**RESOLUTION**

**NO. R-20-266**

**CITY HALL: August 20, 2020**

**BY: COUNCILMEMBER MORENO (BY REQUEST)**

**SECONDED BY:**

 **A RESOLUTION** calling a special election to be held on Saturday, December 5, 2020 in the City of New Orleans to approve or disprove the levy of ad valorem taxes therein.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** that

 **SECTION 1. Election Call.** Subject to the approval of the State Bond Commission, and pursuant to the authority conferred by Article VI, Section 26 of the Constitution of the State of Louisiana of 1974, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority supplemental thereto, an election is hereby called for Saturday, December 5, 2020 between the hours of seven o’clock (7:00) a.m. and eight o’clock (8:00) p.m., and at said election the electorate of the City of New Orleans may approve or disapprove authorizing the City Council to authorize the levy of ad valorem taxes therein. The official ballot to be used for said election shall be printed and worded in the voting machines as follows:

CITYWIDE MILLAGE PROPOSITION #1

(PUBLIC INFRASTRUCTURE MILLAGE)

In lieu of separate millages previously approved by voters in the City of New Orleans ("City") in the amount of 1.900 mills for street and traffic control device maintenance and 2.500 mills for the Capital Improvements and Infrastructure Trust Fund (collectively, “Prior Taxes”), shall the City be authorized to levy a special tax of 2.619 mills ("Tax") for twenty years, January 1, 2021 - December 31, 2040 (estimated at $10,500,000 in the first year) with the proceeds of the Tax dedicated first to payment of debt service obligations secured by any of the Prior Taxes and then solely to public infrastructure in the City, to be used for the purposes of repairing, improving, maintaining and operating (i) roads, streets, and bridges, (ii) surface and subsurface drainage systems and stormwater management facilities, and (iii) public buildings and public safety facilities of the City, including purchasing related equipment and vehicles for any of the foregoing, provided that a portion of the monies collected shall be remitted to certain state and statewide retirement systems in the manner required by law?

CITYWIDE MILLAGE PROPOSITION #2

(LIBRARY AND EARLY CHILDHOOD EDUCATION MILLAGE)

In lieu of a separate millage previously approved by voters in the City of New Orleans ("City") in the amount of 4.000 mills for the support of public libraries in the City (“Prior Tax”), shall the City be authorized to levy a special tax of 0.987 mills ("Tax") for twenty years, January 1, 2021 - December 31, 2040 (estimated at $4,000,000 in the first year) with the proceeds of the Tax to be used for the purposes of constructing, improving, maintaining and operating public libraries and early childhood education facilities and related programs in the City, including the purchase of equipment therefor, title to which shall remain in the public, provided that a portion of the monies collected shall be remitted to certain state and statewide retirement systems in the manner required by law?

CITYWIDE MILLAGE PROPOSITION #3

(HOUSING AND ECONOMIC DEVELOPMENT MILLAGE)

In lieu of a separate millage previously approved by voters in the City of New Orleans ("City") in the amount of 2.50 mills to fund the Housing and Economic Development Trust Fund in the City (“Prior Tax”), shall the City be authorized to levy for twenty years, January 1, 2021 - December 31, 2040, special taxes of (a) 1.05 mills (estimated at $4,250,000 in the first year) to be used for the purpose of constructing, acquiring, improving, maintaining and operating affordable housing facilities and alleviating urban blight, and (b) 1.164 mills (estimated at $4,600,000 in the first year) to be used to support economic development activities in the City, provided that a portion of the monies collected shall be remitted to certain state and statewide retirement systems in the manner required by law?

 **SECTION 2. Publication of Notice of Election.** Notice of said election shall be published in the official journal of the City of New Orleans once a week for four (4) consecutive weeks, with the first publication being not less than forty-five (45)days nor more than ninety (90) days prior to the date fixed for the election, which notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference as if the same were set forth herein in full

 **SECTION 3. Canvass.** The Council, acting under the powers granted to it by the City Charter and state statutes, shall meet in open and public session either via video conference or in the Council Chamber, City Hall, 1300 Perdido Street, New Orleans, Louisiana, 70112, on Thursday, December 17, 2020, beginning at ten o’clock (10:00) a.m. and shall proceed to examine and canvass the returns and declare the result of said election.

 **SECTION 4. Election Commissioners: Voting Machines.** The officers designated to serve as commissioners-in-charge and commissioners pursuant to Section 5 hereof, or such substitutes therefor, as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said election as herein provided, and shall make due returns of said election to the City Council. All registered voters in the City are entitled to vote at said election and voting machines shall be used thereat.

 **SECTION 5. Authorization of Officers.** The Clerk of Criminal District Court 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 president and/or clerk of the City Council and the City Attorney are authorized, empowered and directed to take any and all further action required by law to arrange for the election.

 **SECTION 6. 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 in and for the Parish of Orleans, State of Louisiana, and the Registrar of Voters in and for said parish, as notification of the election herein called, in order that each may prepare for said election and perform their respective functions as required by law.

 **SECTION 7. Application to State Bond Commission.** Application is made to the State Bond Commission for consent and authority to hold the aforesaid election as herein provided, and in the event said election results in approval of any of the propositions, for further consent and authority to levy and collect the ad valorem taxes provided for therein, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the City Council requesting prompt consideration and approval of the application.

 **THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE RESOLUTION WAS ADOPTED.**

**EXHIBIT “A”**

 **NOTICE OF SPECIAL ELECTION**

Pursuant to the provisions of Resolution R-20-\_\_\_, adopted by the City Council of New Orleans on August 20, 2020, **NOTICE IS HEREBY GIVEN**, that an election will be held in New Orleans on Saturday, December 5, 2020, and that at said special election there will be submitted to all registered voters residing in the City of New Orleans who are 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:

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 Said election shall be held at each and every polling place in the City of New Orleans, which polls will open at seven o’clock in the morning (7:00 a.m.) and close at eight o’clock in the evening (8:00 p.m.), in accordance with the provisions of La. R.S. 18:541.

The estimated cost of this election, as determined by the Louisiana Secretary of State, based upon the provisions of Title 18, Chapter 8A of the Louisiana Revised Statutes and actual costs of similar elections is $233,000.

Notice is further given that a portion of the monies collected from the taxes described in the foregoing propositions shall be remitted to certain state and statewide retirement systems in the manner required by law.

 The Council, acting under the powers granted to it by the City Charter and state statutes, shall meet in open and public session either via video conference or in the Council Chamber, City Hall, 1300 Perdido Street, New Orleans, Louisiana, 70112, on Thursday, December 17, 2020, beginning at ten o’clock (10:00) a.m. and shall proceed to examine and canvass the returns and declare the result of said election.