

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-5066

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 CITY OF MANDEVILLE FOR THE RESOLUTION OF CERTAIN MISALLOCATION(S) OF SALES AND USE TAX PROCEEDS AND/OR RELATED MATTERS THEREIN

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 City of Mandeville ("Mandeville") 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 Mandeville concerning growth management, revenue sharing and/or annexation-related issues among said jurisdictions; and

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

WHEREAS, it is important for Parish, District and Mandeville 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, and in consideration of the Improvements, Parish, District, and Mandeville desire to enter into a cooperative endeavor agreement in order to fully and finally resolve certain misallocation(s) 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 City of Mandeville, for the resolution of certain misallocation(s) 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**

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