

POSTED AT PARISH COMPLEX BY JUNE 23, 2021

AGENDA OF THE ST. TAMMANY PARISH COUNCIL SPECIAL MEETING

WEDNESDAY, JUNE 30, 2021 AT 5:30 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Michael R. Lorino, Jr., Chairman

Pledge of Allegiance by

Invocation by

**Roll Call: Marty Dean
David Fitzgerald
Martha Jenkins Cazaubon
Michael R. Lorino, Jr.
Rykert O. Toledano, Jr.
Cheryl Tanner
James "Jimmie" Davis, III
Christopher Canulette
Michael "Mike" Maxwell Smith
Maureen "MO" O'Brien
Steve Stefancik
Jerry Binder
Jacob "Jake" Airey
Thomas "T.J." Smith, Jr.**

PUBLIC COMMENT: a three (3) minute time limit is established for each member of the public wishing to speak (for or against) an item on the Agenda, except Appeals.

To ensure that all speakers are heard please hold cheers and applause. Anyone who wishes to place a comment in the record but who does not wish to speak at the podium may fill out a speaker card and check the box indicating they do not wish to speak.

RESOLUTION

1. Resolution C.S. No. C-6488 - A resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to consider whether a holder of an existing riverboat gaming license shall be allowed to relocate to an approved berth or docking facility in St. Tammany Parish and conduct riverboat gaming operations along portions of Lake Pontchartrain, specifically the waterways that are a part of the Lakeshore Marina located south and east of Interstate 10, Exit 261; making application to the State Bond Commission and providing for other matters in connection therewith.

ADJOURN

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-6488

COUNCIL SPONSOR: LORINO/COOPER PROVIDED BY: BOND COUNSEL

A resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to consider whether a holder of an existing riverboat gaming license shall be allowed to relocate to an approved berth or docking facility in St. Tammany Parish and conduct riverboat gaming operations along portions of Lake Pontchartrain, specifically the waterways that are a part of the Lakeshore Marina located south and east of Interstate 10, Exit 261; making application to the State Bond Commission and providing for other matters in connection therewith.

WHEREAS, Act 362 of the 2021 Regular Session of the Louisiana Legislature (the "Act") provides that a referendum election shall be called in St. Tammany Parish to consider the proposition of whether a holder of an existing riverboat gaming license shall be allowed to relocate to an approved berth or docking facility in St. Tammany Parish and conduct riverboat gaming operations along portions of Lake Pontchartrain, specifically the waterways that are part of the Lakeshore Marina located south and east of Interstate 10, Exit 261; and

WHEREAS, the Act sets forth the form of the ballot proposition to be submitted to the voters of St. Tammany Parish, including a provision for the insertion of the name of the licensee approved by the Louisiana Gaming Control Board (which approval is required only prior to the conducting of the election); and

WHEREAS, the Parish Council desires to call for the election required by the Act, and to further authorize the insertion of the name of the licensee upon approval by the Louisiana Gaming Control Board prior to the election;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Tammany, State of Louisiana, (the "Parish"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article XII, Section 6 of the Constitution of the State of Louisiana of 1974, Act 362 of the 2021 Regular Session of the Louisiana Legislature (the "Act"), the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, NOVEMBER 13, 2021**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

Shall gaming operations and activities authorized by the Louisiana Riverboat Economic Development and Gaming Control Act be authorized in St. Tammany Parish at a site along those certain waterways in St. Tammany Parish along portions of Lake Pontchartrain that are part of the Lakeshore Marina located south and east of Interstate 10, Exit 261, and shall (_____ * _____) or the licensee's successors and assigns be authorized to relocate from its current location to the location in St. Tammany Parish described above, and to develop on such location a gaming, hotel, and resort operation all in accordance with the Louisiana Gaming Control Law, the Louisiana Gaming Control Board, the Louisiana Election Code, and other relevant constitutional and statutory authority?

* Name of Licensee approved by the Louisiana Gaming Control Board to be inserted prior to the election

SECTION 2. Insertion of Name of Licensee in Proposition. Upon approval of the licensee by the Louisiana Gaming Control Board, the Chairman of this Parish Council is hereby authorized and directed to cause to be inserted in the ballot proposition the name of said licensee, without further action or approval by this Parish Council.

SECTION 3. Publication of Notice of Election. A Notice of Special Election shall be published in the *St. Tammany Farmer*, a newspaper of general circulation within the Parish, published in Covington, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Council Chairman is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 4. Canvass. This Governing Authority shall meet at its regular meeting place, the Council Chambers of the Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, on **THURSDAY, DECEMBER 2, 2021**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 5. Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 6. 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 special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 4 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.

SECTION 7. Authorization of Officers. The Clerk of the Governing Authority 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 Chairman and/or Clerk of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 8. 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 of St. Tammany Parish and the Registrar of Voters of St. Tammany Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 9. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____
:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 30TH DAY OF JUNE, 2021, AT A SPECIAL MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:

KATRINA BUCKLEY, COUNCIL CLERK

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Tammany, State of Louisiana (the "Parish"), on June 30, 2021, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, NOVEMBER 13, 2021**, and that at the said election there will be submitted to all registered voters in the Parish 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 proposition, to-wit:

PROPOSITION

Shall gaming operations and activities authorized by the Louisiana Riverboat Economic Development and Gaming Control Act be authorized in St. Tammany Parish at a site along those certain waterways in St. Tammany Parish along portions of Lake Pontchartrain that are part of the Lakeshore Marina located south and east of Interstate 10, Exit 261, and shall _____ or the licensee's successors and assigns be authorized to relocate from its current location to the location in St. Tammany Parish described above, and to develop on such location a gaming, hotel, and resort operation all in accordance with the Louisiana Gaming Control Law, the Louisiana Gaming Control Board, the Louisiana Election Code, and other relevant constitutional and statutory authority?

Said special election will be held at each and every polling place in the Parish of St. Tammany, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places at the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$204,400.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Council Chambers of the Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, on **THURSDAY, DECEMBER 2, 2021**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the Parish are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this, the 30th day of June, 2021.

ATTEST:

Council Chairman

Council Clerk

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Clerk of the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of St. Tammany, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority on June 30, 2021, ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to consider whether a holder of an existing riverboat gaming license shall be allowed to relocate to an approved berth or docking facility in St. Tammany Parish and conduct riverboat gaming operations along portions of Lake Pontchartrain, specifically the waterways that are a part of the Lakeshore Marina located south and east of Interstate 10, Exit 261; making application to the State Bond Commission and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Mandeville, Louisiana, on this, the 30th day of June, 2021.

Clerk