

**Minutes of March 8, 2022 – Regular Meeting  
Mayor and Board of Selectmen  
City of Plaquemine, Louisiana**

The Mayor and Board of Selectmen met for a Regular Meeting at Plaquemine City Hall, second floor courtroom, 23640 Railroad Avenue, City of Plaquemine, Parish of Iberville, State of Louisiana, 70764 on Tuesday, March 8, 2022 at 6:30 p.m., with the following members present:

Present: Mayor Edwin M. Reeves, Jr. and Selectmen Lindon A. Rivet, Jr., Thomas D. LeBlanc, Shannon P. Courtade, Jimmie Randle, Jr. and Selectwomen Geraldine H. Mellion and Wanda B. Jones.

The Pledge of Allegiance followed the Clerk's evidence of proper notice for the calling of the meeting.

PUBLIC COMMENTS (MUST REGISTER WITH THE CLERK).

Attorney F. Barry Marionneaux updated Mayor and Board of an Enterprise Blvd. issue concerning connection of a new home being constructed. Mr. Marionneaux also answered questions from the Board.

INTRODUCTION OF NEW EMPLOYEES.

Attorney F. Barry Marionneaux spoke on the Attorney General Opinion concerning the hiring of a City Attorney for the City of Plaquemine. Mr. Marionneaux reported that Mayor Reeves has hired Louis W. Delahaye, of Canova and Delahaye, as City Attorney/City Prosecutor.

Selectwoman Wanda B. Jones moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine amend the agenda to adopt an ordinance to clarify the department heads for the City of Plaquemine.

The motion having been submitted to a vote, **failed** due to not having a unanimous vote to amend the agenda:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones and Jimmie Randle, Jr.

Nays: Thomas D. LeBlanc and Shannon P. Courtade

Absent: None

Selectwoman Wanda B. Jones asked that the item be placed on the Regular Meeting of Tuesday, April 12, 2022.

TO ADOPT AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) OF TAXABLE SALES TAX BONDS (DEQ) OF THE CITY OF PLAQUEMINE, STATE OF LOUISIANA; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

The following ordinance was offered for final adoption by Selectman Lindon A. Rivet, Jr. and seconded by Selectman Thomas D. LeBlanc:

Ordinance No. 413

An ordinance authorizing the issuance of not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) of Taxable Sales Tax Bonds (DEQ) of the City of Plaquemine, State of Louisiana; and providing for other matters in connection therewith.

**WHEREAS**, the United States of America, pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of establishing a water pollution control revolving fund for providing assistance (i) for construction of treatment works (as defined in Section 1292 of the Federal Act) which are publicly owned, (ii) for implementing a management program under Section 1329 of the Federal Act, and (iii) for developing and implementing a conservation and management plan under Section 1330 of the Federal Act; and

**WHEREAS**, the State of Louisiana (the "State"), pursuant to Subtitle II, Chapter 14 of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 30:2301, *et seq.* (the "State Act"), has established a Clean Water State Revolving Fund (the "State Revolving Fund") in the custody of the Louisiana Department of Environmental Quality (the "Department") to be used for the purpose of providing financial assistance for the improvement of wastewater treatment facilities in the State, as more fully described in Section 2302 of the State Act, and has authorized the Department to administer the State Revolving Fund in accordance with applicable federal and state law; and

**WHEREAS**, the City of Plaquemine, State of Louisiana (the "Issuer") has made application to the Department for a loan from the State Revolving Fund to finance the Project (as herein defined) and the Department has approved the Issuer's application for such loan; and

**WHEREAS**, the Parish of Iberville, State of Louisiana (the "Parish") is now levying and collecting a two-thirds of one percent (2/3%) sales and use tax pursuant to an election held on July 13, 1991 (the "1991 Tax"), at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

**PROPOSITION**

"Shall the Parish of Iberville, State of Louisiana (the "Parish") under the provisions of Article VI, Section 29(B) of the Constitution of the State of Louisiana of 1974 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, a tax of two-third (2/3%) per cent upon the sale at retail, the use, the lease or rental, the consumption, the distribution and storage for use or consumption of tangible personal property, and upon the sale of services within the Parish, all as presently or hereafter defined in R.S. 47:301 through R.S. 47:317, the proceeds to be used by the Parish (after paying the reasonable and necessary expenses of collecting and administering the tax), to be allocated and divided between the Parish and municipalities in the Parish as follows:

**Pro Rata**

<u>Political Subdivision</u>	<u>Percentage</u>
Police Jury of the Parish of Iberville, Louisiana, as the governing authority of said parish	62.0439%
Village of Grosse Tete, Louisiana	1.7424%
Village of Maringouin, Louisiana	3.7006%
City of Plaquemine, Louisiana	23.1441%
Village of Rosedale, Louisiana	2.5991%
Town of White Castle, Louisiana	6.7699%

to be used by the Parish and municipalities in the Parish to pay the cost of capital outlay projects; maintaining and operating public facilities; administering local governments; and for any other lawful purpose and further shall the Parish and municipalities in the Parish be authorized to fund the proceeds of the tax into bonds to be issued in series from time to time, for the purpose of paying the cost of any capital improvements or projects, to the extent and in the manner permitted by the laws of Louisiana, including, but not limited to, Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended?"

**WHEREAS**, the Parish is also now levying and collecting a one percent (1%) sales and use tax pursuant to an election held on July 16, 2005 (the "2005 Tax"), at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

**SALES TAX CONTINUATION PROPOSITION**

SUMMARY: 1% SALES TAX CONTINUATION, FOR 30 YEARS, CHANGING THE ALLOCATION OF PROCEEDS AMONG THE MUNICIPALITIES AND THE PARISH (LAST REAUTHORIZED IN 1980), FOR EXPENDITURE BY THE PARISH AND THE MUNICIPALITIES FOR ANY LAWFUL PUBLIC PURPOSE AND/OR FOR CAPITAL IMPROVEMENTS SUBJECT TO FUNDING INTO BONDS.

Shall the Parish of Iberville, State of Louisiana (the "Parish"), under Article VI, Section 29(A) of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, be authorized to continue to levy and collect a tax of one percent (1%) (the "Tax") (last reauthorized November 4, 1980), for a period of thirty (30) years beginning July 1, 2006, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in the Parish, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be allocated between the Parish and municipalities to provide funds for any lawful public purpose and/or for capital improvements, equipment and furnishings, as follows:

**Pro-Rata**

<u>Political Subdivision</u>	<u>Percentage</u>
Iberville Parish	52.4541%
Village of Grosse Tete	2.2432%
Village of Maringouin	4.2253%
City of Plaquemine	23.6507%
Village of Rosedale	2.5211%
City of St. Gabriel	8.3903%
Town of White Castle	6.5153%

provided that the allocation of the tax proceeds between the Parish and the municipalities shall be subject to change after each Federal census based upon the respective population of each tax recipient body as their boundaries exist on May 1, 2005, provided that under no circumstances shall the Parish allocation be reduced to less than 50% of the tax proceeds and the remainder divided among the municipalities, and shall the proceeds of the Tax be subject to funding into bonds by the Parish and the municipalities respectively for the purpose of financing any capital improvements, permitted by Law, including, Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended; further provided, however, that no changes in the allocation or distribution of the avails or proceeds of the Tax as herein provided shall be effective in a manner to deprive any political subdivision of sufficient Tax avails or proceeds required to pay principal and interest on any bonds which may be legally issued and outstanding, or reduce the pro-rata allocation of any municipality?

**WHEREAS**, the Parish is also now levying and collecting a one percent (1%) sales and use tax pursuant to an election held on September 30, 2006 (the "2006 Tax"), at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

**SALES TAX PROPOSITION**

SUMMARY: 1% SALES AND USE TAX FOR 30 YEARS LEVIED IN 1/3% ANNUAL INCREMENTS FOR EXPENDITURE BY THE PARISH AND THE MUNICIPALITIES FOR ANY LAWFUL PUBLIC PURPOSE AND/OR FOR CAPITAL IMPROVEMENTS SUBJECT TO FUNDING INTO BONDS.

Shall the Parish of Iberville, State of Louisiana (the "Parish"), under Article VI, Section 29(A) of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, be authorized to levy and collect a new tax of one percent (1%) (the "Tax"), to the extent permitted by law, for a period of thirty (30) years, 1/3% to be levied beginning January 1, 2007, 2/3% beginning January 1, 2008, and the full 1% beginning January 1, 2009, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in the Parish, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be allocated between the Parish and municipalities to provide funds for any lawful public purpose and/or for capital improvements, equipment and furnishings, as follows:

<b>Pro-Rata</b>	
<b><u>Political Subdivision</u></b>	<b><u>Percentage</u></b>
Iberville Parish	52.4541%
Village of Grosse Tete	2.2432%
Village of Maringouin	4.2253%
City of Plaquemine	23.6507%
Village of Rosedale	2.5211%
City of St. Gabriel	8.3903%
Town of White Castle	6.5153%

provided that the allocation of the tax proceeds shall be subject to change after each Federal census based upon the respective population of each tax recipient body as their boundaries existed on May 1, 2005, provided that the Parish allocation shall never be reduced to less than 50% of the tax proceeds and the remainder divided among the municipalities, and shall the proceeds of the Tax be subject to funding into bonds by the Parish and the municipalities respectively for the purpose of financing any capital improvements, permitted by law, including, Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended; further provided, however, that no changes in the allocation or distribution of the avails or proceeds of the Tax as herein provided shall be effective in a manner to deprive any political subdivision of sufficient Tax avails or proceeds required to pay principal and interest on any bonds which may be legally issued and outstanding, or reduce the pro-rata allocation of any municipality?

**WHEREAS**, pursuant to the authority of the aforesaid elections, the governing authority of the Parish adopted ordinances on August 6, 1991, December 20, 2005 and November 21, 2006 (collectively, the "Tax Ordinance"), providing for the levy and collection of the aforesaid 1991 Tax, the 2005 Tax and the 2006 Tax, respectfully (the 1991 Tax, the 2005 Tax and the 2006 Tax collectively sometimes referred to as the "Taxes"); and

**WHEREAS**, the City of Plaquemine, State of Louisiana (the "Issuer"), in accordance with the aforesaid propositions, receives a portion of the revenues of each Tax from the Parish; and

**WHEREAS**, in accordance with the provisions of the Tax Ordinance, the proceeds of the Taxes received by the Issuer, after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom (the "Net Revenues of the Taxes") shall be available for appropriation and expenditure by the Issuer for capital improvement purposes, as designated in the propositions authorizing the levy of the aforesaid Taxes, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

**WHEREAS**, the Issuer, has heretofore issued and presently has outstanding the following described bonds:

Sales Tax Bonds, Series 2010A, dated June 9, 2010 (the "Series 2010A Bonds"), maturing serially on December 1 of the years 2022 through 2030, inclusive, pursuant to an ordinance adopted on March 23, 2010, and issued in the original principal amount of \$1,363,000.

Taxable Sales Tax Bonds, Series 2012, dated December 20, 2012 (the "Series 2012 Bonds"), maturing serially on December 1 of the years 2022 through 2033, inclusive, pursuant to an ordinance adopted on November 13, 2012, and issued in the original principal amount of \$8,000,000.

Sales Tax Revenue and Refunding Bonds, Series 2013, dated November 21, 2013 (the "Series 2013 Bonds"), maturing serially on December 1 of the years 2022 and 2023, inclusive, pursuant to an ordinance adopted on October 22, 2013, and issued in the original principal amount of \$4,885,000.

Sales Tax Refunding Bonds, Series 2017, dated December 14, 2017 (the "Series 2017 Bonds"), maturing serially on December 1 of the years 2022 and 2023 inclusive, pursuant to an ordinance adopted on October 10, 2017, and issued in the original principal amount of \$2,380,000.

Sales Tax Refunding Bonds, Series 2020A, dated September 23, 2020 (the "Series 2020A Bonds"), maturing serially on December 1 of the years 2022 through 2029, inclusive, pursuant to an ordinance adopted on August 11, 2020, and issued in the original principal amount of \$7,010,000.

Taxable Sales Tax Refunding Bonds, Series 2020B, dated September 23, 2020 (the "Series 2020B Bonds"), maturing serially on December 1 of the years 2022 through 2032, inclusive, pursuant to an ordinance adopted on August 11, 2020, and issued in the original principal amount of \$2,850,000.

**WHEREAS**, the Issuer now desires to issue its Taxable Sales Tax Bonds (DEQ), Series 2022 (the "Bonds"), to be payable solely from and secured by an irrevocable pledge and dedication of the Net Revenues of the Taxes, all in accordance with Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), for the purpose of (i) constructing, improving and equipping the sewer system of the Issuer, (ii) funding a reserve, and (iii) paying the costs of issuance thereof (collectively, the "Project"); and

**WHEREAS**, La. R.S. 39:523(B) provides that any governmental entity previously authorized to issue sales tax bonds under the provisions of Subpart F of Part III of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, is specifically authorized to issue sales tax bonds pursuant to the Act in the alternative, without the necessity of any further authorization or voter approval; and

**WHEREAS**, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Taxes herein pledged, except its outstanding (i) Series 2010A Bonds, (ii) Series 2012 Bonds, (iii) Series 2013 Bonds, (iv) Series 2017 Bonds, (v) Series 2020A Bonds, and (vi) Series 2020B Bonds (collectively, the "Outstanding Parity Bonds"); and

**WHEREAS**, under the terms and conditions of the ordinance adopted by the Issuer authorizing the issuance of the Outstanding Parity Bonds (the "Outstanding Parity Bond Ordinance"), the Issuer has authority to issue additional bonds payable from the Net Revenues of

the Taxes on a complete parity with the Outstanding Parity Bonds under the terms and conditions provided therein; and

**WHEREAS**, the Issuer has determined that all the terms and conditions specified in the Outstanding Parity Bond Ordinance have been or will be complied with prior to the delivery of the Bonds, and it is the express desire and intention of the Issuer that the Bonds be issued on a complete parity with the Outstanding Parity Bonds; and

**WHEREAS**, the maturities of the Bonds have been arranged so that the total amount of principal and interest falling due in any fiscal year of the Issuer on the Bonds and the Outstanding Parity Bonds will never exceed 75% of the Net Revenues of the Taxes estimated by this Governing Authority to be received by the Issuer in the fiscal year in which the Bonds are to be issued; and

**WHEREAS**, it is now desired to fix the details necessary with respect to the issuance of the Bonds, and to provide for the authorization and issuance thereof, as hereinafter provided;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Selectmen of the City of Plaquemine, State of Louisiana, acting as the governing authority thereof, that:

SECTION 1. **Definitions.** As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

**"Act"** means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, *et seq.*, and particularly La. R.S. 39:523), and other constitutional and statutory authority.

**"Additional Parity Bonds"** means any bonds or other obligations of the Issuer on a parity with the Bonds and the Outstanding Parity Bonds pursuant to Section 16 hereof.

**"Administrative Fee"** means the annual fee equal to one-half of one percent (0.50%) per annum of the outstanding principal amount of the Bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.

**"Bond"** or **"Bonds"** means the Taxable Sales Tax Bonds (DEQ), Series 2022, of the Issuer issued by this Bond Ordinance in the total aggregate principal amount of not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000), and any bond of said issue, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any previously issued Bond.

**"Bond Ordinance"** means this ordinance authorizing the issuance of the Bonds.

**"Bond Register"** means the registration books of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

**"Bond Year"** means the one year period ending on December 1 of each year, the principal payment date for the Bonds.

**"Business Day"** means a day of the year on which banks located in the State of Louisiana are not required or authorized to remain closed and on which the New York Stock Exchange is not closed.

**"Completion Date"** means the earlier of (i) the date of the final disbursement of the purchase price of the Bonds to the Issuer, or (ii) the date the operation of the project that is being financed with the Bonds is initiated or capable of being initiated, as certified by an Authorized Officer in accordance with the Loan Agreement.

**"Date of Delivery"** means the first date on which any of the Bonds are delivered to the Department in exchange for payment therefor.

**"Defeasance Obligations"** means (a) cash or (b) non-callable Government Securities.

**"Department"** means the Louisiana Department of Environmental Quality, an executive department and agency of the State of Louisiana, and any successor to the duties and functions thereof.

**"Elections"** means, collectively, the July 13, 1991 election, the July 16, 2005 election and the September 30, 2006 election held in the Parish to authorize the 1991 Tax, the 2005 Tax and the 2006 Tax, respectively.

**"Executive Officers"** means, collectively, the Mayor and the Clerk of the Issuer.

**"Federal Act"** means the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code, and other statutory and regulatory authority amendatory or supplemental thereto.

**"Fiscal Year"** means the twelve-month accounting period commencing on the first day of November or any other twelve-month accounting period determined by the Governing Authority as the fiscal year of the Issuer.

**"Governing Authority"** means the Mayor and Selectmen of the City of Plaquemine, State of Louisiana.

**"Government Securities"** means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to the respective maturities of the Bonds and may be United States Treasury Obligations such as the State and Local Government Series and may be in book entry form.

**"Interest Payment Date"** means each June 1 and December 1, commencing on the first June 1 or December 1 following the Date of Delivery.

**"Issuer"** means the City of Plaquemine, State of Louisiana.

**"Loan Agreement"** means the Loan and Pledge Agreement to be entered into by and between the Department and the Issuer prior to the delivery of the Bonds which will contain certain additional agreements relating to the Bonds and the project that is being financed with the Bonds, which Loan Agreement shall be in substantially the form presented at this meeting, as it may be supplemented or amended from time to time in accordance with the provisions thereof.

**"Net Revenues of the Taxes"** means proceeds of the Taxes received by the Issuer, after payment of the costs and expenses of collection and administration of the Taxes.



**"Outstanding"** when used with respect to Bonds means, as of the date of determination, all Bonds or portions thereof theretofore issued and delivered under this Bond Ordinance, except:

- (a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Bonds for whose payment or redemption sufficient funds have been paid to or deposited in trust for the Owners of such Bonds as provided herein;
- (c) Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and
- (d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Bond Ordinance.

**"Outstanding Parity Bonds"** has the meaning given in the recitals hereto.

**"Outstanding Parity Bond Ordinance"** means the ordinances adopted by the Governing Authority authorizing the issuance of the Outstanding Parity Bonds.

**"Owner"** or **"Owners"** when used with respect to any Bond means the Person in whose name such Bond is registered in the Bond Register.

**"Paying Agent"** means the City Clerk of the Issuer, unless and until a successor Paying Agent shall have become such pursuant to the applicable provisions of this Bond Ordinance, and thereafter Paying Agent shall mean such successor Paying Agent.

**"Person"** means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

**"Principal Payment Date"** means December 1 or each year, commencing as set forth in Section 0 hereof.

**"Qualified Investments"** means the following, provided that the same are at the time legal for investment of the Issuer's funds and, if required by law, are secured at all times by collateral described in clause (a) below:

- (a) Government Securities, including obligations of any of the federal agencies set forth in clause (b) below to the extent unconditionally guaranteed by the United States of America and any certificates or any other evidences of an ownership interest in obligations or in specified portions thereof (which may consist of specified portions of the interest thereon) of the character described in this clause (a);
- (b) bonds, debentures or other evidences of indebtedness issued by the Private Export Funding Corporation, Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association and Student Loan Marketing Association;
- (c) certificates of deposit, whether negotiable or nonnegotiable, issued by any bank or trust company organized under the laws of the State or any national banking association having its

principal office in the State which is a member of the Federal Deposit Insurance Corporation and which are secured at all times by collateral described in clause (a) above;

(d) certificates of deposit, savings accounts, deposit accounts or money market deposits of any bank or trust company organized under the laws of the State or any national banking association having its principal office in the State which are fully insured by the Federal Deposit Insurance Corporation; and

(e) the Louisiana Asset Management Pool (LAMP).

**"Record Date"** for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such Interest Payment Date, whether or not such day is a Business Day.

**"Sales Tax Ordinance"** means collectively the ordinances adopted by the governing authority of the Parish on August 6, 1991, December 20, 2005 and November 21, 2006, providing for the levy and collection of the Taxes.

**"Taxes"** means collectively the 1991 Tax, the 2005 Tax, and the 2006 Tax, said taxes being levied and collected by the Issuer pursuant to said elections and the Tax Ordinances.

**"1991 Tax"** means the two-thirds of one percent (2/3%) sales and use tax being levied and collected by the Parish, pursuant to an election held in the Parish on July 13, 1991.

**"2005 Tax"** means the one percent (1%) sales and use tax being levied and collected by the Parish pursuant to an election held in the Parish on July 16, 2005.

**"2006 Tax"** means two-thirds of one percent (2/3%) sales and use tax levied and collected by the Parish pursuant to an election held in the Parish on September 30, 2006, which shall increase to one percent (1%) beginning January 1, 2009.

Words of the masculine gender used herein shall be deemed and construed to include correlative words of the feminine and neuter genders, and vice versa. Unless the context shall otherwise indicate, singular nouns and pronouns used herein shall be deemed and construed to include the plural, and vice versa.

SECTION 2. **Authorization of Bonds.** In compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) for, on behalf of and in the name of the Issuer, for the purpose of constructing and acquiring improvements and extensions to the sewer system of the Issuer, including the payment of the cost of all necessary land, equipment and furnishings, funding a reserve therefor, and paying the costs of issuance thereof, and to represent the said indebtedness, the Issuer does hereby authorize the issuance of not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) of its Taxable Sales Tax Bonds (DEQ), Series 2022. The Bonds shall be in the form of a single, fully registered Bond, numbered R-1, and shall be dated the Date of Delivery. The Executive Officers may approve a different series designation if the Bonds are delivered after the end of 2022 or if it is in their sole judgment preferable to do so.

The Bonds shall mature in twenty (20) installments of principal, payable annually on each December 1, and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars (\$1,000), of the outstanding principal amount of the Bonds on the day before the applicable Principal Payment Date:

<u>Date</u> <u>(December 1)</u>	<u>Percentage</u> <u>of Principal</u>	<u>Date</u> <u>(December 1)</u>	<u>Percentage</u> <u>of Principal</u>
2023	4.564%	2033	9.580%
2024	4.827	2034	10.696
2025	5.120	2035	12.090
2026	5.448	2036	13.884
2027	5.817	2037	16.275
2028	6.235	2038	19.624
2029	6.712	2039	24.647
2030	7.264	2040	33.019
2031	7.907	2041	49.764
2032	8.667	2042	100.000

In the event that the Completion Date of the Project is on or after December 1, 2023, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the December 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Date of Delivery. To exercise the option to defer the principal repayment schedule, the Issuer shall so notify the Department in writing prior to June 1, 2023, and certify that the Completion Date will not have occurred prior to December 1, 2023.

The unpaid principal of the Bonds shall bear interest from the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rate of forty-five hundredths percent (0.45%) per annum, said interest to be calculated on the basis of a 360-day year consisting of twelve thirty-day months and payable on each Interest Payment Date. Interest on the Bonds on any Interest Payment Date shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore to the Issuer and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

In addition to interest at the rate set forth above, at any time that the Department owns the Bonds the Issuer will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its State Revolving Fund and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability. The Administrative Fee shall be calculated in the same manner as interest on the Bonds.

The principal of the Bonds, upon maturity or redemption, shall be payable by check mailed by the Paying Agent to the Owner (determined as of the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer or in exchange for

or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so that neither gain nor loss in interest shall result from such transfer, exchange or substitution. No Bond shall be entitled to any right or benefit under this Bond Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Bond Ordinance, executed by the Paying Agent by manual signature.

SECTION 3. **Prepayment of Bonds.** The principal installments of the Bonds are subject to prepayment at the option of the Issuer at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Bonds, if any, shall continue to mature in installments calculated using the percentages shown in Section 2 above. Official notice of such call for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail or via accepted means of electronic communication not less than thirty (30) days prior to the prepayment date addressed to the Owner of each Bond to be prepaid at his address as shown on the registration records of the Paying Agent. In the event a portion of the Bonds is to be prepaid, such Bonds shall be surrendered to the Paying Agent, who shall note the date and amount of such prepayment in the space provided therefor on the Bonds

SECTION 4. **Registration.** The Issuer shall cause the Bond Register to be kept at the principal office of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein. The Bonds may be transferred, registered and assigned only on the Bond Register, and such registration shall be at the expense of the Issuer. The Bonds may be assigned by the execution of an assignment form on the Bonds or by other instruments of transfer and assignment acceptable to the Paying Agent. A new Bond will be delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bond after receipt of the Bond to be transferred in proper form.

SECTION 5. **Sale and Delivery of Bonds; Execution of Documents.** The Bonds are hereby awarded to and sold to the Department at a price of par under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Paying Agent, the Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Issuer of the agreed first advance of the purchase price of the Bonds. It is understood that the purchase price of the Bonds will be paid by the Department to the Issuer in installments, in the manner and under the terms and conditions to be set forth in the Loan Agreement.

SECTION 6. **Form of Bonds.** The Bonds and the endorsements to appear thereon shall be in substantially the Form attached hereto as **Exhibit A.**

SECTION 7. **Execution of Bonds.** The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Bond Ordinance, to execute and deliver the Loan Agreement, and to cause the Bonds to be prepared and/or printed, to issue, execute and seal the Bonds and to effect delivery thereof as hereinafter provided. If facsimile signatures are used on the Bonds, then such signatures shall be registered with the Louisiana Secretary of State in the manner required by La. R.S. 39:244, provided that at least one signature on each Bond shall be a manual signature.

In connection with the issuance and sale of the Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such additional documents, certificates and instruments as they may deem necessary, upon the advice of counsel, to effect the

transactions contemplated by this Bond Ordinance, including a Commitment Agreement with the Department. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 8. **Reserved.**

SECTION 9. **Recital of Regularity.** This Governing Authority, having investigated the regularity of the proceedings had in connection with the Bonds, and having determined the same to be regular, the Bonds shall contain the following recital authorized by and having the effect set forth in R.S. 39:507, to wit:

"It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana."

SECTION 10. **Pledge of Net Revenues of the Taxes.** The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the Net Revenues of the Taxes, all as more fully provided in the Sales Tax Ordinance. The Net Revenues of the Taxes are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds, in principal, interest, and Administrative Fee, if applicable, as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. It is expressly provided in the Act that, while the Bonds are outstanding, neither the Louisiana Legislature, the Governing Authority, nor any other authority shall discontinue or decrease the Taxes or permit to be discontinued or decreased the Taxes or in any way make any change in the allocation and dedication of the proceeds of the Taxes which would diminish the amount of the Net Revenues of the Taxes to be received by the Issuer other than as required by law, and there is hereby vested in the owners and holders from time to time of the Bonds a contractual right under the provisions of the Act.

SECTION 11. **Flow of Funds.** In order that the principal of and the interest on the Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer covenants as follows:

All of the avails or proceeds derived by the Issuer from the levy and collection of the Taxes shall continue to be deposited daily as the same may be collected in a separate and special bank account maintained with the regularly designated fiscal agent of the Issuer and designated as the "Sales Tax Fund" (the "Sales Tax Fund"). The Sales Tax Fund shall constitute a dedicated fund of the Issuer, from which appropriations and expenditures by the Issuer shall be made solely for the purposes designated in the propositions authorizing the levy of the Taxes. Out of the funds on deposit in the Sales Tax Fund, the Issuer shall first pay all reasonable and necessary costs and expenses of collection and administration of the Taxes. After payment of such costs and expenses, then the remaining Net Revenues of the Taxes in the Sales Tax Fund shall be administered and used in the following order of priority and for the following express purposes:

- (a) The maintenance of the "Sales Tax Bond Sinking Fund" (the "Sinking Fund"), with the regularly designated fiscal agent of the Issuer, sufficient in amount to pay promptly and fully the principal of and the interest on the Bonds, the

Outstanding Parity Bonds and any Additional Parity Bonds issued hereafter in the manner provided by this Bond Ordinance, as they severally become due and payable, by transferring from the Sales Tax Fund to the regularly designated fiscal agent of the Issuer, monthly in advance on or before the 20<sup>th</sup> day of each month of each year, a sum equal to the pro-rata amount of interest falling due on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds on the next Interest Payment Date and the pro-rata amount of the principal falling due on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds on the next principal payment date, together with such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due. Said fiscal agent shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least one (1) day in advance of the date on which payment of principal or interest falls due, immediately available funds fully sufficient to pay promptly the principal and interest so falling due on such date.

- (b) The maintenance of the "2008 Sales Tax Bond Reserve Fund" (the "Reserve Fund"), with the regularly designated fiscal agent of the Issuer. On the Date of Delivery of the Bonds and on each subsequent date on which the Department advances an installment of the purchase price of the Bonds, the Issuer shall transfer from the Sales Tax Fund or its other funds into the Reserve Fund an amount necessary to make the amount then on deposit in the Reserve Fund equal the Reserve Fund Requirement such that the total amount of all cash and Reserve Fund Alternative Investments (hereinafter defined) held in the Reserve Fund on each such date is not less than the Reserve Fund Requirement. Moneys in the Reserve Fund shall be used solely for transfer to the Sinking Fund in amounts required to prevent any default in the payment of the principal of and interest on the Bonds and the Outstanding Parity Bonds and, at the option of the Issuer, for payment of the final principal and interest requirements of the Bonds or any Outstanding Parity Bonds.

Whenever the amount in the Reserve Fund, together with the amount in the Sinking Fund, is sufficient to pay in full all Bonds, Additional Parity Bonds, and the Outstanding Parity Bonds in accordance with their terms (including principal or applicable premium and interest thereon), the funds on deposit in the Reserve Fund shall be transferred to the Sinking Fund and shall be available to pay all Bonds, Additional Parity Bonds, and the Outstanding Parity Bonds in accordance with their terms (including principal or applicable premium and interest thereon). Prior to said transfer, all investments held in the Reserve Fund shall be liquidated to the extent necessary in order to provide for the timely payment of principal and interest (or redemption premium) on the Bonds and the Outstanding Parity Bonds.

In lieu of the required transfers to the Reserve Fund or to provide for the removal of all or a portion of the amounts on deposit in the Reserve Fund, the Issuer may cause to be deposited into the Reserve Fund a surety bond or insurance policy issued by an insurance company or an irrevocable letter of credit issued by a bank (each a "Reserve Fund Alternative Investment") for the benefit of the Owners in an amount equal to (i) the difference between the Reserve Fund Requirement and the sums then on deposit in the Reserve Fund, if any or (ii) the Reserve Fund Requirement. The Reserve Fund Alternative Investment shall, while the Bonds and the Outstanding Parity Bonds are Outstanding, be payable (upon the giving of notice as required thereunder) on any due date on which moneys will be required to be withdrawn from the Reserve Fund and applied to the payment of principal of or interest on any Bonds and the Outstanding Parity Bonds when such withdrawal cannot be met by amounts on deposit in the Sinking Fund or the Reserve Fund or provided from any other fund or account under this Bond Ordinance. Notwithstanding the foregoing, any Reserve Fund Alternative Investment deposited in the Reserve Fund shall have a credit rating at least equal to the credit rating then assigned to the Bonds, if any, by at least one nationally recognized statistical rating organization as of the date of deposit therein.

To the extent the Reserve Fund is funded with more than one Reserve Fund Alternative Investment, then, in the event of any draw upon the Reserve Fund, the Paying Agent must make claims pro rata (in the proportion which the maximum amount available under each Reserve Fund Alternative Investment bears to the total Reserve Fund Requirement) against each Reserve Fund Alternative Investment on deposit in the Reserve Fund.

In the event of the refunding of any Bonds, the Issuer may withdraw from the Reserve Fund all, or any portion of, the amounts accumulated therein with respect to the Bonds being refunded and deposit such amounts to be held for the payment of the principal or redemption premium, if applicable and interest on the bonds being refunded; provided that such withdrawal shall not be made unless (i) immediately thereafter the Bonds being refunded shall be deemed to have been paid pursuant to the terms of this Bonds Ordinance, and (ii) the amount remaining in the Reserve Fund, after giving effect to the issuance of the Refunding Bonds and the disposition of the proceeds thereof, shall not be less than the Reserve Fund Requirement.

In the event that Additional Parity Bonds are issued hereafter in the manner provided by this Bond Ordinance, there shall be immediately transferred from the proceeds of such Additional Parity Bonds and/or from the Sales Tax Fund into the Reserve Fund such amount (as may be designated in the ordinance authorizing the issuance of such Additional Parity Bonds) as will increase the total amount on deposit in the Reserve Fund to a sum equal to the Reserve Fund

Requirement for all outstanding bonds payable from the Sinking Fund and any such Additional Parity Bonds; provided, however, that in the event of the issuance of Additional Parity Bonds, the Reserve Fund Requirement may be satisfied by cash or Reserve Fund Alternative Investment, or any combination thereof.

- (c) All or any part of the moneys in the Sales Tax Fund, the Sinking Fund or the Reserve Fund shall at the written request of the Governing Authority be invested in Qualified Investments maturing in five (5) years or less, in which event all income derived from such investments shall be added to the Sales Tax Fund, with the exception that any interest earnings from invested funds of the Reserve Fund shall be retained therein until an amount equal to the Reserve Fund Requirement is on deposit therein, and such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the Sales Tax Fund has been created.
- (d) Any moneys remaining in the Sales Tax Fund on the 20<sup>th</sup> day of each month in excess of all reasonable and necessary expenses of collection and administration of the Taxes and after making the required payments into the Sinking Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made (including any amounts owed a provider of a Reserve Fund Alternative Investment, if any), shall be considered as surplus. Such surplus may be used by the Issuer for any of the purposes for which the Taxes are authorized, or for the purpose of retiring Bonds in advance of their maturities, either by purchase of Bonds then outstanding at prices not greater than the then redemption prices of said Bonds, or by redeeming such Bonds at the prices and in the manner set forth in this Bond Ordinance.

SECTION 12. **Reserved.**

SECTION 13. **Covenants of the Issuer.** In providing for the issuance of the Bonds, the Issuer does hereby covenant that it has a legal right to levy and collect the Taxes, to issue the Bonds and to pledge the Net Revenues of the Taxes as herein provided, and that the Bonds will have a lien and privilege on the Net Revenues of the Taxes on a parity with the Outstanding Parity Bonds subject only to the prior payment of the reasonable and necessary costs and expenses of administering and collecting the Taxes.

SECTION 14. **Bond Ordinance a Contract.** The provisions of this Bond Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any Owner of any of the Bonds may either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by the Issuer as a result of issuing the Bonds, and may similarly enforce the provisions of the Sales Tax Ordinance imposing the Taxes and this Bond Ordinance.

SECTION 15. **Records and Accounts Relating to Taxes.** So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books



of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the Net Revenues of the Taxes, including specifically but without limitation, all reasonable and necessary costs and expenses of collection, such books of records and accounts shall be audited at the conclusion of each Fiscal Year in accordance with the laws and regulations of the State of Louisiana.

SECTION 16. **Issuance of Additional Parity Bonds.** All of the Bonds shall enjoy complete parity of lien on the Net Revenues of the Taxes despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer, acting through its governing authority, hereby covenants that it will issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Taxes having priority over or parity with the Bonds and the Outstanding Parity Bonds, except that bonds may hereafter be issued on a parity with the Bonds and the Outstanding Parity Bonds under the following conditions:

(a) The Bonds and the Outstanding Parity Bonds, or any part thereof, including interest and redemption premiums thereon, may be refunded and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, provided, however, that if only a portion of the bonds outstanding is so refunded and if the refunding bonds require principal and interest payments during any Bond Year in excess of the principal and interest which would have been required in such Bond Year to pay the bonds refunded thereby, then such bonds may not be refunded without the consent of the Owners of the unrefunded portion of the Bonds (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause (b) below).

(b) Additional Parity Bonds may also be issued, and such Additional Parity Bonds shall be on a parity with the Bonds and the Outstanding Parity Bonds if all of the following conditions are met:

(i) The average annual revenues derived by the Issuer from the Net Revenues of the Taxes when computed for the last two (2) completed Fiscal Years immediately preceding the issuance of the Additional Parity Bonds must have been not less than 1.35 times the highest combined principal and interest requirements for any succeeding Fiscal Year period on all Bonds and the Outstanding Parity Bonds then outstanding, including any Additional Parity Bonds theretofore issued and then outstanding, and any other bonds or other obligations whatsoever then outstanding which are payable from the Net Revenues of the Taxes (but not including bonds which have been refunded or provision otherwise made for their full and complete payment and redemption) and the bonds so proposed to be issued;

(ii) If the final maturity of the proposed Additional Parity Bonds is on or after December 1, 2036, then the average annual revenues received by the Issuer from each Tax that will be outstanding during the entire life of the proposed

Additional Parity Bonds when computed for the last two (2) completed Fiscal Years immediately preceding the issuance of the proposed Additional Parity Bonds must have been not less than 1.35 times the highest combined principal and interest requirements for any succeeding Fiscal Year period on the Bonds and the proposed Additional Parity Bonds; provided, however, that if any Tax has been renewed or continued by the Parish (without regard to any change in purpose or amount or distribution of the Tax) and the renewed tax is pledged to secure the proposed Additional Parity Bonds, the anticipated revenues to be received by the Issuer from such renewed tax may be included in such calculations;

(iii) The payments to be made into the various funds provided for in Section 11 hereof must be current;

(iv) The existence of the facts required by paragraphs (b)(i), (ii) (if applicable), and (iii) above must be confirmed by the Mayor and Chief Financial Officer of the Issuer, or by an independent firm of certified public accountants who have previously audited the books of the Issuer or by such successors thereof as may have been employed for that purpose;

(v) The Additional Parity Bonds must be payable as to principal on December 1st of each year in which principal falls due, beginning not later than three (3) years from the date of issuance of said additional bonds, and payable as to interest on June 1 and December 1 of each year; and

(vi) No Additional Parity Bonds may be issued should any Event of Default under the Bond Ordinance have occurred and be continuing.

SECTION 17. **Fidelity Bonds for Officers and Employees.** So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Taxes, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 18. **Amendments to Bond Ordinance.** No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of the Bonds or the redemption provisions thereof, or a reduction in the rate of interest thereon, or the promise of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the Net Revenues of the Taxes, or reduce the percentage of owners required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of the Bonds.

SECTION 19. **Mutilated, Destroyed, Lost or Stolen Bonds.** Lost, destroyed or improperly cancelled Bonds may be replaced in the manner set forth in La. R.S. 39:515. In case

any such lost, destroyed or improperly cancelled Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond.

SECTION 20. **Discharge of Bond Ordinance.** If the Issuer shall pay or cause to be paid, or there shall be paid to the Owners, the principal of and interest on the Bonds, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Taxes or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners of Bonds shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Bond Ordinance to the Issuer.

SECTION 21. **Defeasance.** Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to the laws of the State of Louisiana.

SECTION 22. **Events of Default.** If one or more of the following events (in this Bond Ordinance called "Events of Default") shall happen, that is to say, (i) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or (ii) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or (iii) if default shall be made by the Issuer in the performance or observance of any other of the covenants, agreements or conditions on its part in this Bond Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of forty five (45) days after written notice thereof to the Issuer by the Owners of not less than 25% of the principal amount of the Outstanding Bonds; or (iv) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law; then, upon the happening and continuance of any Event of Default the Owners of the Bonds shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

SECTION 23. **Successor Paying Agent; Paying Agent Agreement.** The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of the initial Paying Agent in this Bond Ordinance is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by (a) filing with the Person then performing such function a certified copy of an ordinance giving notice of the termination of the Agreement and appointing a successor and (b) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. The Executive Officers are hereby authorized to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer, if required, in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 24. **Effect of Registration.** The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal (and redemption price) of and interest

on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 25. **Notices to Owners.** Wherever this Bond Ordinance provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first class postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Bond Ordinance provides for notice in any manner, such notice may be waived in writing by the Owner entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 26. **Cancellation of Bonds.** All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly cancelled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already cancelled, shall be promptly cancelled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent. All cancelled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 27. **Deposit of Bond Proceeds.** All of the proceeds derived from the sale of the Bonds, which shall be paid in installments by the Department in the manner set forth in the Loan Agreement, shall be deposited by the Issuer in a Construction Fund (the "Construction Fund"). The funds in the Construction Fund shall be used solely for the purposes of which the Bonds were issued, in the manner set forth in the Loan Agreement.

SECTION 28. **Davis-Bacon Wage Rate Requirements.** The Issuer agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the project that is funded in whole or in part with the Bonds purchased by the Department shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the Issuer as determined by the Secretary of the United States Department of Labor ("DOL") in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The Issuer will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with Bonds purchased by the Department will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to "force account" work where the Issuer may perform construction work using its own employees rather than any contractor or subcontractor.

SECTION 29. **Publication.** This Bond Ordinance shall be published one time in the official journal of the Issuer. It shall not be necessary to publish the exhibits to this Bond Ordinance, but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty days after the date of such publication any person in interest may contest the legality of this Bond Ordinance and any provisions herein made for the security and payment of the Bonds. After such thirty day period no one shall have any cause or right of action

to contest the regularity, formality, legality, or effectiveness of this Bond Ordinance and the provisions hereof or of the Bonds authorized hereby for any cause whatsoever and thereafter it shall be conclusively presumed that every legal requirement for the issuance of the Bonds had been complied with, and no court shall have authority to inquire into any such matter.

SECTION 30. **Disclosure Under SEC Rule 15c2-12.** It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in Rule 15c-2-12 of the Securities and Exchange Commission [17 CFR §240.15c2-12].

SECTION 31. **Section Headings.** The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 32. **Severability.** In case any one or more of the provisions of this Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Ordinance or of the Bonds, but this Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Bond Ordinance which validates or makes legal any provision of this Bond Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 33. **Effective Date.** This Bond Ordinance shall become effective immediately.

[Remainder of page left intentionally blank]

This resolution having been submitted to a vote, the vote thereon was as follows:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc,  
Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

(FORM OF BOND)

**INTEREST ON THIS BOND WILL BE INCLUDED IN GROSS INCOME  
FOR FEDERAL INCOME TAX PURPOSES AND IS NOT  
EXEMPT FROM FEDERAL INCOME TAXATION**

**UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF IBERVILLE**

**TAXABLE SALES TAX BOND (DEQ), SERIES 2022  
OF THE  
CITY OF PLAQUEMINE, STATE OF LOUISIANA**

<u>Bond Number</u>	<u>Bond Date</u>	<u>Interest Rate</u>	<u>Principal Amount</u>
R-1	_____, 2022	0.45%	\$_____

FOR VALUE RECEIVED, the City of Plaquemine, State of Louisiana (the "Issuer"), promises to pay, but solely from the source and as hereinafter provided, to:

REGISTERED OWNER: Department of Environmental Quality (the "Department")  
attn: Financial Services Division, Accounts Receivable  
P. O. Box 4311  
Baton Rouge, Louisiana 70821-4311

or registered assigns noted on the registration record attached hereto the Principal Amount set forth above, to the extent advanced, in annual installments as set forth below. The Issuer shall pay such principal amounts together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for. This Bond shall bear interest, payable semi-annually on June 1 and December 1 of each year, commencing [June 1, 2022] (each, an "Interest Payment Date"), at the Interest Rate shown above, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on the Bonds on any Interest Payment Date shall be payable only on the aggregate outstanding amount of the purchase price which shall have been paid theretofore, as noted on Schedule A hereto, and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

If the Department is the registered owner of this Bond, the Issuer will additionally pay an Administrative Fee to the Department at the annual rate of one-half of one percent (0.5%) on the outstanding principal amount of the Bond, payable on each Interest Payment Date. In the event (i) the Department owns this Bond or the Department has pledged or assigned this Bond in connection with its Clean Water State Revolving Fund Program and (ii) the Administrative Fee payable to the

Department is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, then the "Interest Rate" shown in the foregoing table and borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

The Bonds shall mature in twenty (20) installments of principal, payable annually on each December 1, and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars (\$1,000), of the outstanding principal amount of the Bonds on the day before the applicable Principal Payment Date:

<u>Date</u> <u>(December 1)</u>	<u>Percentage</u> <u>of Principal</u>	<u>Date</u> <u>(December 1)</u>	<u>Percentage</u> <u>of Principal</u>
2023	4.564%	2033	9.580%
2024	4.827	2034	10.696
2025	5.120	2035	12.090
2026	5.448	2036	13.884
2027	5.817	2037	16.275
2028	6.235	2038	19.624
2029	6.712	2039	24.647
2030	7.264	2040	33.019
2031	7.907	2041	49.764
2032	8.667	2042	100.000

In the event that the Completion Date of the Project is on or after December 1, 2023, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the December 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Date of Delivery. To exercise the option to defer the principal repayment schedule, the Issuer shall so notify the Department in writing prior to June 1, 2023, and certify that the Completion Date will not have occurred prior to December 1, 2023.

The principal and interest on this Bond shall be payable by check mailed to the registered owner of this Bond (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent (hereinafter defined) for such purpose, provided that payment of the final installment of principal on this Bond shall be made only upon presentation and surrender of this Bond to the Paying Agent.

The principal installments of this Bond are subject to prepayment at the option of the Issuer at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date. In such case of partial prepayment, the remaining principal shall continue to mature in annual installments calculated using the percentages shown above.

In the event a portion of this Bond is to be prepaid, this Bond shall be surrendered to the City Clerk of the Issuer, as initial Paying Agent for the Bonds (the "Paying Agent"), who shall note the amount of such prepayment in the space provided therefor on the prepayment schedule attached to this Bond. Official notice of such call of this Bond for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail or via



accepted means of electronic communication not less than thirty (30) days prior to the prepayment date addressed to the registered owner of this Bond to be prepaid at his address as shown on the registration books of the Paying Agent, which notice may be waived by any registered owner. The Issuer shall cause to be kept at the office of the Paying Agent a register in which registration of this Bond and of transfers of this Bond shall be made as provided herein and in the Bond Ordinance. This Bond may be transferred, registered and assigned only on such registration records of the Paying Agent, and such registration shall be at the expense of the Issuer.

This Bond represents the entire issue of authorized bonds of the Issuer in the maximum amount of One Million Five Hundred Thousand Dollars (\$1,500,000) (the "Bonds"), the Bonds having been issued by the Issuer pursuant to an ordinance adopted by its governing authority on [March 8, 2022] (the "Bond Ordinance"), for the purpose of (i) constructing, improving and equipping the sewer system of the Issuer, (ii) funding a reserve, if required, and (iii) paying the costs of issuance thereof, under the authority conferred by Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, including specifically La. R.S. 39:523, and other constitutional and statutory authority (the "Act"), pursuant to all requirements therein specified.

This Bond and the issue of which it forms a part are issued on a complete parity with the Issuer's outstanding (i) Sales Tax Bonds, Series 2010A, (ii) Taxable Sales Tax Bonds, Series 2012, (iii) Sales Tax Revenue and Refunding Bonds, Series 2013, (iv) Sales Tax Refunding Bonds, Series 2017, (v) Sales Tax Refunding Bonds, Series 2020A, and (vi) Taxable Sales Tax Refunding Bonds, Series 2020B (collectively, the "Outstanding Parity Bonds"). It is certified that the Issuer, in issuing this Bond and the issue of which it forms a part, has complied with all the terms and conditions set forth in the ordinances authorizing the issuance of the Outstanding Parity Bonds.

This Bond and the issue of which it forms a part are payable solely from and secured, equally in all respects with the Issuer's Outstanding Parity Bonds, by an irrevocable pledge and dedication of (i) the Issuer's portion (currently 23.1441%) of the net avails or proceeds of the special two-thirds of one percent (2/3%) sales and use tax being levied and collected by the Parish of Iberville, State of Louisiana (the "Parish"), pursuant to an election held in the Parish on July 13, 1991, (ii) the Issuer's portion (currently 23.7649%) of the net avails or proceeds of the special one percent (1%) sales and use tax being levied and collected by the Parish pursuant to an election held in the Parish on July 16, 2005 and (iii) the Issuer's portion (currently 23.7649%) of the net avails or proceeds of the special one percent (1%) sales and use tax being levied and collected by the Parish pursuant to an election held in the Parish on September 30, 2006 (collectively, the "Taxes"), said Taxes now being levied and collected by the Parish pursuant to Article VI, Section 29 of the Constitution of the State of Louisiana of 1974 and other constitutional and statutory authority, after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom. The Net Revenues of the Taxes (as defined in the Bond Ordinance) are hereby irrevocably and irrevocably pledged and dedicated in an amount sufficient for the payment of the Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in the Bond Ordinance. All of the Net Revenues of the Taxes shall be set aside in a separate fund shall be and remain pledged for the security and payment of the Bonds in principal and interest and for all other payments provided for in the Bond Ordinance until the Bonds shall have been fully paid and discharged.

The Parish is obligated and is bound under the terms and provisions of law to levy, impose, enforce and collect the Taxes for the full period of its authorization and is further obligated not to

discontinue or decrease or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, nor in any way make any change in the allocation and dedication of the proceeds of the Taxes which would diminish the amount of the revenues to be received by the Issuer from the Taxes except as provided by law until all of the Bonds have been paid as to both principal and interest. This Bond constitutes a borrowing solely upon the credit of the Net Revenues of the Taxes received by the Issuer and does not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory provisions relating to the incurring of indebtedness. For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Bond Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond and the issue of which it forms a part necessary to constitute the same legal, binding and valid obligations of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Issuer, including this Bond and the issue of which it forms a part, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that said Bonds shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof.

IN WITNESS WHEREOF, the Mayor and Selectmen of the City of Plaquemine, State of Louisiana, acting as the governing authority of the Issuer, has caused this Bond to be executed in the name of the Issuer by the [manual/facsimile] signatures of the Mayor and its City Clerk and a facsimile of the Issuer's corporate seal to be impressed hereon.

**CITY OF PLAQUEMINE, STATE OF LOUISIANA**

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City Clerk

---

Mayor

(SEAL)

\* \* \* \* \*

**REGISTRATION RECORD**

**TAXABLE SALES TAX BONDS (DEQ), SERIES 2022**

**CITY OF PLAQUEMINE, STATE OF LOUISIANA**

Name and Address Of Registered Owner	Date of Registration	Signature of Clerk As Paying Agent
Department of Environmental Quality Clean Water State Revolving Fund P.O. Box 4311 Baton Rouge, La. 70821-4311	_____, 2022	

**SCHEDULE OF PREPAYMENTS**

**TAXABLE SALES TAX BONDS (DEQ), SERIES 2022**

**CITY OF PLAQUEMINE, STATE OF LOUISIANA**

Prepayment Date	Prepayment Amount	Remaining Balance Due

\* \* \* \* \*

**SCHEDULE A**  
**SCHEDULE OF PRINCIPAL DRAWS AND PRINCIPAL BALANCE**  
**TAXABLE SALES TAX BONDS (DEQ), SERIES 2022**  
**CITY OF PLAQUEMINE, STATE OF LOUISIANA**

Date: \_\_\_\_\_ Draw Number: \_\_\_\_\_

Principal Draw Paid to Issuer this Date: \$ \_\_\_\_\_

Amount of Principal Forgiveness this Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Draws Paid to Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Forgiveness to Date: \$ \_\_\_\_\_

Outstanding Balance of Principal \$ \_\_\_\_\_

Signature of Authorized Officer of Department: \_\_\_\_\_

Date: \_\_\_\_\_ Draw Number: \_\_\_\_\_

Principal Draw Paid to Issuer this Date: \$ \_\_\_\_\_

Amount of Principal Forgiveness this Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Draws Paid to Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Forgiveness to Date: \$ \_\_\_\_\_

Outstanding Balance of Principal \$ \_\_\_\_\_

Signature of Authorized Officer of Department: \_\_\_\_\_

Date: \_\_\_\_\_ Draw Number: \_\_\_\_\_

Principal Draw Paid to Issuer this Date: \$ \_\_\_\_\_

Amount of Principal Forgiveness this Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Draws Paid to Date: \$ \_\_\_\_\_

Cumulative Amount of Principal Forgiveness to Date: \$ \_\_\_\_\_

Outstanding Balance of Principal \$ \_\_\_\_\_

Signature of Authorized Officer of Department: \_\_\_\_\_

**[ADDITIONAL DRAWDOWN PAGES TO BE ADDED AS NECESSARY]**

OCCUPATION/ALCOHOLIC LICENSE SUSPENSION – 22325 HWY 1, OWNER CHALACEY YOUNG.

Selectman Lindon A. Rivet, Jr. moved, seconded b Selectman Shannon P. Courtade:

RESOLUTION

**WHEREAS**, the City of Plaquemine, through its Mayor and Board of Selectmen have received notification of a party held at Twisted Burger located at 22325 Highway 1, Plaquemine, LA in which several persons were arrested for obscenity as a result of lewd and licentious behavior on Thursday, February 24, 2022; and

**WHEREAS**, the City of Plaquemine, through its Mayor and Board of Selectmen hereby suspend the Alcohol Beverage Permit, License Number 01218, for a period of ninety (90) days beginning Thursday, February 24, 2022 from Twisted Burger, owner Chalacy Young, located at 22325 Highway 1, Plaquemine, LA as consequences for behavior at party on Thursday, February 24, 2022; and

**THEREFORE, BE IT RESOLVED**, the City of Plaquemine, through its Mayor and Board of Selectmen hereby suspend the Alcohol Beverage Permit, License Number 01218, for a period of ninety (90) days beginning Thursday, February 24, 2022 from Twisted Burger, owner Chalacy Young, located at 22325 Highway 1, Plaquemine, LA as consequences for behavior at party as stated above on Thursday, February 24, 2022.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

PUBLIC HEARING – TO DISCUSS AND APPROVE MINOR SUBDIVISION CORRECTION AT 59820 AVERY JAMES; PERSON APPLYING: CHARLES ARTHUR & ELIZABETH D. ROUSSELL.

Item tabled until the Regular Meeting of Tuesday, April 12, 2022.

TO ACKNOWLEDGE BULTRA ISLAND, L.L.C./ FRANCOIS BOULANGER IS APPLYING TO SUBDIVIDE AN UNDEVELOPED PARCEL LEGAL DESCRIPTION, TRACT C-3 (A PORTION OF THE A. WILBERT'S SONS ORIGINAL 338.13 ACRE TRACT) SEC 12 & 14, T9S-R12E CONVERTED INTO A RESIDENTIAL SUBDIVISION CONSISTING OF LOTS 1-53, THE PARK AT THE ISLAND, 7<sup>TH</sup> FILING PHASE 2.

So acknowledged.

TO ACKNOWLEDGE B. T. MUDBUGS, L.L.C. IS APPLYING TO SUBDIVIDE AN UNDEVELOPED PARCEL LEGAL DESCRIPTION, TRACT A – 11.9 ACRES SEC., T9S-R12E CONVERTED INTO A RESIDENTIAL SUBDIVISION CONSISTING OF LOTS A-1 – A-45 AND LOT A-POND.

So acknowledged.

ADOPT A RESOLUTION APPOINTING THE DIRECTOR AND ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS FOR LOUISIANA MUNICIPAL NATURAL GAS PURCHASING AND DISTRIBUTION AUTHORITY.

Selectman Lindon A. Rivet, Jr. offered the following resolution, seconded by Selectman Thomas D. LeBlanc:

RESOLUTION

A RESOLUTION APPROVING THE APPOINTMENT OF A DIRECTOR AND AN ALTERNATE DIRECTOR TO REPRESENT THE CITY OF PLAQUEMINE, STATE OF LOUISIANA, ON THE BOARD OF DIRECTORS OF THE LOUISIANA MUNICIPAL NATURAL GAS PURCHASING AND DISTRIBUTION AUTHORITY AS PROVIDED BY CHAPTER 10-B OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950

**WHEREAS**, the City of Plaquemine, State of Louisiana, has previously become a member of the Authority in accordance with the Act; and

**WEHREAS**, pursuant to Section 4546.2 of the Act, the governing authority of the City of Plaquemine, State of Louisiana, desires to approve the appointment of Travis Bourgoyne to serve as a Director of the Authority and to approve the appointment of Edwin M. Reeves, Jr. to serve as an Alternate Director to act in the absence of the director herein above named;

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the governing authority of the City of Plaquemine, State of Louisiana, acting in such capacity:

Section 1. That, pursuant to the Act, the appointment of Travis Bourgoyne to serve as a Director of the Authority for a term of four (4) years from the date hereof is approved and that the appointment of Edwin M. Reeves, Jr. to serve as an Alternate Director, for like term, to act in the absence of the director is approved.

Section 2. That this resolution shall take effect immediately.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

TO ADOPT A RESOLUTION ACCEPTING INCREASE IN BID OF \$6,107.00 FOR A DERRICK DIGGER TRUCK ACCEPTED IN REGULAR MEETING OF MARCH 9, 2021 BRINGING TOTAL TO \$203,707.00 WITH AN ANTICIPATED DELIVERY OF JANUARY 2023.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectwoman Wanda B. Jones:

RESOLUTION

**WHEREAS**, the City of Plaquemine, Parish of Iberville, State of Louisiana, through its Mayor and Board of Selectmen, received bids for a Derrick Digger Truck at its meeting on March 9, 2021, and

**WHEREAS**, the City of Plaquemine, Parish of Iberville, State of Louisiana, through its Mayor and Board of Selectmen, accept the second lowest bid from Altec, Industries, Inc., 2106 S. Riverside, Saint Joseph, MO 64507 for \$197,600.00 due to the other bidders varied from the specifications to an unacceptable degree and/or the bid price was too high, at its meeting on March 9, 2021.

**WHEREAS**, Altec has advised the City of Plaquemine that because of price increases in steel, aluminum, resins and petroleum-based products and manufactured components from industrial suppliers, the bid cost of the Derrick Digger Truck has increased beyond Altec control and deliver day is also extended as described below:

Original Bid \$197,600 Increase \$6,107 for a total of \$203,707  
Anticipated delivery January 2023

**WHEREAS**, the City of Plaquemine Electrical Department cannot guarantee the continued ability to deliver reliable and dependable electrical service to the citizens of Plaquemine without replacing the current Digger Truck, which truck is under constant maintenance and repair just to keep it operational.

**WHEREAS**, the City of Plaquemine Electrical Department has investigated the rental market for Digger Trucks and determined that the market is limited, the rental product is in the same or worse condition than the Digger Truck the City is seeking to replace, the rental cost is expensive compared to the unreliable rental product received.

**WHEREAS**, Altec advised that the City of Plaquemine could choice not to pay the additional \$6,107 but the Digger Truck designated for the City of Plaquemine would be sold to another buyer and the City of Plaquemine would be placed at the end of a 2 year wait line with the wait beginning January 2023.

**WHEREAS**, the City of Plaquemine is faced with no good choice as outlined above and from the information available, the most prudent and cost effective action is to declare an emergency to protect the health, safety and welfare of the citizens of Plaquemine to insure reliable and dependable electrical service; to pay the increased cost, maintaining the City's place in line regarding delivery of the new Digger Truck and not renting unreliable expensive Digger Truck for an undetermined amount of time.

**THEREFORE, BE IT RESOLVED**, that the City of Plaquemine, Parish of Iberville, State of Louisiana hereby declares an emergency for the reasons outlined above and hereby authorizes the City to pay the increase cost for the Digger Truck in the amount of \$6,107 per the cost increase received from Altec, Industries, Inc., 2106 S. Riverside, Saint Joseph, MO 64507 that are beyond the control of Altec.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

TO ADOPT A RESOLUTION ACCEPTING INCREASE IN BID OF \$6,339.00 FOR AN AERIAL TRUCK ACCEPTED IN REGULAR MEETING OF MARCH 9, 2021 BRINGING TOTAL TO \$209,339.00 WITH AN ANTICIPATED DELIVERY OF JULY 2022.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectwoman Wanda B. Jones:



## RESOLUTION

**WHEREAS**, the City of Plaquemine, Parish of Iberville, State of Louisiana, through its Mayor and Board of Selectmen, received bids for an Aerial Truck at its meeting on March 9, 2021, and

**WHEREAS**, the City of Plaquemine, Parish of Iberville, State of Louisiana, through its Mayor and Board of Selectmen, accept the lowest bid from Altec, Industries, Inc., 2106 S. Riverside, Saint Joseph, MO 64507 for \$209,339.00, at its meeting on March 9, 2021.

**WHEREAS**, Altec has advised the City of Plaquemine that because of price increases in steel, aluminum, resins and petroleum-based products and manufactured components from industrial suppliers, the bid cost of the Aerial Truck has increased beyond Altec control and deliver day is also extended as described below:

Original bid \$203,000 increase \$6,339 for a total of \$209,339  
Anticipated delivery July 2022

**WHEREAS**, the City of Plaquemine Electrical Department cannot guarantee the continued ability to deliver reliable and dependable electrical service to the citizens of Plaquemine without replacing the current Aerial Truck, which truck is under constant maintenance and repair just to keep it operational.

**WHEREAS**, the City of Plaquemine Electrical Department has investigated the rental market for Aerial Trucks and determined that the market is limited, the rental product is in the same or worse condition than the Aerial Truck the City is seeking to replace, the rental cost is expensive compared to the unreliable rental product received.

**WHEREAS**, Altec advised that the City of Plaquemine could choose not to pay the additional \$6,339 but the Aerial Truck designated for the City of Plaquemine would be sold to another buyer and the City of Plaquemine would be placed at the end of a 2 year wait line with the wait beginning July 2022.

**WHEREAS**, the City of Plaquemine is faced with no good choice as outlined above and from the information available, the most prudent and cost effective action is to declare an emergency to protect the health, safety and welfare of the citizens of Plaquemine to insure reliable and dependable electrical service; to pay the increased cost, maintaining the City's place in line regarding delivery of the new Aerial Truck and not renting unreliable expensive Aerial Truck for an undetermined amount of time.

**THEREFORE, BE IT RESOLVED**, that the City of Plaquemine, Parish of Iberville, State of Louisiana hereby declares an emergency for the reasons outlined above and hereby authorizes the City to pay the increase cost for the Aerial Truck in the amount of \$6,339 per the cost increase received from Altec, Industries, Inc., 2106 S. Riverside, Saint Joseph, MO 64507 that are beyond the control of Altec.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

### DISCUSSION – BED TAX ON HOTELS/MOTELS.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc:

## RESOLUTION

**WHEREAS**, the City of Plaquemine, through its Mayor and Board of Selectmen, having heard of possible enabling local legislation, to impose a five (5%) percent occupancy tax on hotels/motels; and

**WHEREAS**, the City of Plaquemine, through its Mayor and Board of Selectmen are in favor of passage of this possible enabling local legislation to be used for the operation of the Plaquemine Fire Department; and

**WHEREAS**, the City of Plaquemine, through its Mayor and Board of Selectmen, forward this resolution to State Representative Chad Brown notifying him of the city's support of passing this local enabling legislation and request his assistance in seeking local enabling legislation for the five (5%) percent occupancy tax on hotels/motels within the city limits of the City of Plaquemine; and

**THEREFORE, BE IT RESOLVED**, that the City of Plaquemine, through its Mayor and Board of Selectmen, forward this resolution to State Representative Chad Brown notifying him of the city's support of this possible local enabling legislation and requesting his assistance in seeking local enabling legislation for the five (5%) percent occupancy tax on hotels/motels located within the city limits of the City of Plaquemine to be used for the operation of the Plaquemine Fire Department.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

### TO APPOINT HAMAH YOUNG TO REPLACE RANDOLPH WARE AS A COMMISSIONER AT LARGE TO THE CITY OF PLAQUEMINE PLANNING AND ZONING COMMISSION.

Selectwoman Wanda B. Jones moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine appoint Hamah Young to replace Randolph Ware as a Commissioner at Large to the City of Plaquemine Planning and Zoning Commission.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

### TO AUTHORIZE MAYOR TO HIRE DR. BILL BLAIR WITH STRATEGIC DEMOGRAPHICS TO HANDLE REAPPORTIONMENT FOR THE CITY OF PLAQUEMINE.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc that the City of Plaquemine authorize Mayor Edwin M. "Ed" Reeves, Jr. to hire Dr. Bill Blair with Strategic Demographics to handle reapportionment for the City of Plaquemine.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

TO APPROVE A 2022 CLASS T ALCOHOL BEVERAGE PERMIT FOR PLAQUEMINE MAIN STREET PROGRAM – BOOGIE ON THE BAYOU TO BE HELD AT THE MARK A. “TONY” GULOTTA BAYOU WATERFRONT PARK, 57845 FOUNDRY STREET ON APRIL 22, 2022, MAY 20, 2022 AND SEPTEMBER 9, 2022.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade that the City of Plaquemine approve a 2022 Class T Alcohol Beverage Permit for Plaquemine Main Street Program – Boogie on the Bayou to be held at the Mark A. “Tony” Gulotta Bayou Waterfront Park, 57845 Foundary Street on April 22, 2022, May 20, 2022 and September 9, 2022.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

TO APPROVE PROHIBITING HORSES AND FOUR-WHEELERS IN PARADES AND RELATED MATTERS.

Selectman Thomas D. LeBlanc moved, seconded by Selectman Shannon P. Courtade that the City of Plaquemine authorize City Attorney Louis W. Delahaye to draft an ordinance related to parades and other matters related thereto.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

UPDATE ON DRAINAGE IN CITY OF PLAQUEMINE.

Tony Arikol of PEC supplied update on drainage in the City of Plaquemine.

COMMITTEE REPORTS.

a) PEC

Tony Arikol of PEC provided status of ongoing projects.

b) UTILITY DIRECTOR TRAVIS BOURGOYNE

Utility Director Travis Bourgoyne provided status of ongoing projects.

c) PUBLIC WORKS DIRECTOR RICHARD ALLEMAN

Public Works Director Richard Alleman not present, no report given.

d) FIRE CHIEF DARREN RAMIREZ

Fire Chief Darren Ramirez briefed Mayor and Board regarding his department and related matters.

e) POLICE CHIEF KENNETH PAYNE

In the absence of Police Chief Kenneth Payne, Administrator Robert Johnson briefed Mayor and Board regarding the department and related matters.

f) FINANCE DIRECTOR LAUREN BERTHELOT

Finance Director Lauren Berthelot provided monthly budget to actual financial update.

g) CUSTOMER SERVICE DIRECTOR AUDRIANE WILLIAMS

Customer Service Director Audriane Williams briefed Mayor and Board regarding her department and related matters.

ACKNOWLEDGE POLICE AND FIRE REPORTS FOR FEBRUARY 2022.

So acknowledged.

APPROVE PAYROLL VOUCHERS FOR THE CITY OF PLAQUEMINE FOR FEBRUARY 2022.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade that the City of Plaquemine approve payroll vouchers for February 2022.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

APPROVE MINUTES OF FEBRUARY 8, 2022 (REGULAR MEETING) WITH NECESSARY CORRECTIONS.

Selectman Lindon A. Rivet, Jr. moved, second by Selectman Shannon P. Courtade that the reading of the minutes of February 8, 2022 (regular meeting) were waived and approved as accepted with necessary corrections.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

ADJOURNMENT.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade that the City of Plaquemine adjourn at 8:13 p.m.

The foregoing was adopted by the following vote:

Yeas: Lindon A. Rivet, Jr., Geraldine H. Mellion, Wanda B. Jones, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: None

CITY OF PLAQUEMINE

/s/Edwin M. "Ed" Reeves, Jr., Mayor

/s/Roxane M. Richard, City Clerk