

CITY RESOLUTION NO. CR-002-2024

A RESOLUTION OF THE LAFAYETTE CITY COUNCIL ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF LAFAYETTE, STATE OF LOUISIANA, TO AUTHORIZE THE REDEDICATION OF SALES AND USE TAXES THEREIN, MAKING APPLICATION TO THE STATE BOND COMMISSION, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the Lafayette City Council (the "Governing Authority"), that:

SECTION 1: Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Section 29 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the City of Lafayette, State of Louisiana (the "City"), on **SATURDAY, APRIL 27, 2024**, between the hours of seven o'clock (7:00) 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 propositions, to-wit:

PROPOSITION NO. 1 OF 2
(1985 SALES TAX REDEDICATION PROPOSITION)

Shall the City of Lafayette, State of Louisiana (the "City"), having been previously authorized at elections held on May 4, 1985, November 15, 1997 and July 21, 2001, to levy a one percent (1%) sales and use tax (the "Tax") (an estimated \$46,800,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), be authorized to rededicate the proceeds of the Tax to be used, in addition to the purposes previously approved, to pay expenses of the City associated with leases and software subscription agreements?

PROPOSITION NO. 2 OF 2
(1961 SALES TAX REDEDICATION PROPOSITION)

Shall the City of Lafayette, State of Louisiana (the "City"), having been previously authorized at elections held on May 13, 1961, November 20, 1965, March 22, 1977, and July 21, 2001, to levy a one percent (1%) sales and use tax (the "Tax") (an estimated \$57,600,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), be authorized to rededicate the proceeds of the Tax to be used, in addition to the purposes previously approved, to pay expenses of the City associated with leases and software subscription agreements?

SECTION 2: Publication of Notice of Election. A Notice of Special Election shall be published in the official journal of the City once a week for four (4) consecutive weeks, with the first publication to be made not less than 45 days nor more than 90 days prior to the date of the 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.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Lafayette Clerk of the Council is authorized and directed to make any amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

SECTION 3: Canvass. This Governing Authority shall meet at its regular meeting place, the Council Auditorium, 705 West University Avenue, Lafayette, Louisiana, on **TUESDAY, MAY 21, 2024, at FIVE-THIRTY O'CLOCK (5:30) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4: Polling Places. The polling places for the precincts set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said 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 therefor as may be selected and designated in accordance with L.a. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the City will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6: Authorization of Officers. The Lafayette Clerk of the Council 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 Lafayette Mayor-President and/or Lafayette Clerk of the Council 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.

SECTION 7: Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Lafayette Parish and the Registrar of Voters of Lafayette Parish, as notification of the special election, 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 special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the sales and use taxes provided for therein. 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.

SECTION 9: Repealer. All resolutions, or parts thereof, in conflict herewith are hereby

repealed.

This resolution having been submitted to a vote, the vote on behalf of the Council thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

AND the resolution was declared adopted on this, the 23rd day of January, 2024.

VERONICA L. ARCENEUX
LAFAYETTE CLERK OF THE COUNCIL

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EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Lafayette City Council (the "Governing Authority"), acting as the governing authority of the City of Lafayette, State of Louisiana (the "City"), on January 23, 2024, NOTICE IS HEREBY GIVEN that a special election will be held within the City on **SATURDAY, APRIL 27, 2024**, and that at the said election there will be submitted to all registered voters in the City qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following propositions, to-wit:

**PROPOSITION NO. 1 OF 2
(1985 SALES TAX REDEDICATION PROPOSITION)**

Shall the City of Lafayette, State of Louisiana (the "City"), having been previously authorized at elections held on May 4, 1985, November 15, 1997 and July 21, 2001, to levy a one percent (1%) sales and use tax (the "Tax") (an estimated \$46,800,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), be authorized to rededicate the proceeds of the Tax to be used, in addition to the purposes previously approved, to pay expenses of the City associated with leases and software subscription agreements?

**PROPOSITION NO. 2 OF 2
(1961 SALES TAX REDEDICATION PROPOSITION)**

Shall the City of Lafayette, State of Louisiana (the "City"), having been previously authorized at elections held on May 13, 1961, November 20, 1965, March 22, 1977, and July 21, 2001, to levy a one percent (1%) sales and use tax (the "Tax") (an estimated \$57,600,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), be authorized to rededicate the proceeds of the Tax to be used, in addition to the purposes previously approved, to pay expenses of the City associated with leases and software subscription agreements?

The said special election shall be held at the polling places for the following precincts, which polls will open at seven o'clock (7:00) 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:

PRECINCTS

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128(PART)
130(PART)

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

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$_____.

The said special election will be held in accordance with 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, 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 therefor 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, the Council Auditorium, 705 West University Avenue, Lafayette, Louisiana, on **TUESDAY, MAY 21, 2024**, at **FIVE-THIRTY O'CLOCK (5:30) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the City are entitled to vote at said special election and voting machines will be used.

STATE OF LOUISIANA

PARISH OF LAFAYETTE

I, the undersigned Lafayette Clerk of the Council, do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Lafayette City Council on January 23, 2024, ordering and calling a special election to be held in the City of Lafayette, State of Louisiana to authorize the rededication of sales and use taxes therein, making application to the State Bond Commission, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Lafayette, Louisiana, on this, the 23rd day of January, 2024.

VERONICA L. ARCENEUX
LAFAYETTE CLERK OF THE COUNCIL

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** A resolution of the Lafayette City Council ordering and calling a special election to be held in the City of Lafayette, State of Louisiana, to authorize the rededication of sales and use taxes therein, making application to the State Bond Commission, and providing for other matters in connection therewith

2) **ACTION REQUESTED:** Adoption of resolution

3) **COUNCIL DISTRICT(S) (CIP PROGRAM/PROJECTS ONLY):** N/A

4) **REQUESTED ACTION OF COUNCIL:**

A) INTRODUCTION: N/A

B) FINAL ADOPTION: January 23, 2024

5) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Resolution (3 pages)

B) Exhibit A – Notice of Special Election (3 pages)

C) Resolution Certificate (1 page)

6) **FISCAL IMPACT:**

 X Fiscal Impact (Explain)

 No Fiscal Impact

RECOMMENDED BY:

/s/ Karen Fontenot
KAREN FONTENOT
CHIEF FINANCIAL OFFICER