

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-3506

COUNCIL SPONSOR: Mr. Smith

PROVIDED BY: Council Office

PLEASE SEE ATTACHED FOR COMPLETE DOCUMENT

RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN DRAINAGE DISTRICT NO. 4 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, ON SATURDAY, DECEMBER 8, 2012 TO AUTHORIZE THE INCREASE OF THE LEVY OF A MAINTENANCE AND OPERATION TAX THEREIN.

WHEREAS,

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that

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 , 2012, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-3506

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: SIDNEY J. ABDALLA, JR.

RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN DRAINAGE DISTRICT NO. 4 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, ON SATURDAY, DECEMBER 8, 2012 TO AUTHORIZE THE INCREASE OF THE LEVY OF A MAINTENANCE AND OPERATION TAX THEREIN.

WHEREAS, the Board of Commissioners of Drainage District Number 4 of the Parish of St. Tammany, State of Louisiana, (the "Governing Authority"), acting as the governing authority of Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana (the "District"), adopted a resolution on July 11, 2012, calling a special election in the District on Saturday, December 8, 2012, to authorize the increase of a maintenance and operation tax therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of St. Tammany, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to continue to levy and collect the maintenance and operation tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to continue to levy and collect the maintenance and operations tax provided for therein;

THE PARISH OF ST. TAMMANY HEREBY RESOLVES the Parish Council of the Parish of St. Tammany, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Drainage District Number 4 of the Parish of St. Tammany, State of Louisiana, the Parish Council hereby approves the holding of an election in the District, on Saturday, December 8, 2012, at which election there will be submitted the following proposition, to-wit:

PROPOSITION

SUMMARY: FOR A FIVE YEAR TERM, THE INCREASE OF A MAINTENANCE AND OPERATION TAX OF NOT MORE THAN \$39.00 FOR EACH 10,000 SQUARE FEET OF EACH LOT AND PARCEL OWNED WITH A TOTAL MAXIMUM TAX OF \$135.00 ON EACH LOT OR PARCEL OWNED FOR PROVIDING FUNDS FOR THE MAINTENANCE OF THE LEVEE SYSTEM, PUMPING STATION, PUMPS, HOLDING PONDS, CONSTRUCTION OF PUMPING STATIONS, AND ACQUISITION OF LAND THEREFOR, AND THE OPERATION OF THE DISTRICT INCLUDING COSTS OF THE PUMPING STATION OPERATION STAFF, SALARIES OF OFFICE STAFF, UTILITIES AND FUELS, PURCHASE OF EQUIPMENT NECESSARY FOR THE MAINTENANCE OR OPERATION OF THE DISTRICT, CONTRACT SERVICES, INSURANCE, AND PERSONNEL, AND OTHER MATTERS RELATED THERETO OR CALLED FOR BY LAW. THE MAINTENANCE AND OPERATION TAX WILL GENERATE APPROXIMATELY \$168,000.00 ANNUALLY

Shall Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana (the "District"), be authorized to increase the levy of a maintenance and operation tax for a five year term, subject to renewal for five year terms by special election, on each landowner of record within the District for a total of not more than \$39.00 for each 10,000 square feet of each lot and parcel owned, such that the maximum tax on each lot or parcel is equal to \$135.00 which amount would be levied on the first 10,000 square feet of each lot and parcel owned for the maintenance of the levee system, pumping station, pumps, holding ponds, construction of pumping stations and acquisition of land therefore, and the operation of the District including costs of the pumping station operation staff, salaries of office staff, utilities and fuels, purchase of equipment necessary for the maintenance or operation of the District, contract services, insurance, and personnel, and other matters related thereto or called for by law.

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to continue to levy and collect the maintenance and operation tax provided for therein.

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, 2012, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Council Clerk of the Parish Council of the Parish of St. Tammany, State of Louisiana, do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Parish Council on SEPTEMBER 6, 2012, approving the holding of an election in Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana, to authorize the increase of a maintenance and operations tax therein.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council at Mandeville, Louisiana, on this, the _____ day of _____ 2012.

THERESA L. FORD, COUNCIL CLERK

(SEAL)

The following resolution was offered by Commissioner Henriquez and seconded by Commissioner Asher.

Resolution

A resolution ordering and calling a special election to be held in Drainage District No. 4 of St. Tammany Parish, State of Louisiana, to authorize the increase of the levy of a maintenance and operation tax, making application to the State Bond Commission in connection therewith and providing for other matters in connection therewith.

BE IT RESOLVED, by the Board of Commissioners of Drainage District No. 4 of St. Tammany Parish, State of Louisiana, (the "Governing Authority"), acting as the governing authority of Drainage District No. 4, that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 29, 30, and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, La. R.S. 38:1674.16, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish and the District on SATURDAY, December 8, 2012, between the hours of six o'clock (6:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION NO. 1

(Increase of Maintenance and Operation Tax)

SUMMARY:

FOR A FIVE YEAR TERM, THE INCREASE OF A MAINTENANCE AND OPERATION TAX OF NOT MORE THAN \$39.00 FOR EACH 10,000 SQUARE FEET OF EACH LOT AND PARCEL OWNED WITH A TOTAL MAXIMUM TAX OF \$135.00 ON EACH LOT OR PARCEL OWNED FOR PROVIDING FUNDS FOR THE MAINTENANCE OF THE LEVEE SYSTEM, PUMPING STATION, PUMPS, HOLDING PONDS, CONSTRUCTION OF PUMPING STATIONS, AND ACQUISITION OF LAND THEREFOR, AND THE OPERATION OF THE DISTRICT INCLUDING COSTS OF THE PUMPING STATION OPERATION STAFF, SALARIES OF OFFICE STAFF, UTILITIES AND FUELS, PURCHASE OF EQUIPMENT NECESSARY FOR THE MAINTENANCE OR OPERATION OF THE DISTRICT, CONTRACT SERVICES, INSURANCE, AND PERSONNEL, AND OTHER MATTERS RELATED THERETO OR CALLED FOR BY LAW. THE

MAINTENANCE AND OPERATION TAX WILL GENERATE
APPROXIMATELY \$168,000.00 ANNUALLY.

Shall Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana (the "District"), be authorized to increase the levy of a maintenance and operation tax for a five year term, subject to renewal for five year terms by special election, on each landowner of record within the District for a total of not more than \$39.00 for each 10,000 square feet of each lot and parcel owned, such that the maximum tax on each lot or parcel is equal to \$135.00, which amount would be levied on the first 10,000 square feet of each lot and parcel owned for the maintenance of the levee system, pumping station, pumps, holding ponds, construction of pumping stations and acquisition of land therefore, and the operation of the District including costs of the pumping station operation staff, salaries of office staff, utilities and fuels, purchase of equipment necessary for the maintenance or operation of the District, contract services, insurance, and personnel, and other matters related thereto or called for by law.

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in "St. Tammany Farmer" and the "St. Tammany News" daily newspapers of general circulation within the Parish and the District, the St. Tammany Farmer being the official journal of the Governing Authority, once a week for four 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 election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority, acting as the governing authority of the Parish and the District, shall meet at its regular meeting place, on January 2, 2013, at 7:30 p.m., and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election.

SECTION 4. Polling places. The polling place set forth in the aforesaid Notice of Special Election is hereby designated as the polling place at which to hold the election, and the Commissioners-in-charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners: Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefore as may be selected and designated in accordance with La. R.S. 13:1287, shall hold the said special election as herein provided, and shall make due return of said election for the meeting of the Governing Authority to be held on January 2, 2013, as provided in Section 3 hereof. All registered voters in the District are entitled to vote at said special election and voting machines shall be used thereat.

SECTION 6. Authorization of Officers. The Secretary and/or President of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the

necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Secretary and/or President of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for the Parish of St. Tammany, State of Louisiana, and the Registrar of Voters in and for said Parish, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the aforesaid special election as herein provided, and in the event said election carries for further consent and authority to increase the levy of the Maintenance and Operation tax provided for therein, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

- YEAS: Chairman Wayne Espat, Commissioners Carolyn Cavaliere, Tim Asher, and Emile Henriquez
- NAYS: None
- ABSENT: Commissioner Harold Johnson

And the resolution was declared adopted on this, the 11th day of July, 2012.

Carolyn Cavaliere
Secretary

Wayne Espat
President

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Board of Commissioners of Drainage District No. 4, St. Tammany Parish, Louisiana, (the "Governing Authority"), acting as the governing authority of Drainage District No. 4, (the "District"), on July 11, 2012, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish and the District on SATURDAY, December 8, 2012, and that at the said election there will be submitted to all registered voters in the District qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and Constitution of the United States, the following proposition, wit:

PROPOSITION NO. 1**(Increase of Maintenance and Operation Tax)****SUMMARY:**

FOR A FIVE YEAR TERM, THE INCREASE OF A MAINTENANCE AND OPERATION TAX OF NOT MORE THAN \$39.00 FOR EACH 10,000 SQUARE FEET OF EACH LOT AND PARCEL OWNED WITH A TOTAL MAXIMUM TAX OF \$135.00 ON EACH LOT OR PARCEL OWNED FOR PROVIDING FUNDS FOR THE MAINTENANCE OF THE LEVEE SYSTEM, PUMPING STATION, PUMPS, HOLDING PONDS, CONSTRUCTION OF PUMPING STATIONS AND ACQUISITION OF LAND THEREFOR, AND THE OPERATION OF THE DISTRICT INCLUDING COSTS OF THE PUMPING STATION OPERATION STAFF, SALARIES OF OFFICE STAFF, UTILITIES AND FUELS, PURCHASE OF EQUIPMENT NECESSARY FOR THE MAINTENANCE OR OPERATION OF THE DISTRICT, CONTRACT SERVICES, INSURANCE, AND PERSONNEL, AND OTHER MATTERS RELATED THERETO OR CALLED FOR BY LAW. THE MAINTENANCE AND OPERATION TAX WILL GENERATE APPROXIMATELY \$168,000.00 ANNUALLY.

Shall Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana (The "District"), be authorized to increase the levy of a maintenance and operation tax for a five year term, subject to renewal for five year terms by special election, on each landowner of record within the District for a total of not more than \$39.00 for each 10,000 square feet of each lot and parcel owned, such that the maximum tax on each lot or parcel is equal to \$135.00, which amount would be levied on the first 10,000 square feet of each lot and parcel owned for the maintenance of the levee system, pumping station, pumps, holding ponds, construction of pumping stations and acquisition of land therefore, and the operation of the District including costs of the pumping station operation staff, salaries of office staff, utilities and fuel, purchase of equipment necessary for the maintenance or

operation of the District, contract services, insurance, and personnel, and other matters related thereto or called for by law.

The said special election will be held at the following polling place situated within the Parish and the District, which poll will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

Precinct No. 814 (Part)

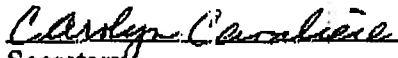
NORTHSHORE HIGH SCHOOL, #100 PANTHER DRIVE, SLIDELL, LOUISIANA

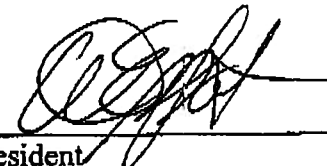
The polling place set forth above is hereby designated as the polling place at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions in Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefore as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, on January 2, 2013, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election. All registered voters in the District are entitled to vote at said special election and voting machines will be used thereat.

THUS DONE AND SIGNED, at Slidell, Louisiana, on this 11th day of July, 2012.

ATTEST:


Secretary


President

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Secretary of Drainage District No. 4 of St. Tammany Parish, (the "Governing Authority"), the Governing Authority of Drainage District No. 4 do hereby certify that the foregoing five (5) pages constitute a true and correct copy of the proceedings taken by the Governing Authority on July 11, 2012, ordering and calling a special election to be held in the Parish and the District to authorize the increase of the levy of the maintenance and operation tax therein, making application to the State Bond Commission in connection therewith and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish and the District at Slidell, Louisiana, on this, the 11th day of July, 2012.

Carolyn Caraker
Secretary

(SEAL)

TO: STATE BOND COMMISSION
Baton Rouge, LA

Application for Approval
Submitted by:

DRAINAGE DISTRICT NO. 4 OF ST. TAMMANY PARISH, STATE OF
LOUISIANA

L09-

Authority to hold a special election in Drainage District No. 4 of St. Tammany Parish, State of Louisiana (the "District"), on Saturday, December 8, 2012, to submit to the electors of the District the following proposition, to-wit:

PROPOSITION NO. 1
(Increase of Maintenance and Operation Tax)

SUMMARY: FOR A FIVE YEAR TERM, THE INCREASE OF A MAINTENANCE AND OPERATION TAX OF NOT MORE THAN \$39.00 FOR EACH 10,000 SQUARE FEET OF EACH LOT AND PARCEL OWNED WITH A TOTAL MAXIMUM TAX OF \$135.00 ON EACH LOT OR PARCEL OWNED FOR PROVIDING FUNDS FOR THE MAINTENANCE OF THE LEVEE SYSTEM, PUMPING STATION, PUMPS, HOLDING PONDS, CONSTRUCTION OF PUMPING STATIONS AND ACQUISITION OF LAND THEREFORE, AND THE OPERATION OF THE DISTRICT INCLUDING COSTS OF THE PUMPING STATION OPERATION STAFF, SALARIES OF OFFICE STAFF, UTILITIES AND FUELS, PURCHASE OF EQUIPMENT NECESSARY FOR THE MAINTENANCE OR OPERATION OF THE DISTRICT, CONTRACT SERVICES, INSURANCE, AND PERSONNEL, AND OTHER MATTERS RELATED THERETO OR CALLED FOR BY LAW. THE MAINTENANCE AND OPERATION TAX WILL GENERATE APPROXIMATELY \$168,000.00 ANNUALLY.

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acting as the governing authority of the District, subject to the approval of the State Bond Commission and the St. Tammany Parish Council, State of Louisiana.

It is the policy of the State Bond Commission that all attorneys fees involved in this matter must be approved by the office of the State Attorney General prior to payment. Although this is not a conditional approval of this application, failure to obtain such approval may result in conditional approvals of such applications by the Bond Commission in the future.