

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4875

COUNCIL SPONSOR: MR. THOMPSON

PROVIDED BY: THOMAS SCHNEIDAU

A RESOLUTION GRANTING APPROVAL TO FIRE PROTECTION DISTRICT NO. 13 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA (THE "DISTRICT"), TO CALL AND HOLD AN ELECTION ON MARCH 24, 2018, TO AUTHORIZE THE RENEWAL OF THE LEVY AND COLLECTION OF A 20.92 MILLS AD VALOREM TAX FOR A PERIOD OF TEN (10) YEARS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, MAINTAINING AND/OR OPERATING FIRE PROTECTION FACILITIES AND EQUIPMENT IN AND FOR THE DISTRICT, INCLUDING PAYING THE COST OF OBTAINING WATER FOR FIRE PROTECTION PURPOSES AND THE COST OF PROVIDING SERVICES TO INJURED OR ILL PERSONS IN EMERGENCY SITUATIONS AS PERMITTED BY LAW; AND FURTHER PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the "District") adopted a Resolution on September 20, 2017 (the "District Resolution") ordering and calling a special election to be held in the District on March 24, 2018, for the purpose of renewing the levy and collection of a 20.92 mills ad valorem tax for a period of ten (10) years for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law; and further providing for other matters in connection therewith, all in the manner conferred by Article VI, Section 32 of the Louisiana Constitution of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a copy of which is on file with the Parish Council of the Parish of St. Tammany, State of Louisiana, as governing authority of the Parish of St. Tammany, State of Louisiana (the "Parish Council").

WHEREAS, the District has made application to the Parish Council for approval to call and hold such election on March 24, 2018, as more fully set forth in the District Resolution.

WHEREAS, Article VI, Section 15 of the Louisiana Constitution of 1974, as amended and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, grant power to the Parish Council to approve any proposal submitted by the District to levy a tax.

NOW, THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish of St. Tammany, State of Louisiana, that:

SECTION 1. Pursuant to a request submitted to this Parish Council by the District and in accordance with Article VI, Section 15 of the Louisiana Constitution of 1974, as amended and La. R.S. 33:1415, approval is hereby granted to the District to call and hold an election on March 24, 2018, for the purpose of authorizing the renewal of the levy and collection of a 20.92 mills ad valorem tax for a period of ten (10) years for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law (the "Tax"), in the manner conferred by Article VI, Section 32 of the Louisiana Constitution of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority and as more fully set forth in the District Resolution.

SECTION 2. In the event the foregoing proposition passes, approval, consent and authority are hereby granted to the District to renew the levy and collection the Tax described in Section 1 hereof.

SECTION 3. This approval is granted in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

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 5 DAY OF OCTOBER, 2017, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

**FIRE PROTECTION DISTRICT NO. 13 OF THE
PARISH OF ST. TAMMANY, STATE OF LOUISIANA**

The following resolution was offered by _____ and seconded by _____:

RESOLUTION

A resolution ordering and calling a special election to be held in Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “District”) on March 24, 2018, for the purpose of authorizing the renewal of the levy and collection of a 20.92 mills ad valorem tax for a period of ten (10) years for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law.

WHEREAS, the Board of Commissioners of Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “Governing Authority”), acting as the governing authority of Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “District”), desires to order and call a special election to be held in the District on MARCH 24, 2018, to authorize the renewal of the levy and collection of a 20.92 mills ad valorem tax for a period of ten (10) years, beginning with the year 2019 and ending with the year 2028, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law (the “Tax”); and

BE IT RESOLVED by the Governing Authority, that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission and under the authority conferred by Article VI, Section 32 of the Constitution of the State of Louisiana of 1974, as amended (the “Constitution”), La. R.S. 40:1501 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended (the “Election Code”), particularly Chapters 5 and 6-A thereof, and by other constitutional and statutory authority supplemental thereto, a special proposition election (the “Election”) is hereby called and ordered to be held in the District, on SATURDAY, MARCH 24, 2018, between the hours of 7:00 a.m. and 8:00 p.m. in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541), and that at the Election there will be submitted to all registered voters residing 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:

PROPOSITION
(TAX RENEWAL)

Shall Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “District”), renew the levy and collection of a 20.92 mills tax on all property subject to taxation in the District (an estimated \$1,787,284.80 reasonably expected at this time to be collected from the levy of the tax for an entire year) for a period of ten (10) years, beginning with the year 2019 and ending with the year 2028, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law?

SECTION 2. Publication of Notice of Special Election. Pursuant to La. R.S. 18:1285, a Notice of Special Election concerning the Election will be published in the *St. Tammany Farmer*, a newspaper of general circulation within the District, and is the official journal of the District, once a week for four (4) 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 fixed for the Election, which notice will be substantially in accordance with the Notice of Special Election annexed hereto as Exhibit A and incorporated herein by reference, to the same extent as if it were set forth in full.

SECTION 3. Canvass of Election Returns. This Governing Authority will meet on Wednesday, April 18, 2018 at 7:00 p.m. at 13053 Highway 190, Covington, Louisiana, and will then and there in open and public session proceed to examine and canvass the official election returns and declare the results of the said election, pursuant to Section 1292 of Title 18 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. Polling Places; Commissioners. The polling places set forth in the attached Notice of Special Election, and situated within the corporate limits of the District, be and the same are hereby designated as the polling places at which the Election will be held. Pursuant to the provisions of La. R.S. 18:1286(B), the Commissioners-in-Charge and the Commissioners authorized to be selected by the Board of Election Supervisors to serve at the Election on SATURDAY, MARCH 24, 2018, are hereby designated as the Commissioners-in-Charge and Commissioners to serve at the polling places designated for this Election.

SECTION 5. Designation of Commissioners and Commissioners-in-Charge. As required in La. R.S. 18:1286(B), the officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, will hold the Election as herein provided solely in compliance with the provisions of Parts II and V of the Election Code, as amended, and will make due returns of said Election in accordance with the aforesaid provisions of the Election Code. The compensation of said officers be and the same is hereby fixed at the sum prescribed by law. All registered voters in each precinct and residing in the District are entitled to vote at the Election.

SECTION 6. Authorization of Chairman. The Chairman of the Governing Authority, be and he is hereby empowered, authorized and directed to arrange for and to furnish the election officers, in ample time for the holding of said election, all equipment, forms and other items which may be required in order to hold said election. The Chairman of the Governing Authority is further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call. In accordance with La. R.S. 18:1285(B)(1), certified copies of this Resolution will be forwarded promptly to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for the Parish of St. Tammany, and the Registrar of Voters in and for said Parish, as notification of the call for the Election in order that each may prepare for said Election and perform their respective functions as required by law.

SECTION 8. Estimated Collections. Pursuant to La. R.S. 18:1284(c), an estimated \$1,787,284.80 is reasonably anticipated at this time to be collected from the levy of the Tax for an entire year.

SECTION 9. Application to State Bond Commission. Application be and the same is hereby formally made to the State Bond Commission for consent and authorization to hold a special proposition election in the District, as previously specified herein, said election to be held within the District on SATURDAY, MARCH 24, 2018, and in the event the aforesaid proposition is carried for consent and authorization to levy and collect the Tax provided for by said proposition in the amount, for the purpose and for the number of years herein specified; and that a certified copy of this Resolution will be forwarded to the State Bond Commission on behalf of the Governing Authority, together with a letter requesting the prompt consideration and approval of such application.

SECTION 10. Approval of Parish Council. Pursuant to Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, application is hereby formally authorized to be made for the approval of the St. Tammany Parish Council, as the governing authority of the Parish of St. Tammany, State of Louisiana.

SECTION 11. Additional Notice Requirement. This Governing Authority made the announcement with respect to this Resolution required by La. R.S. 42:19.1, at its public meeting on Wednesday, August 16, 2017 and published said announcement in the Official Journal on Wednesday, August 16, 2017.

[Remainder of this page intentionally left blank]

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the Resolution was declared adopted on this, the 20th day of September, 2017.

Clint Ory, Chief of Administration

George Osbourn, Chairman

EXHIBIT A

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a Resolution adopted on September 20, 2017, by the Board of Commissioners of Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “Governing Authority”), acting as the governing authority of Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “District”), NOTICE IS HEREBY GIVEN that a special election will be held in the District on SATURDAY, MARCH 24, 2018, and that at said election there will be submitted to all registered voters of the District, qualified in and entitled to vote at said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following proposition, to wit:

**PROPOSITION
(TAX RENEWAL)**

Shall Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the “District”), renew the levy and collection of a 20.92 mills tax on all property subject to taxation in the District (an estimated \$1,787,284.80 reasonably expected at this time to be collected from the levy of the tax for an entire year) for a period of ten (10) years, beginning with the year 2019 and ending with the year 2028, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law?

The special election will be held in at the following polling places situated in the District, and which polls will open at 7:00 a.m. and close at 8:00 p.m. on SATURDAY, MARCH 24, 2018, in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541). The Commissioners-in-Charge and the Commissioners authorized to be selected by the Parish Board of Election Supervisors at the special election on SATURDAY, MARCH 24, 2018, are hereby designated as the Commissioners-in-Charge and the Commissioners to serve at the following described polling places designated for this election, to-wit:

<u>WARD/PRECINCT</u>	<u>PRECINCT NAME</u>
00/101	Ward 1 Community Building, 13055 Hwy 190, Goodbee
00/105	Holy Trinity Lutheran Church, 1 N Marigold Dr, Covington
00/108	Ward 1 Community Building, 13055 Hwy 190, Goodbee
00/110 (PART OF)	Holy Trinity Lutheran Church, 1 N Marigold Dr, Covington

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

A portion of the monies collected from the Tax shall be remitted to certain state and statewide retirement systems in accordance with the provisions of Subtitle 1 of Title 11 of Louisiana Revised Statutes of 1950, as amended (La. R.S. 11:82).

The 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 as applicable thereto, and the officers appointed to hold the election, or such substitutes therefor as may be selected and designated in compliance with law, will make due returns thereof to the District, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet on Wednesday, April 18, 2018 at 7:00 p.m. at 13053 Highway 190, Covington, Louisiana, and will then and there, in open and public session, proceed to examine and canvass the returns and declare the result of the special election. All registered voters residing in the District are entitled to vote at the special election and voting machines will be used in connection therewith.

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THUS DONE AND SIGNED at Covington, Louisiana, on this, the 20th of September,
2017.

George Osbourn, Chairman

STATE OF LOUISIANA
PARISH OF ST. TAMMANY

I, the undersigned Chief of Administration of the Board of Commissioners of Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana, do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the District on September 20, 2017, ordering and calling a special election to be held in Fire Protection District No. 13 of the Parish of St. Tammany, State of Louisiana (the "District") on March 24, 2018, for the purpose of authorizing the renewal of the levy and collection of a 20.92 mills ad valorem tax for a period of ten (10) years for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes and the cost of providing services to injured or ill persons in emergency situations as permitted by law.

I further certify that this Resolution has not been amended or rescinded.

IN WITNESS WHEREOF, I have subscribed my official signature of said District on this, the 20th day of September, 2017.

Clint Ory, Chief of Administration