bonds). The Bonds shall be issued in fully registered form, shall be sold to the purchaser thereof at a price of par; plus accrued interest, if any, and shall have such additional terms and provisions as may be determined by this Council.

The obligation of the Parish to fix, establish, maintain and levy such rates, fees, rents or other charges for services and facilities of the System to provide sufficient revenues to pay the costs of maintaining and operating the System and principal and interest maturing on the Bonds and to meet other requirements will be set forth in full in an ordinance to be adopted in the future by this Governing Authority which ordinance will provide for the issuance of utility revenue bonds of the Parish from time to time.

SECTION 2. Application to State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana for approval of the issuance of the Bonds, and Bond Counsel is directed to submit an application to the State Bond Commission in accordance with the foregoing on behalf of the Parish.

SECTION 3. Reimbursement. Prior to the delivery of the Bonds, the Issuer intends to expend moneys from other available funds for the purpose of which the Bonds are being issued, and reasonably expects to reimburse said expenditures from the proceeds of the Bonds in an amount estimated at not exceeding \$750,000. Any such allocation of proceeds of the Bonds for reimbursement will be with respect to capital expenditures (as defined in Reg. 1.150-1(b) and will be made upon the delivery of the Bonds and not later than one year after the later of (i) the date such expenditure was paid or (ii) the date on which the Project was placed in service. This Section is intended to be a declaration of official intent within the meaning of Reg. 1.150-2.

SECTION 4. Compliance with State Bond Commission Regulation. By virtue of Issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, the Issuer resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 5. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds, and Foley & Judell, L.L.P., is hereby employed as Bond Counsel to the Issuer to handle all matters of a legal nature in connection with the negotiation, sale, issuance and delivery of the Bonds. The fee of Foley & Judell, L.L.P., in connection therewith is fixed at a sum not to exceed that permitted under the Attorney General's approved schedule for comprehensive bond counsel service for revenue bonds based upon the total amount of Bonds actually issued, sold and delivered, plus reimbursement of "out-of-pocket" expenses.

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 2nd DAY OF APRIL, 2009, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK