

NOTICE OF INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on June 9, 2016, and laid over for publication of notice:

L.P. ORDINANCE NO. 16-23

AN ORDINANCE AMENDING L.P. ORDINANCE NO.16-09 TO PROVIDE FOR CERTAIN MATTERS PERTAINING TO THE INCURRING OF DEBT AND ESTABLISHMENT OF WATER AND SEWER SERVICE.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of the Parish of Livingston, State of Louisiana will meet on Thursday, July 14, 2016, at 6:00 p.m., at the Council Chambers in the Governmental Building, 20355 Government Blvd., Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy C. Teal, Council Clerk

John Wascom, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the office of the Livingston Parish Council.)

The following Ordinance which was previously introduced in written form at a regular meeting of the Parish Council on June 9, 2016, a Notice of Public Hearing having been published in the official journal and which public hearing was held in accordance with said public notice, was offered by Garry “Frog” Talbert and seconded by Maurice “Scooter” Keen:

L.P. ORDINANCE NO. 16-23

AN ORDINANCE AMENDING L.P. ORDINANCE NO. 16-09 TO PROVIDE FOR CERTAIN MATTERS PERTAINING TO THE INCURRING OF DEBT AND ESTABLISHMENT OF WATER AND SEWER SERVICE.

WHEREAS, pursuant to the authority set forth in Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended and the Livingston Parish Home Rule Charter, the Parish Council of the Parish of Livingston, State of Louisiana, acting as governing authority of the Parish of Livingston, State of Louisiana (the “Council”) established Juban Trails Community Development District (the “District”) by an Ordinance adopted on April 28, 2016; and

WHEREAS, the Council may alter the boundaries, terminate or dissolve the District, upon their own initiative under Section 9039.34 of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and

WHEREAS, the District enjoys certain enumerated powers under Section 9039.20 of Chapter 27-B of Title 33 of the Louisiana Revised Statutes, as amended, including the power to finance and fund water supply, sewer and wastewater management infrastructure subject to the regulatory jurisdiction and permitting authority of all applicable governmental authorities; and

WHEREAS, the District falls within the regulatory jurisdiction and permitting authority of the Parish of Livingston, State of Louisiana (the “Parish”) and exercises all powers granted to the District under Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, subject to the Parish’s regulatory jurisdiction and permitting authority; and

WHEREAS, the Council has identified a need of the Parish’s residents for uniform, reliable, cost-effective and high quality water and sewerage services, including those residents situated in the District.

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of Livingston, State of Louisiana, as the governing authority of the Parish of Livingston, State of Louisiana, that:

SECTION 1. Section 2 of L.P. Ordinance No. 16-09 is amended to read as follows:

“The aforesaid community development district shall be known and designated as the **JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT, PARISH OF LIVINGSTON, STATE OF LOUISIANA**, and as thus created and established, said District shall constitute a special district, as provided in Article VI, Section 19 of the Constitution of the

State of Louisiana of 1974, as amended (the “*Constitution*”) and shall have all powers granted by the Constitution, the Act and all other laws of the State of Louisiana, including but not limited to the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, systems and additional systems for (1) water management and control, (2) water supply, sewer and wastewater management, reclamation and reuse or any combination thereof, (3) garbage disposal or (4) any combination thereof; however, the powers of the District shall be subject to the following limitations:

(i) The District shall not be permitted to operate and maintain systems or components of any system for (1) water management and control, (2) water supply, sewer and wastewater management, reclamation and reuse or any combination thereof, (3) garbage disposal or (4) any combination thereof (each a “Utilities System”) nor shall the District grant, the rights to operate such Utilities System to an entity or franchise other than an established district of the Parish.

(ii) The District’s authority to issue bonds pursuant to Section 9039.22 of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, shall be subject to the approval of the Parish by a resolution adopted by the Council.”

SECTION 2. All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance, which can be given effect without the invalid provision, or application, and to this end the provision of this Ordinance are hereby declared severable.

SECTION 4. The Chairman and Council Clerk of the Council, along with the Parish President, are further authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Ordinance.

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

YEAS: MR. KEEN, MR TALBERT, MR AVERETT

NAYS: MR. HARRIS, MR. ARD, MR. GIRLINGHOUSE, MR LOBELL, MR. WASCOM

ABSTAIN: NONE

ABSENT: MR. MACK

And the ordinance FAILED to be adopted on this 14th day of July, 2016.

John Wascom, Council Chairman

ATTEST:

Sandy C. Teal, Council Clerk

INTRODUCED _____

ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ .M.

APPROVED BY PRESIDENT _____

Layton Ricks Date

VETOED BY PRESIDENT _____

Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ .M.

STATE OF LOUISIANA
PARISH OF LIVINGSTON

I, the undersigned Council Clerk of the Parish Council of the Parish of Livingston, State of Louisiana do hereby certify that the foregoing constitutes a true and correct copy of an Ordinance adopted by the Parish Council of the Parish of Livingston, State of Louisiana on July 14, 2016, amending L.P. Ordinance No. 16-09 to provide for certain matters pertaining to the incurring of debt and establishment of water and sewer service.

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

IN WITNESS WHEREOF, I have subscribed my official signature and the impress of the official seal of the Parish Council of the Parish of Livingston, State of Louisiana, on this 14th day of July, 2016.

Sandy C. Teal, Council Clerk

[SEAL]