

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4663

COUNCIL SPONSOR: DEAN/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

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 COOPERATIVE ENDEAVOR AGREEMENTS WITH THE ST. TAMMANY PARISH SHERIFF'S OFFICE, SALES TAX DISTRICT NO. THREE OF THE PARISH OF ST. TAMMANY, THE TOWN OF ABITA SPRINGS, THE CITY OF COVINGTON, THE VILLAGE OF FOLSOM, THE CITY OF MANDEVILLE, THE TOWN OF PEARL RIVER AND THE CITY OF SLIDELL FOR THE RESOLUTION OF FUTURE MISALLOCATIONS OF SALES AND USE TAX PROCEEDS.

WHEREAS, St. Tammany Parish Government ("Parish") is authorized, pursuant to the provisions of LSA R.S. 33:1321, *et seq.* and other legal authority, to enter into intergovernmental agreements for the purpose of managing growth and development within St. Tammany Parish and its municipalities in a reasonable and orderly fashion, and for the purpose of managing available resources; and

WHEREAS, through Ordinance No. 86-664, adopted July 17, 1986, Ordinance No. 86-693, adopted September 4, 1986, and Ordinance No. 86-730, adopted November 29, 1986, and other constitutional and statutory authority, 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, as evidenced by the adoption of Resolution Council Series No. C-1490 on August 4, 2005; and

WHEREAS, the net proceeds of said Sales Tax are to be used for the purposes 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 allocations to municipalities under certain intergovernmental agreements relating to annexations, revenue sharing areas and growth management areas; and

WHEREAS, Parish and District have previously entered into various intergovernmental agreements with the governing authorities for the Town of Abita Springs, the City of Covington, the Village of Folsom, the City of Mandeville, the Town of Pearl River and the City of Slidell concerning growth management, revenue sharing and/or annexation-related issues among said jurisdictions; and

WHEREAS, despite the best efforts of said jurisdictions, from time to time there are misallocations of Sales Tax proceeds among said entities; and

WHEREAS, Parish, District, the Town of Abita Springs, the City of Covington, the Village of Folsom, the City of Mandeville, the Town of Pearl River, the City of Slidell and the St. Tammany Parish Sheriff's Office have agreed that it is in the best interest of all parties to establish a process and procedure for the resolution of future misallocations of Sales Tax proceeds, and therefore desire to enter into continuing agreements with each other, as necessary, in furtherance of said efforts.

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 Cooperative Endeavor Agreements, which meet or exceed all of the requirements of Louisiana law and jurisprudence, with the St. Tammany Parish Sheriff's Office, Sales Tax District No. Three of the Parish of St. Tammany, the Town of Abita Springs, the City of Covington, the Village of Folsom, the City of Mandeville, the Town of Pearl River and the City of Slidell,

as necessary, for the establishment of rules and procedures for the resolution of future misallocations of sales and use tax proceeds among said jurisdictions, and to take any and all actions necessary in support of the same.

BE IT FURTHER RESOLVED that all actions previously taken by the Office of the Parish President are ratified and accepted accordingly.

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 1 DAY OF SEPTEMBER, 2016, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MARTY DEAN, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

Resolution Administrative Comment

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Parish seeks to enter into Cooperative Endeavor Agreement(s) with the St. Tammany Parish Sheriff's Office, Sales Tax District No. Three of the Parish of St. Tammany and several municipalities of St. Tammany Parish for the establishment of certain rules and procedures governing the resolution of future misallocations (only) of sales and use tax proceeds among the aforementioned entities. Said Agreement will be prospective, and not retroactive in nature, and will assist in the management of available resources within St. Tammany Parish and its municipalities.