

**City of Harahan  
6437 Jefferson Highway  
Mayor and Harahan City Council  
Special Meeting Agenda**

**Date: March 31, 2016**

**Time: 6:00 P.M.**

**Meeting called to order by the Mayor followed by the Pledge of Allegiance.**

**ROLL CALL**

**ADDRESS THE COUNCIL**

**RESOLUTION**

**To consider and take action with respect to adopting a resolution giving preliminary approval to the issuance of Public Improvement Refunding Bonds of the City of Harahan, State of Louisiana; and providing for other matters in connection therewith.**

**ORDINANCE FOR ADOPTION**

**An Ordinance adopting the annual Budget of Revenue and Expenditures for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.**

**NEW BUSINESS**

**NOTICE IS HEREBY GIVEN that the Council of the City of Harahan will conduct a Public Meeting on Thursday, May 19, 2016 at 7:30 p.m. at the Harahan City Hall Council Chambers, 6437 Jefferson Highway, Harahan, Louisiana, for the purpose of considering and adopting an ordinance levying ad valorem tax millages for 2016.**

**ADDRESS THE COUNCIL**

**ADJOURN**

**A. The following matter involving pending litigation may be considered  
(Court, Case, Number, Parties):**

- 1. Phillip Canella vs. Arch Ins. Co., City of Harahan, Todd A. St. Cyr, and Allstate Ins. Co.; 24<sup>th</sup> JDC, Case 744-961, Div. "I".**
- 2. Suzanne K. Scalise vs. City of Harahan LA, Anne Gordon, Louise Slayden, Ronald Gordon, Gail Gordon; 24<sup>th</sup> JDC, Case 744-986, Div. "O".**
- 3. City of Harahan, et al, v. BP Exploration & Production, Inc., et al. U.S.D.C., Eastern District of Louisiana, No. 2:13-cv-01397**

**B. The following matter involving prospective litigation for which formal written demand has been made may be considered.**

**C. The following matters involving discussion of the character, professional competence, or physical or mental health of:**

**Name:**

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ :

RESOLUTION

A resolution giving preliminary approval to the issuance of not to exceed Two Million Dollars (\$2,000,000) of Public Improvement Refunding Bonds, of the City of Harahan, State of Louisiana; providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; and providing for other matters in connection therewith.

WHEREAS, pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, the Issuer has heretofore issued \$3,085,000 of Public Improvement Refunding Bonds, Series 2006, dated July 1, 2006 (the "Series 2006 Bonds"); and

WHEREAS, in order to provide debt service savings, the Issuer desires to refund \$1,850,000 of its Public Improvement Refunding Bonds, Series 2006, dated July 1, 2006, maturing June 1, 2017 through June 1, 2024, inclusive (collectively, the "Refunded Bonds"), pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to accomplish the refunding by authorizing the issuance of not exceeding Two Million Dollars (\$2,000,000) of its Public Improvement Refunding Bonds (the "Bonds"), to be payable from and secured by an irrevocable pledge and dedication of the Issuer's portion of (i) the one-half of one percent (1/2%) sales and use tax levied and collected in the Issuer by the Parish of Jefferson, State of Louisiana (the "Parish") pursuant to Ordinance No. 2587 adopted on November 10, 1954, as amended, under the authority of Act 188 of 1954 of the Louisiana Legislature and a special election held in the Parish on October 5, 1954, as amended at a special election held on January 12, 1971; (ii) the one-half of one percent (1/2%) sales and use tax levied and collected in the Issuer by the Parish pursuant to Ordinance No. 7766 adopted on June 20, 1966, as amended by Ordinance No. 7886 adopted on August 25, 1966, under the authority of Act 29 of the Extraordinary Session of the of the Legislature of Louisiana for the year 1964 (R.S. 33:2737.1) and a special election held in the Parish on May 3, 1966, and (iii) the two-thirds of one-half percent (2/3 of 1/2%) (1/3%) sales and use tax levied and collected in the Issuer by the Parish pursuant to Ordinance No. 14646 adopted on February 11, 1981, under authority of Article VI, Section 29 of the Louisiana Constitution of 1974, and a special election held in the Parish of January 17, 1981 ("Revenues of the Tax"), now being levied and collected within the Issuer by the Parish (the "Tax"), subject only to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax; and

WHEREAS, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Revenues of the Tax herein pledged; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Governing Authority") of the City of Harahan, State of Louisiana, acting as the governing authority of the City of Harahan, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary Approval of Public Improvement Refunding Bonds.

Preliminary approval is given to the issuance of not exceeding \$2,000,000 aggregate principal amount of Public Improvement Refunding Bonds of the City of Harahan, State of Louisiana (the "Bonds"), to be issued for the purpose of refunding the callable maturities of the Issuer's outstanding Public Improvement Refunding Bonds, Series 2006, dated July 1, 2006, and to pay the costs of issuance thereof. The Bonds will be payable from and secured by an irrevocable pledge and dedication of the Issuer's portion of the Tax now being levied and collected for the Issuer, pursuant to Article VI, Section 29 of the Louisiana Constitution of 1974 and other constitutional and statutory authority supplemental thereto, and pursuant to an election held in the Parish of Jefferson, State of Louisiana, on October 5, 1954, as amended at an election held on January 12, 1971, an election held on May 3, 1966, and an election held on January 17, 1981, subject only to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the sales tax. The Bonds shall bear interest at a rate or rates not to exceed six percent (6%) per annum, to be determined by subsequent resolution of this Governing Authority at the time of the sale of the Bonds, and shall mature in annual installments due no later than June 1, 2023. The Bonds shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than 97% of par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority at the time of sale thereof.

SECTION 2. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Refunding Bonds, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the Refunding Bonds. The fee of Bond Counsel for each series of said bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue bonds and based on the amount of said bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. That pursuant to instructions from the Mayor, Bond Counsel shall cause to be prepared an official statement with respect to the sale of the Refunding Bonds and the costs of the preparation and printing of said official statement, as approved by the State Bond Commission, shall be paid from the proceeds of the issue for which it has been prepared. Said Official Statement may be submitted to one or more of the nationally recognized bond rating service or services, together with a request that an appropriate rating be assigned. Payment for all ratings shall be made by the Mayor upon presentation of appropriate statements from the particular rating service furnishing the ratings. The Mayor is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel on file with the Mayor. A certified

copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Mayor is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 3. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Refunding Bonds and for consent and authority to proceed with the issuance and sale of the Refunding Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Governing Authority.

By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. Appointment of Municipal Advisor. The Issuer hereby retains Raymond James & Associates, Inc., of New Orleans, Louisiana, Registered Municipal Advisors, to act as its Independent Registered Municipal Advisor ("IRMA") pursuant to the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the Final Rule adopted by the

Securities and Exchange Commissioners on September 20, 2013 and the adopted final release (the "Release") for the purpose of providing advice on structure, timing, terms and other matters relating to the Bonds, upon which the Issuer may rely. The fee for such services shall be payable solely from the proceeds of the Bonds and the amount thereof shall be subject to approval by the Issuer and subject to the approval of the State Bond Commission. The Issuer or the Municipal Advisor may terminate this retention at any time upon written notification to the other party.

The foregoing resolution having been submitted to a vote, the vote resulted as follows:

<u>MEMBERS:</u>	<u>YEAS:</u>	<u>NAYS:</u>	<u>ABSENT:</u>	<u>ABSTAINING:</u>
Timothy Baudier	_____	_____	_____	_____
Susan Benton	_____	_____	_____	_____
Dana Huete	_____	_____	_____	_____
Craig Johnston	_____	_____	_____	_____
Carrie Wheeler	_____	_____	_____	_____

And the resolution was declared adopted on this, the 31<sup>st</sup> day of March, 2016.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor