

Introduced August 13, 1985  
by Councilperson Van Sandt  
seconded by Councilwoman Williams  
(both by request).  
Item No. 85-8-882

ORDINANCE 1868

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

WHEREAS,

THE CITY COUNCIL OF THE CITY OF SLIDELL, LOUISIANA, acting as the governing authority of the City,

is desirous of employing as special counsel, Willis C. McDonald, bond counsel, of Slidell, Louisiana, to do and perform all legal work incidental and necessary to the incurring of debt and the issuance of appropriate evidences of indebtedness, to the levying and collection of certain special assessments, as the services, from time to time, become necessary; and

WHEREAS, the said governing body, after due deliberation, deems it necessary to protect the public interest and a real necessity exists for such employment of a special counsel in connection with financing the construction of water distribution works for the performance of such work by recognized bond counsel; and

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

NOW THEREFORE, BE IT ORDAINED BY

The CITY COUNCIL OF THE CITY OF SLIDELL, LOUISIANA, acting as the governing authority of the City,

SECTION 1. Willis C. McDonald, bond counsel, of Slidell, Louisiana, be, and he is hereby employed as special counsel to do and perform all legal work incidental and necessary with respect to the issuance and sale of evidences of indebtedness to provide for the funds necessary to construct and acquire water distribution works secured by and payable from special assessments on all of the property abutting certain streets within the area, in an amount not exceeding \$478,000.

The special counsel shall perform all applicable legal, financial and other services required for the issuance, sale and delivery of the securities, and the fee for such services shall be equal to two and one-half (2½) percent of the total assessments levied. In the event the securities are issued and sold in separate series, the rate of compensation shall apply to each such series, and said compensation shall be payable out of the funds derived from the sale of such securities

SECTION 2. The bond counsel shall also prepare and distribute an official prospectus containing details and comprehensive financial and statistical data required with respect to the sale of the securities and the reasonable itemized cost of producing and distributing such prospectus shall be approved by the public body and the cost thereof reimbursed from the proceeds of such sale.

SECTION 3. A certified copy of this ordinance shall be submitted to the Attorney General of Louisiana for his approval of this employment and the fee designated herein.

SECTION 4. The proper officers of the governing body be, and they are hereby authorized, empowered and directed to issue appropriate vouchers to the special counsel for the payment of the compensation provided for in accordance with the provisions of this ordinance, and the approval of the Attorney General.

1 SECTION 5. Upon acceptance by the special counsel of the  
2 terms and conditions of this ordinance by the signing of an endorse-  
3 ment hereon, it shall become a contract between the special counsel  
4 and the public body involved herein, as if all the terms of this ordi-  
5 nance had been written into a contract and executed by said special  
6 counsel and on behalf of the public body.

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8 This ordinance having been submitted to a vote, the vote  
9 thereon was as follows:

10 YEAS: 8

11 NAYS: 0

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15 ABSENT: 1 (Callahan)

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17 And the ordinance was declared adopted on this the 10th  
18 day of September 1985.

19  
20 *Barbara Manteris Penton*  
21 Barbara Manteris-Penton  
22 Clerk of the Council

23 *Richard B. Van Sandt*  
24 Richard B. VanSandt  
25 President of the Council  
26 Councilman, District C

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30 *Salvatore A. Caruso*  
31 Salvatore A. Caruso  
32 Mayor

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40 ENDORSEMENT

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42 The employment of special counsel in accordance with  
43 the terms set forth in the foregoing ordinance is  
44 hereby accepted.

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48  
49 Willis C. McDonald

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51 **DELIVERED**  
52 9-12-85 3:45 p.m.  
53 to the Mayor

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55 **RECEIVED**  
56 9-13-85 4:15 PM  
57 from the Mayor

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