

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-5067

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: CIVIL DIVISION ADA

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY, PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH SALES TAX DISTRICT NO. THREE OF THE PARISH OF ST. TAMMANY AND THE TOWN OF MADISONVILLE FOR THE RESOLUTION OF CERTAIN MISALLOCATIONS OF SALES AND USE TAX PROCEEDS AND/OR RELATED MATTERS THEREIN (WARD 1, DISTRICT 4).

WHEREAS, St. Tammany Parish Government ("Parish") has created Sales Tax District No. Three of the Parish of St. Tammany ("District"), and has provided for the imposition of a sales and use tax of two and no/100 percent (2.0%) (the "Sales Tax") within the District, with said Sales Tax being in effect for a period of twenty (20) years from the date of the first levy of the Sales Tax, and as renewed for a period of twenty-five (25) years commencing December 1, 2006 by virtue of a special election held on July 16, 2005; and

WHEREAS, the net proceeds of said Sales Tax are to be used for the purpose of 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 furnishings for any of said public works, improvements and facilities, and further including allocation of funds under intergovernmental agreements with municipalities relating to annexations, revenue sharing areas and growth management areas, to be used by said municipalities for any one or more of the aforesaid purposes that have a benefit to residents of the District; and

WHEREAS, pursuant to the provisions of La. R.S. 33:172, La. R.S. 33:1321 *et seq.*, La. R.S. 47:338.54 (G), and La. R.S. 47:338.1(D), Parish, District, and the Town of Madisonville ("Madisonville") are authorized to enter into a cooperative endeavor agreement for the purpose of managing growth, development and available resources within St. Tammany Parish and its municipalities in a reasonable and orderly fashion; and

WHEREAS, as authorized by the foregoing authorities, Parish and District have previously entered into certain intergovernmental agreements with the governing authority for Madisonville concerning growth management, revenue sharing and/or annexation-related issues among said jurisdictions; and

WHEREAS, despite their best efforts, Parish, District, and Madisonville have discovered certain misallocations of Sales Tax proceeds among said entities, some of which remain unresolved at present, and said Parties desire to enter into a cooperative endeavor agreement to resolve such misallocations through an authorized sharing of Sales Tax revenues in compliance with all pertinent legal authorities; and

WHEREAS, Madisonville, and/or other authorized third parties, has previously designed and constructed certain beneficial road improvements in the proximity of Mabel Drive, a road located within the municipal limits of Madisonville that connects to Highway 1077, a major highway within the Parish also located in part within Madisonville's municipal boundary (the "Improvements"); and

WHEREAS, the Improvements have served to improve access to and from Highway 1077, as well to assist resulting traffic flow in the vicinity thereof, for the benefit of the residents of the District and/or other Parish residents; and

WHEREAS, it is important for Parish, District and Madisonville to manage the resources available by working cooperatively to plan, design, provide, and develop the public infrastructure needed to meet the needs of the overall St. Tammany Parish community; and

WHEREAS, given the foregoing, Parish, District, and Madisonville desire to enter into a cooperative endeavor agreement in order to fully and finally resolve certain misallocations of Sales Tax proceeds among said jurisdictions through an authorized sharing of Sales Tax revenues in compliance with all pertinent legal authorities, and to address the rights and responsibilities of each party therein.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that St. Tammany Parish Government, through the Office of the Parish President, pursuant to Home Rule Charter sections 1-04, 1-06, 3-01 and 3-09, is authorized to enter into a cooperative endeavor agreement, which meets or exceeds all of the requirements of Louisiana law and jurisprudence, with the Sales Tax District No. Three of the Parish of St. Tammany and the Town of Madisonville, for the resolution of certain misallocations of sales and use tax proceeds among said jurisdictions, and to take any and all actions necessary in support of the same.

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 6 DAY OF SEPTEMBER, 2018, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

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S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

### **Resolution Administrative Comment**

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY, PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH SALES TAX DISTRICT NO. THREE OF THE PARISH OF ST. TAMMANY AND THE TOWN OF MADISONVILLE FOR THE RESOLUTION OF CERTAIN MISALLOCATIONS OF SALES AND USE TAX PROCEEDS AND/OR RELATED MATTERS THEREIN (WARD 1, DISTRICT 4).

Parish seeks to enter into Cooperative Endeavor Agreement(s) with the Sales Tax District No. Three of the Parish of St. Tammany and the Town of Madisonville for the resolution of certain misallocations of sales and use tax proceeds among the aforementioned entities.