

Mil Levy and
Bond Election Reso.
election 11/19/85

(11)

EXTRACT OF RESOLUTION NO. S1-91983 OF THE BOARD OF
LEVEE COMMISSIONERS OF THE ORLEANS LEVEE DISTRICT
ADOPTED SEPTEMBER 19, 1983.

* * * *

WHEREAS, pursuant to a special election held on Tuesday March 5, 1974, the electors of the Orleans Levee District voted to levy annually (in addition to the 2-1/2 mills tax then being levied in said District) a tax of three (3) mills on the dollar of the assessed valuation of all property within the Orleans Levee District for a period of eleven (11) years, beginning with the year 1975, and ending with the year 1985, and three-fourths of one mill (3/4 mill) thereafter, beginning 1986, the proceeds of said tax to be used for constructing and maintaining levees, levee drainage, flood protection, and all other purposes incidental thereto, said tax being subject to funding into debt obligations as provided by law.

WHEREAS, pursuant to Article 7, Section 23, of the Constitution of 1974, the 3 mills tax provided for by said election was reestablished at 6.07 mills and the 2 1/2 mill tax

authorized by Article 6 Section 39(A), of the Louisiana Constitution was reestablished at 5.05 mills.

WHEREAS, this Board of Levee Commissioners of the Orleans Levee District has determined and does hereby determine that it is necessary to continue in force and effect for more than eleven (11) years the 6.07 mills tax in addition to the 5.05 mills tax provided for by Article 6, Section 39 of the Louisiana Constitution of 1974 (as increased pursuant to Article 7, Section 23, of said Constitution);

WHEREAS, the reason for the proposed continuation beyond 1985 for thirty (30) years of the 6.07 mill additional tax is to provide funds to construct and maintain hurricane and flood protection levees, levee drainage, maintenance thereof and all other purposes incidental thereto, including but not limited to the following:

1. Floodwall at Pontchartrain Beach from the University of New Orleans Campus to the location of American Standard Company;
2. Floodwall at Orleans Marina from the Harbor Master's building to Lakeshore Drive;
3. Floodwall extension at Sea Brook along the Westside of the Inner Harbor Navigation Canal;
4. Bayou St. John flood control structure, levees and roadcrossing;
5. Seventeenth Street Canal floodwalls and levees;
6. Orleans Avenue Canal floodwalls and levees;
7. London Avenue Canal floodwalls and levees;

8. American Standard Company floodwall;
9. Lakeshore Drive Seawall erosion control;
10. Field Operation and Office Construction within flood protection;
11. Lakefront capital improvements, landscaping and stablization;
12. Maintenance of any and all hurricane or flood protection facilities;
13. Such other hurricane and flood protection projects as may be determined necessary by the Board; and
14. All other purposes incidental thereto.

WHEREAS, the continued rate of taxation (in addition to the 5.05 mills tax authorized by Article 6 Section 39 of the Louisiana Constitution of 1974, as reestablished pursuant to Article 7, Section 23) proposed is 6.07 mills on the dollar of the assessed valuation of all property within the said District assessed for city-parish taxes, for a period of thirty (30) years beginning with the year 1986 and ending with the year 2015;

WHEREAS, in order to carry out the works of construction contemplated hereby it will be necessary for the Board to borrow money by the issuance of general obligation (full faith and credit) debt obligations to be secured by the existing 6.07 mill additional tax, and after the expiration thereof, by the 6.07 mill additional tax to begin in 1986 proposed hereby and the full faith and credit of the Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of Levee Commissioners of the Orleans Levee District, acting as the governing authority of the District:

SECTION 1. That, subject to the approval of the State Levee Commission, Baton Rouge, Louisiana, and under the authority of Article 6, Section 39(B), of the Constitution of the State of Louisiana of 1974, as amended, and other constitutional and statutory authority supplemental thereto, a special election be and the same is hereby called and ordered to be held in the Orleans Levee District (City of New Orleans, Orleans Parish, Louisiana), on Saturday, November 19, 1983, between the hours of six (6:00) o'clock a.m. and eight (8:00) o'clock p.m., in compliance with the provisions of Section 1181 et seq. of Title 18 of the Louisiana Revised Statutes of 1950 (R.S. 18:1181 et seq.), and that at said election there shall be submitted to the electors of said District qualified and entitled to vote at said election under the Constitution and Laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

Shall the Board of Levee Commissioners of the Orleans Levee District be authorized to continue to levy annually (in addition to the 5.05 mills tax now being levied in said District pursuant to Article 6, Section 39, of the Louisiana Constitution of 1974 (as reestablished pursuant to Article 7, Section 23, of said Constitution)) a tax of 6.07 mills on the dollar of the assessed valuation of all property within the Orleans Levee District (City of New Orleans, Orleans Parish, Louisiana) assessed for city-parish taxation, under the authority of Article 6, Section 39, of the Constitution of the State of Louisiana of 1974, as amended, for a period of thirty (30) years, beginning with the year 1986, and ending with the year 2015, the proceeds of said tax to be used for the purpose of construction, improvement and

maintenance of the following listed and necessary hurricane and flood protection projects: floodwall at Pontchartrain Beach from the University of New Orleans Campus to the location of American Standard Company; floodwall at Orleans Marina from the Harbor Master building to Lakeshore Drive; floodwall extension at Sea Brook Bridge along the westside of the Inner Harbor Navigation Canal; Bayou St. John flood control structure, levees and road crossings; Seventeenth Street Canal floodwalls and levees; Orleans Avenue Canal floodwalls and levees; London Avenue Canal floodwalls and levees; American Standard Company floodwall; Lakeshore Drive Seawall erosion control; field operation and office construction within flood protection; Lakefront capital improvements, landscaping and stabilization; maintenance of any and all hurricane or flood protection facilities; such other hurricane and flood protection projects as may be determined necessary by the Board; and all other purposes incidental thereto; said existing 6.07 mills additional tax and, after the expiration thereof, the proposed additional 6.07 mills tax to begin in 1986 (i) to be subject to funding into general obligation (full faith and credit) debt obligations in an aggregate principal amount not to exceed Fifty Million (\$50,000,000) Dollars to be dated December 1, 1983, or later, to be outstanding no longer than 30 years, and to bear interest at a rate not in excess of fourteen (14%) percent per annum as fixed by said Board in such manner as may be provided by law, and (ii) to be collected at the same time and in the same manner as other taxes levied by said Board?

SECTION 2. That there shall be published in "The Daily Record," a daily newspaper published in the City of New Orleans, Parish of Orleans, Louisiana, being the official journal of this Board of Commissioners, once a week for four consecutive weeks, the first of which such publication shall be made not less than forty-five days nor more than ninety days before the date of the election, in accordance with law, notice of said special election,

which notice shall embrace substantially all things set forth in this resolution and also provide notice that said Board of Commissioners will meet in open and public session at its regular meeting place, the Board Room of the Orleans Levee District, Second Floor, Main Terminal Building Lakefront Airport, New Orleans, Louisiana, on November 23, 1983, at two-thirty (2:30) o'clock p.m., and will then and there in open and public session proceed to examine and count the votes, examine and canvass the returns and declare the results of the said special election. Said notice shall be in substantially the form of Exhibit "A" hereto together with any changes, additions and deletions approved by the president or president pro tempore of the Board.

SECTION 3. That the said election shall be held in conjunction with the general election to be held on Saturday, November 19, 1983, in the City of New Orleans, Louisiana, under the provisions of Chapter 3, Title 18, of the Louisiana Revised Statutes of 1950, as amended, and that the Commissioners, Clerks and all other election officials charged with the responsibility for the conduct of the election herein called shall be the same as those selected to serve at the said general election, and that this Board of Levee Commissioners does hereby ratify, confirm and approve the designation of such election officials by the Board of Supervisors of the said general election in the City of New Orleans. The Secretary of State and/or the Commissioner of Elections be and they are hereby authorized to furnish the official ballots for use at the said election.

SECTION 4. That the following polling places designated in Exhibit "B" hereto situated within the corporate limits of the District be and the same are hereby designated as the polling places at which to hold the said election, provided, however, that in the event any of the polling places for the general election are changed so as not to conform with the polling places herein designated, such changes are hereby ratified, confirmed and approved and the election herein called shall be held at the same polling places as the said general election to be held in the City of New Orleans, Louisiana, on Saturday, November 19, 1983.

SECTION 5. That the officers designated as herein provided, or such substitutes therefor as may be selected and designated in accordance with law, including particularly Section 181 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, shall make due returns of the said election for the meeting of the Board of Levee Commissioners of the Orleans Levee District to be held at its regular meeting place, the Board Room of the Orleans Levee District, Second Floor Main Terminal Building, Lakefront Airport, New Orleans, Louisiana, on November 19, 1983, at two-thirty (2:30) o'clock p.m. Assessed valuation shall not be voted upon in this election, and all registered voters in the District (City of New Orleans, Orleans Parish, Louisiana) are entitled to vote herein. Voting machines shall be used in this election and voters shall not be required to sign a ballot.

SECTION 6. That the Secretary of the Orleans Levee District be and he is hereby empowered, authorized and directed to arrange for and to furnish to said election officials in ample time for the holding of said election the necessary equipment, forms, and other election paraphernalia essential to the proper holding of said election.

SECTION 7. That certified copies of this resolution shall be forwarded to the Civil and Criminal Sheriffs of the Parish of Orleans, the Secretary of State, the Commissioner of Elections, the Clerk of the Criminal District Court and Ex-Officio Parish Custodian of Voting Machines in and for the Parish of Orleans, 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 his respective function as required by law.

SECTION 15. This resolution shall be published at least once in the Daily Record, the Official Journal of the Board published in The Orleans Levee District.

SECTION 16. If any section, paragraph, clause or provision of this resolution shall be held to be invalid for any reason, such invalidity shall not affect the validity or enforceability of any of the remaining provisions hereof.

SECTION 17. All resolutions and orders or parts thereof in conflict herewith, are, to the extent of such conflict, hereby repealed, and this resolution shall be in effect from and after its passage.

SECTION 18. That application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for consent and authority to hold the aforesaid special election in the Orleans Levee District under the provisions of Article 6, Section 39, of the Constitution of the State of Louisiana of 1974, as amended, and other constitutional and statutory authority supplemental thereto, and in the event the aforesaid proposition carries, for its consent and authority to levy the tax provided for in said proposition, to issue the Bonds authorized herein; and that a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Orleans Levee District, together with a letter requesting the prompt consideration and approval of this application.

SECTION 19. The Board finds it necessary to employ the services of a Registrar and paying agent in connection with the issuance of the Levee Improvement Bonds, Series 1983C and does hereby authorize and direct the managing director to cause a solicitation for proposals to serve as Registrar to be sent to such firms having corporate trust powers as in his judgment will be sufficient to assure an equitable fee schedule for the services of a Registrar.

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

YEAS: Ross, Schneider, Charbonnet, Slatten

NAYS: _____

ABSENT: Wagner, Rochon, Macon

And the resolution was declared adopted on this, the
3th day of September, 1983.

S/ W. A. Slatten

W. A. SLATTEN, President

ATTEST:

H. B. Lansden

H. B. LANSDEN, Secretary