

Introduced February 28, 1979
by Councilman Singletary;
seconded by Councilman Wood

Item number 79-2-35

ORDINANCE

NO. 1151

An ordinance providing for the employment of special counsel, designating the fee, providing for the payment thereof, and other matters related thereto.

WHEREAS, the City Council of the City of Slidell, Louisiana, the governing authority of the City is desirous of employing as special counsel, Willis C. McDonald of Slidell, Louisiana, bond counsel, to do and perform all legal work incidental and necessary to the authorization, sale, and delivery of Certificates of Indebtedness under the provisions of Title 33, Sections 2922 to 2925, inclusive, of the Louisiana Revised Statutes to provide for the construction and acquisition of extensions and improvements to the City Court and Jail Building; and

WHEREAS, this City Council, after due deliberation, deems it necessary to protect the public interest and a real necessity exists to employ special counsel in connection with financing the acquisition and construction of the aforementioned improvements for said City, for the reason that this class of legal work requires the services of and can best be performed by recognized bond counsel; and

WHEREAS, the aforesaid bond attorney has specialized in this phase of legal work, is nationally recognized therein, and particularly qualified to furnish the services herein required;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Slidell, Louisiana, acting as the governing authority of the City:

SECTION 1. Willis C. McDonald, Slidell, Louisiana, Bond Counsel, be and he is hereby employed as special counsel

1 to do and perform all legal work incidental and necessary with
2 respect to the authorization, the issuance, and sale of evi-
3 dences of indebtedness for the acquisition and construction of
4 extensions and improvements to the City Court and Jail Building
5 in an amount not to exceed \$135,000.00.
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10 The said special counsel shall perform all appli-
11 cable legal, financial, and other services required and commonly
12 referred to as "Comprehensive Legal and Coordinate Professional
13 Work." The said fee of said special counsel shall be in an
14 amount equal to one (1%) percent of the amount of securities sold
15 and delivered and, in the event the evidences of indebtedness
16 herein contemplated are issued and sold in separate series, the
17 aforesaid rate of compensation shall apply to each such series
18 sold, delivered, and paid for; and said compensation shall be pay-
19 able out of the funds derived from the sale of the evidences of
20 indebtedness actually issued, sold, and paid for.
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32 SECTION 2. The said bond counsel shall also prepare
33 and distribute an official prospectus or prospectuses containing
34 details and comprehensive financial and statistical data required
35 with respect to the sale of the securities authorized and the
36 reasonable itemized cost of producing and distributing any such
37 prospectus shall be approved by the City and such cost incurred
38 shall be reimbursed from the proceeds of the issue of such securi-
39 ties.
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48 SECTION 3. A certified copy of this resolution shall
49 be submitted to the Attorney General of the State of Louisiana
50 for his written approval of said employment and the fees desig-
51 nated herein.
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56 SECTION 4. The appropriate officials of the City be,
57 and they are hereby authorized, empowered and directed to issue
58 appropriate vouchers to said special counsel for the payment of
59 the compensation and fees as herein provided.
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65 SECTION 5. Upon acceptance by said special counsel
66 of the terms and conditions of this ordinance of employment by
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1 by the signing of an endorsement of acceptance it shall become
2 a contract between said counsel and the City, as if all the
3 terms of this ordinance had been written into a contract and
4 executed by said bond counsel and for and on behalf of said City.
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9 This ordinance having been submitted to a vote, the
10 vote thereon was as follows:
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13 YEAS: 7
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15 NAYS: 0
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17 ABSENT: 2 (Hinton - Throop)
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20 ADOPTED this 19th day of March 1979.
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23 *Alvin D. Singletary*
24 Alvin D. Singletary,
25 Councilman-at-Large
26 President of the Council
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28 **DELIVERED** 3-21-79
29 9:00 AM to the Mayor
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31 **RECEIVED** 3-21-79
32 9:15 AM from the Mayor
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34 *John Swenson*
35 John Swenson CMC
36 Clerk of Council
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38 *M. W. Hart*
39 M. W. Hart
40 Mayor
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42 ENDORSEMENT
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44 The employment of special counsel in accordance with
45 the terms set forth in the foregoing resolution is
46 hereby accepted.
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Willis C. McDonald