

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
FEBRUARY 11, 2020

The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 11th day of February 2020 at 5:00 p.m.

With Mayor Julius Alsandor presiding, the meeting was called to order.

Mayor Alsandor requested the Clerk to call the roll and the following Council members were PRESENT: Marvin Richard, Milton Batiste III, Floyd Ford, Charles Cummings, Sherell Roberts, and Chasity Davis. ABSENT: None.

A moment of silent meditation was observed. Pastor Calvin Moore led the prayer. Mr. Gerald Bernard led the Pledge of Allegiance.

On a motion by Alderwoman Sherell Roberts and seconded by Aldermen Floyd Ford and Marvin Richard, it was resolved to APPROVE the Minutes of the Regular Meeting held 01/14/2020. A roll call vote was taken with the following results:
YEAS: Marvin Richard, Milton Batiste III, Floyd Ford, Charles Cummings, Sherell Roberts, and Chasity Davis.
NAYS: None.
ABSENT: None.

On a motion by Alderman Floyd Ford and seconded by Alderman Charles Cummings, it was resolved to APPROVE the following changes to the agenda:

Under the CONSENTS Section:

- Adding Item No. 16-A, “*Authority to advertise a Public Hearing for consideration of Condemnation/Demolition of the following properties: (a) Alex Decoux, C/O Hilda Decoux Gardere, 315 High Street (Abandoned Concrete Block Building) and (b) St. Landry Parish Police Jury, Quincy Mason Richard, Sr., T/S, 1342 Hayward Street (Abandoned Mobile Homes in Mobile Home Park)*”.
- Adding Item No. 16-B, “*Authority to advertise for Bids for Uniforms in the Police Department*”.
- Adding Item No. 16-C, “*Authority to advertise for Bids for the following in the Public Works Department: (a) Type E Multi-Grade Mix; (b) Type B Cold Mix, and (c) Chlorine*”.

A roll call vote was taken with the following results:

YEAS: Milton Batiste III, Floyd Ford, Charles Cummings, Sherell Roberts, Chasity Davis, and Marvin Richard.
NAYS: None.
ABSENT: None.

On a motion by Alderman Charles Cummings and seconded by Alderman Marvin Richard, it was resolved to ACCEPT the agenda as a whole with the approved changes. A roll call vote was taken with the following results:

YEAS: Floyd Ford, Charles Cummings, Sherell Roberts, Chasity Davis, Marvin Richard, and Milton Batiste III.
NAYS: None.
ABSENT: None.

ANNOUNCEMENTS

- Billing Cycle for City water bills will be 30-day cycles instead of 60-day cycles, beginning 03/01/2020.
- Presentation regarding concerns by Mayor Julius Alsandor. Mayor Alsandor presented a video regarding his concerns about trash and dumping throughout the City. Mr. Moise Lanclos, a resident on Grolee Street, stated that people are dumping large items of trash in the canal on Grolee Street near his house. He pointed out that nothing has been done even after he called the police about it. Mr. Lanclos stated that he even has pictures of it. He was directed to contact Waste Connections at 337-942-1291 to schedule to have large items picked up and to continue calling the police so that the people who are dumping these items can be caught.
- Presentation by Ms. Jacelyn Vaughan. Miss Vaughan is a seventh grade student who placed first in the District Speech Competition. Her essay was entitled “What Makes America Great?” Miss Vaughan read her essay in its entirety and afterward she was presented with a plaque of recognition by Mayor Alsandor and the City Council.

PRESENTATIONS

Presentation by Ms. Jarwanda Harris regarding Census 2020. Mayor Alsandor pointed out that the 64% turnout for the 2010 Census significantly impacted funding for St. Landry Parish. Ms. Harris stated that individuals are not responding and if they respond, they are not including everyone in the household. She stated that 30 days from today, the communications will start going out through the United States Postal Service which will ask you to respond to the Census. Then starting March 12th for two weeks, the Census Bureau will be sending out mailings with ID numbers to identify your address so that when you either call or go online to respond, you do not have to provide your address to protect your confidentiality. Ms. Harris asked that everyone share with their loved ones and friends how important the Census is and how responding to it will impact their community for the next 10 years. She emphasized again that everyone in the household must be included on the Census report.

Presentation by Mr. Mike Hefner on mapping boundaries. Mr. Hefner is with Geographic Planning Demographic Services in Lafayette, Louisiana. Mr. Hefner stated that it is time for election district zoning and that Census data plays a big part in district mapping. He will be handling the process of updating the district mapping/rezoning.

Presentation by City Attorney. Attorney Travis Broussard gave an update on the following items:

- (a) During the trial that was held on 01/09/2020 for the litigation involving Quinn Meche, the plaintiff was denied by the court. The City and the movie theater were both cleared.
- (b) Liability lawsuits have gone down from 35 to 8 since 2017 and the 3 workers’ compensation suits are being handled by an outside source.

Engineer’s Monthly Status Report. Mr. William Jarrell gave a brief report on the following projects:

- (a) Oak Street Utility/Street Repairs – Project awarded to E. B. Feucht & Sons, LLC and the City is awaiting contracts
- (b) Veazie Street Improvements – Bids received on 11/21/2019. Recommendation of award made and submitted to FP&C for concurrence with an expected start date of 02/24/2020.
- (c) Judson Walsh Bridge Repairs – Under construction but delayed due to weather.

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INTRODUCTION OF ORDINANCES

INTRODUCTION OF AN ORDINANCE AMENDING ORDINANCE NO. 10 OF 2012 RELATED TO WATER AND SEWER RATES. (Remarks by Mr. Todd Abshire)

AN ORDINANCE AMENDING ORDINANCE NO. 10 OF 2012 RELATED TO WATER AND SEWER RATES

WHEREAS, Ordinance No. 07 of 2013 amended water and sewer rates established by Ordinance No. 10 of 2012;

WHEREAS, in 2019 the Louisiana Rural Water Association undertook a rate study of the consumption and sales of water in and by the City of Opelousas, and performed a water rate analysis based on its study;

WHEREAS, upon conclusion the Association recommended a rate increase, elimination of any consideration of the diameter of the piping, and a change in the billing cycle practices of the City of Opelousas;

WHEREAS, the City of Opelousas desires to adopt the recommendations by the Louisiana Rural Water Association; and

WHEREAS, this Ordinance having been introduced on the 11th day of February, 2020 by councilmembers Floyd Ford and Charles Cummings, a public hearing having been held on same on March 10, 2020, on motion by council member _____ and seconded by councilmember _____, the following vote was held for final adoption:

YEA:

NAY:

NOW, THEREFORE, be it ordained by the governing authority of the City of Opelousas, in legal session convened, that the following rates for water and sewer, including installation, if any, are hereby set and established as follows:

WATER RATES

I.	RESIDENTIAL	
	<u>INSIDE CITY LIMITS</u>	<u>RATE</u>
	1 ST 2,000 GAL. per month	\$16.92
	CHARGE PER 1,000 GAL THEREAFTER	\$3.00
	<u>OUTSIDE CITY LIMITS</u>	
	1 ST 2,000 GAL per month	\$26.27
	CHARGE PER 1,000 GAL THEREAFTER	\$3.25
II.	COMMERCIAL	
	<u>INSIDE CITY LIMITS</u>	
	1 ST 2,000 GAL. per month	\$20.92
	CHARGE PER 1,000 GAL THEREAFTER	\$3.25
	<u>OUTSIDE CITY LIMITS</u>	
	1 ST 2,000 GAL per month	\$30.27
	CHARGE PER 1,000 GAL THEREAFTER	\$3.50

WATER INSTALLATION RATES

4 in. Meter	\$200.52
6 in. Meter	\$233.25

SEWER RATES

1 ST 2,000 GAL. per month	\$12.71
CHARGE PER 1,000 GAL THEREAFTER	\$2.18

MISCELLANEOUS RATES AND FEES

Service Calls	\$20.00
Delinquent Account Fee	\$50.00
Tampering Fees	\$100.00
New connection fee/Deposit	\$115.00
	(\$15.00 of which is non-refundable)
Use/Consumption without a Connection	\$50.00
Obstruction of or Interference with Meter	\$100.00 plus \$100.00/month that obstruction persists
Straight Connection	\$500.00
Meter Damage Fee	TBD upon inspection
Installation of 3/4" Water Tap	\$650.00
Installation of 1" Water Tap	\$900.00
Installation of Taps Larger Than 1"	Consumer Must Supply
Installation of Sewer Tap(s)	\$400.00
a. Permit	\$25.00
b. Inspection	\$50.00

BE IT FURTHER ORDAINED that the City of Opelousas administration is hereby instructed to bill and to collect these rates pursuant to a thirty (30) day billing cycle; and

BE IT FURTHER ORDAINED that a due date shall be printed on each bill for water in the City of Opelousas, and any account not paid within five (5) days of the due date shall be subject to disconnection of services and a reconnect fee of \$50.00 to restore services.

ADOPTION OF ORDINANCES

Consideration for final adoption of an Ordinance Repealing Chapter 3 "Alcoholic Beverages" of the Code of Ordinances and Providing for New Provisions Regulating Sales and Consumption of Alcoholic Beverages (vote required).

ORDINANCE NO. 1 OF 2020

AN ORDINANCE REPEALING CHAPTER 3 "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES AND PROVIDING FOR NEW PROVISIONS REGULATING SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES

WHEREAS, sales and consumption of Alcohol are currently regulated by Chapter 3 of the Code of Ordinances titled "Alcoholic Beverages";

WHEREAS, many of the provisions of Chapter 3 date back as far as 1960;

WHEREAS, the City of Opelousas desires to repeal Chapter 3 and to enact this Ordinance providing for the regulation of sales and consumption of Alcoholic beverages; and

WHEREAS, this Ordinance having been introduced on the 10th day of December, 2019 by council members Sherell Roberts and Charles Cummings, a public hearing having been held on same on January 14, 2020, on motion by council member Milton Batiste III and seconded by council member Marvin Richard, the following vote was held for final adoption on February 11, 2020:

YEA: Charles Cummings, Sherell Roberts, Chasity Davis, Marvin Richard, Milton Batiste III, and Floyd Ford.

NAY: None.

NOW, THEREFORE, be it ordained by the governing authority of the City of Opelousas, in legal session convened, that the following is adopted for the purpose of regulating sales and consumption of Alcoholic beverages:

Sec. 3-1. Law Repealed.

Chapter 3 of the Code of Ordinances titled "Alcoholic Beverages" is hereby repealed.

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Sec. 3-2. Definitions.

The following words and phrases, when used in this chapter, shall have the respective meanings given in this section, except in those instances where the context discloses and indicates a different meaning:

- (a) *"Alcoholic beverage"* means any fluid or any solid capable of being converted into fluid, suitable for human consumption, and containing more than one-half of one percent alcohol by volume, including, but not limited to, the following:
 - (i) Beer, ale, porter, stout, and other similar fermented beverages, including sake or similar products, of any name or description, brewed or produced from malt, wholly or in part, or from any substitute therefore;
 - (ii) Fruit juices, cider, and wine;
Distilled spirits, which is that substance known as ethyl alcohol, ethanol, or spirits of wine in any form, including all dilutions and mixtures thereof from whatever source or by whatever process produced.
- (b) *"Building"* means any structure or edifice enclosing any space within the outer walls of such structure or edifice including any portion or part thereof under the same roof and, or a common roof.
- (c) *"Dealer"* shall include every person, firm or corporation or association of persons who manufactures or imports any alcoholic beverages from any state for storage, distribution, sale, use or consumption in the State of Louisiana.
The term "dealer" is further defined to mean any person, firm, corporation or association of persons who sells, offers for sale, or has in possession for sale, use, storage distribution or consumption any of the articles taxed herein and who cannot prove that the tax thereon, as levied by this article has been previously paid.
- (d) *"Establishment"* shall mean a location where business is conducted, goods are made or stored or processed or where services are rendered.
- (e) *"Exotic, nude, semi-nude or topless dancer"* means a person of either gender hired by or in any way compensated, whether by salary, commission or gratuities from customers, to dance, gyrate, twist or otherwise engage in any other physical performance in a nude condition in or on the premises of any establishment required to possess an alcoholic beverage permit.
- (f) *"Governing Authority"* means the City Council for the City of Opelousas.
- (g) *"Manufacturer"* means any person, who is directly or indirectly, personally, or through any agency whatsoever, engages in the making, blending, rectifying or processing whatsoever, of alcoholic beverages.
- (h) *"Minor"* means all persons under the age of (18) years. (Ord. No. 4, §§ 1, XIX, 5-19-60)
- (i) *"Nonprofit Organization"* means any organization with tax exempt status under the United States Internal Revenue Code, Sections 501(c)(3), 501(c)(6) and 501(c)(8), where no transactions exist, whether directly or indirectly, between the licensed tax exempt organizations and any disqualified person as defined by the United States Internal Revenue Code Section 4958(f) or any similar subsequent provision.
- (j) *"Nude"* means the display or exposure with less than a full opaque covering, or any portion of a person's genitals, pubic area, buttocks or that portion of the breast lower than the upper edge of the areola.
- (k) *"Premises"* means the entire building in which any establishment required to hold an alcoholic beverage permit is located as well as the area immediately outside the building extending to and including the entire parking lot.
- (l) *"Retail dealer"* means every dealer, other than a manufacturer or wholesaler, who shall sell, offer for sale, have exposed for sale or have in his possession for sale, distribution, storage, use or consumption, any alcoholic beverages in any quantity.
- (m) *"Wholesale dealer."* This term shall include those dealers, who sell alcoholic beverages to other licensed wholesale dealers, or to licensed retail dealers for resale within the State of Louisiana, or deliver to a common carrier under the jurisdiction of the interstate commerce commission for delivery beyond the borders of the State of Louisiana.

Sec. 3-3. Permits required for the sale of alcohol.

- (A) It shall be unlawful for any person, firm, corporation, or association of persons to sell, offer for sale, or have in possession for sale either directly or indirectly, either by wholesale, jobbing or by retail any Alcoholic beverages without first obtaining from the city clerk a permit to engage in said business and paying the permit fee imposed.
- (B) The exposing of any such Alcoholic beverages in any quantity or the advertising of same for sale or distribution, in any place of business within the city, shall be deemed sufficient evidence of an intention to sell the same and the mayor is required to enforce the provisions of this chapter the same as if a sale is made without the permit and license herein required. (Ord. No. 4, § IV, 5-19-60)

Sec. 3-4. Applications for permits.

- (a) Unless otherwise provided by this Chapter, all permits and licenses shall expire on December thirty-first of each year; however, all persons holding permits under this chapter shall file application for renewal thereof for the ensuing year and pay for the permit fees on or before November first of each year. If a dealer fails to file the application and pay her permit fees by that date, there shall be added to the fee, in addition to other penalties provided by this chapter, a delinquency penalty of five (5) percent if the failure is not for more than (30) days, with an additional five (5) percent for each additional thirty (30) days or fraction thereof during which the failure continues. If the dealer fails to make his application before December thirty-first, the governing authority may, without notice or hearing, suspend his right to do business. Any dealer whose application for renewal is filed before December thirty-first may continue business until issuance of the new permit if it has not been suspended or revoked or the new permit withheld or denied. Renewal permits may be withheld or denied on the same grounds and in the same manner as an original permit.
- (b) Any person, firm or corporation may apply for a new permit at any time during a calendar year and have the cost of said permit prorated for that year, provided that the application is also accompanied by the full permit cost for the ensuing year.
- (c) Class "A" permits will be issued to any certain types of businesses as follows:
 - (1) Bona fide restaurants only where the primary business is that of a restaurant.
 - (2) No business where there are gasoline sales, unless the business is a lounge, in which case the lounge must be totally physically separated by a wall, an entrance door from the gasoline sale business into the lounge is permitted when a sign over such entrance door indicates "lounge". Any such business currently operating with a class "A" permit shall be given three (3) years from the effective date of Ordinance No. 1 of 1999 (adopted Feb. 9, 1999) to meet the foregoing requirements.
 - (3) No grocery stores.

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- (4) No convenient stores.
- (5) No liquor stores unless a lounge is part of the business. (Ord. No. 4, § III, 5-19-60; Ord. No. 22, § 1, 10-17-61; Ord. No. 25 § 1, 10-31-61; Ord. No. 9 § 1, 10-26-76; Ord. No. 4, 3-12-90; Ord. No. 1, 2-9-93; Ord. No. 14, § 1, 5-10-94; Ord. No. 1, 2-9-99)

Sec. 3-5. Special Event Permits.

- (a) Special Event Permits are issued for events, held at any location, where Alcoholic beverages are sold as an incidental part of the event for payment rendered or are supplied as part of a general admission or other type of fee.
- (b) Special Event Permits may be issued to qualified Nonprofit organizations and/or holders of an Annual Permit to sell Alcoholic Beverages.
- (c) Except as otherwise prohibited by the provisions of this Chapter, a Special Event Permit for the sale of alcoholic beverages at special events may be issued upon application by a Nonprofit organization or holder of an Annual Permit to sell Alcoholic Beverages and approval by the Mayor. Special events permits shall be granted for no longer than three (3) consecutive days or seventy-two hours. Applicants may be permitted no more than three (3) special events permits per year. Applicants for special events permits must own the premises at which the special events permit will be used, or shall have a signed and valid lease agreement with the owner of the facility at which the special events permit will be used.
- (d) Applications for Special Event Permits shall be submitted to the city clerk no later than thirty (30) days prior to the Special Event using a form promulgated by the city administration. No applications shall be considered by the governing authority until the full fee for the Special Event Permit is paid.
- (e) All special events shall have a security detail provided by P.O.S.T. certified members of any law enforcement agency in St. Landry Parish. The total number of law enforcement officers required for the special event shall be determined by the Chief of Police. No special event permits shall issue without proof of engagement of the security detail.

Sec. 3-6. Fees for Permits.

- (A) Annual Permits. Any person, firm or corporation applying for a permit under the terms of this Chapter shall before receiving such permit pay to the clerk of the city for each annual permit the following sums:
 - (1) For a permit as a retail dealer or retailer of Alcoholic beverages the sum of five hundred eighty dollars (\$580.00).
 - (2) For the annual license to do business as a wholesale dealer or wholesaler or jobber of Alcoholic beverages, the sum of five hundred dollars (\$500.00).
- (B) Special Event Permits shall have a fee of \$90.00 per day.

Sec. 3-7. Payment of state tax required.

The permit and license herein provided for shall be issued only after the applicant for said permit and license has furnished to the clerk of the city evidence that he has a permit from the Collector of Revenue of the State of Louisiana and has paid the tax therefor as required by law. (Ord. No. 4, § V, 5-19-60)

Sec. 3-8. Qualifications of licensee; license for each location; corporation, etc.

The permit and license herein provided for shall be issued only as herein provided and holder of any permit shall be designated as "licensee". No permit shall be issued except to a person of good moral character over the age of twenty-one (21) years and a citizen of the United States and shall be for the personal use of the applicant; provided that a duly authorized officer or agent of a firm from the state collector of the revenue may obtain a permit for the same, provided he has the qualifications required for a personal or individual permit and such application shall designate the firm, corporation, or association or persons in whose name the permit is desired.

Separate permits and licenses shall be required for each and every place where the beverage as herein defined is sold, either by wholesale or retail, and the location of each place shall be particularly described. All permits when issued shall be personal to the licensee and applicable only to the location described in the permit and license. (Ord. No. 4, § VI, 5-19-60)

Sec. 3-9. Disqualifications for permit and license.

No permit or license, whether annual or special events, shall be issued to:

- (1) A person who is not of good character and reputation in the community in which he resides;
- (2) A person who is not a citizen of the United States;
- (3) A person who has been convicted of a felony under the laws of the State of Louisiana, and whose citizenship has not been restored;
- (4) A person who has been convicted of being a keeper or who is keeping a house of ill-fame;
- (5) A person who has been convicted of pandering or of other crime or misdemeanor opposed to decency and morality;
- (6) A person who at the time of the application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
- (7) A co-partnership, unless all of the members of such co-partnership shall be qualified to obtain license;
- (8) A corporation, if any officer, manager, or director thereof, or any stockholder or stockholders owning in the aggregate more than five (5) per cent of the stock of the corporation, would not be eligible to receive a license hereunder for any reason;
- (9) A person whose place of business is conducted by a manager or agent, unless said manager or agent possesses the qualifications required of the licensee;
- (10) A person who has been convicted of violating any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, or shall have forfeited his bond to appear in court to answer charges for any such violation. (Ord. No. 4, § VI, 5-19-60)

Sec. 3-10. Refusal to issue or cancellation of permits.

The city through its governing authority under its general police power shall have the right and authority to refuse to issue any permit or license or to cancel any permit previously issued whenever the mayor shall deem such refusal advisable or cancellation warranted; and sale, either by wholesale or retail, without the permit or license as herein provided in full force and effect, is hereby prohibited; all subject to the provisions of Act 15 of the Legislature of 1934, as amended. (Ord. No. 4, § X, 5-19-60)

Sec. 3-11. Evidence of permit or license posting.

The only legal evidence that a permit or license has been issued and paid for shall be the appropriate form of permit and license issued by the clerk of the city and no receipts issued by said officer in place of the permit itself shall be valid provided that nothing herein contained shall be construed so as to exclude oral evidence of the lost or destroyed permit.

It is hereby expressly provided that each person, association of persons, firms or corporation required to take out a permit and license under this chapter shall post the same conspicuous a place where the business is conducted as possible and to keep same continuously so posted during the life of the permit and license. (Ord. No. 4, § XI, 5-19-60)

Sec. 3-12. Right of entry.

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It shall be the duty of any policeman of the city or any deputy or deputies especially so empowered by the city, to visit in person the several places of business where the beverages as herein defined are sold or may be sold or consumed to ascertain that the provisions of this chapter are strictly carried out. (Ord. No. 4, § XII, 5-19-60)

Sec. 3-13. Minors-Prohibited sales, etc.

It shall be unlawful for any person to sell, give, or permit the sale or giving of beverages as herein defined to minors, provided that the presence of any minor in any establishment devoted, exclusively to the sale of such beverages shall be prima facie evidence of a violation of this section. (Ord. No. 4, § XIII, 5-19-60)

Sec. 3-14. Restrictions on Sales of Alcoholic beverages.

- (a) Except as otherwise provided by this Chapter, it shall be unlawful for anyone to sell or serve alcoholic beverages or beer in any business establishment licensed under this chapter between the hours of 2:00 a.m. and 6:00 a.m. daily.
- (b) It shall be unlawful for anyone to sell or serve alcoholic beverages under a special events permit between the hours of 12:00 a.m. and 12:00 p.m.
- (c) In any establishment or part thereof where alcoholic beverages are the principal items sold or handled, the alcoholic beverage permit shall remove all patrons and members of the public from the premises by 2:30 a.m. However, the permit holder, and his employees and/or agents may remain on the premises during the aforementioned hours for the purpose of closing operations, taking stock, cleaning up and other legitimately business related to activities. In all other businesses licensed under this chapter, the physical part of the premises where alcoholic beverages or beer are located shall be cordoned off by physical restraints so as to deny access by patrons and to permit reasonable enforcement of these provisions.
- (d) This section shall apply to any business establishment for which the sale of alcoholic beverages constitutes less than fifteen (15) percent of its gross revenue. For purposes of evaluating gross revenue under this section, revenue received from admission to the business establishment or event shall not be considered. (Ord. No. 35, §§ 1-3, 12-1082; Ord. No. 1, 1-11-83; Ord. No. 9A, 12-8-03; Ord. No. 1, 2-10-04; Ord. No. 2, 4-23-07)
- (e) It shall be unlawful for any person to sell or permit the sale of Alcoholic beverages as herein defined, in any manner or form whatsoever, in any place or building used as a dwelling, boarding, lodging or rooming house, unless there is a clearly defined separation by wall of the place in the said building wherein the business for which to operate herein has been granted; and further provided, that no part of the said business is carried in such dwelling portion; however, this provision shall not prevent the issuance of a permit for such sale by any recognized and duly licensed restaurant or café, in discretion of the governing authority. (Ord. No. 4, § VIII, 5-19-60; Ord. No. 21 - A, 7-26-82)
- (f) No permit provided for herein shall be issued for any business situated within three hundred (300) feet or less from any church, synagogue, library, school or playground. The measurement of this distance shall be made from the nearest point of the property line of the church, synagogue, library, playground or school to the nearest point of the property line of the premises to be licensed. (Ord. No. 4, § XVII, 5-19-60; Ord. No. 21-A, 7-26-82; Ord. No. 1, 1-8-85; Ord. No. 15, 6-14-04)
- (g) It shall be unlawful for any person operating a business providing for the sale of alcoholic beverages, as defined in this Code of Ordinances, or any place of entertainment or pool hall open to public, conducted [sic] in such a manner as to disturb the public peace and quiet of the neighborhood, particularly permitting consumption of alcoholic beverages outside of the premises of such establishment, within thirty (30) feet thereof, by any person or persons occupying a motor vehicle, standing or sitting thereabout.
- (h) In no way shall this section be enforced in such a manner as to deny any first amendment right to anyone and is not directed against individuals, but is intended to prohibit owners from permitting such places to become dives, hangouts and places of gathering which is inconsistent with maintaining orderly business operations and at the same time maintaining the quiet and dignity of neighborhoods and at the same time preventing gatherings in such places as to constitute a public nuisance. (Ord. No. 4, § XVIII, 5-19-60; Ord. No. 11 9-8-87)
- (i) It shall be unlawful for any person to perform as an exotic, nude or topless dancer or to otherwise appear in a nude condition, as such is defined in subsection (a) hereof, in or on the premises of an establishment where alcoholic beverages are consumed or sold.
- (j) It shall be unlawful for any person, firm, partnership or corporation required hold an alcoholic beverage permit to allow exotic, nude, semi-nude or topless dancing in or on the premises of any *establishment*, where alcoholic beverages are sold or consumed. Any violation of this section is hereby declared to be a public nuisance and shall result in the appropriate city authority to initiate proceedings against such alcoholic beverage permits. Such proceedings and remedies maybe or not: (1) seek appropriate injunctions, temporary or permanent; (2) to suspend, terminate, or revoke any permit or license issued by the city to such person, firm or partnership or corporation; (3) together with any and all appropriate penalties, fines or other provision to give full effect to this section.
- (k) It shall be unlawful for any person conducting a place of business for the sale of or where consumption of the beverages as herein defined is permitted to exhibit or suffer to be kept in said place of business any immodest, vulgar or obscene pictures, books or papers or any pictures or any mechanical contrivance containing same. (Ord. No. 4, § IX, 5-19-60)
- (l) No intoxicated persons shall be permitted where said beverages are sold and any retailer selling to any person appearing to be intoxicated shall be guilty of an offense against the city. (Ord. No. 4, § XV, 5-19-60)

Sec. 3-15. Restrictions on Consumption of Alcoholic beverages.

- (A) It shall be lawful for anyone to consume any alcoholic beverages in any business establishment licensed under this chapter except it shall be unlawful for any alcoholic beverages to be consumed on the grounds and/or parking lot of any establishment, whether said alcoholic beverages were provided either through sale or gift by said establishment or from whatever source unless the sales are pursuant to a special events permit.
- (B) It shall be unlawful for Minors to purchase and/or consume Alcoholic beverages.

Sec. 3-16. Payment of state and federal taxes.

It shall be unlawful for any person, firm, association, or corporation, to possess or have in his custody or under his control, directly or through an agent, or to transport or to sell in or through the city any alcoholic beverages on which all taxes and charges of the State of Louisiana or of the United States, have not been paid; and the possession, transportation or sale of any alcoholic liquor which has been manufactured in violation of any state or federal law, or on which license, tax or charges of the state or federal government has not been paid, is hereby declared to be unlawful and a violation of this chapter. (Ord. No. 4, § XXI, 5-19-60)

Sec. 3-17. Search and seizure

The police of the city are hereby authorized to search and examine any warehouse, store, storeroom, automobile, truck, conveyance, vehicle or any other and all places of storage (except private residences, which may be searched only in the manner provided by law) and any and all means of transportation whenever there is probable cause to believe that the terms of this chapter have been, or are being, violated therein; and any automobile, truck, boat, conveyance vehicle or other means of transporting other than a common carrier caught or detected transporting any alcoholic liquors in violation of any of the provisions of this chapter, may be seized in order to secure the same as evidence in the trial brought under this chapter.

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Provided, that no place, other than such as is open to the public, shall be invaded and searched except by an officer named in a search warrant issued by a competent court having the power of committing magistrate, upon the filing with said court of an affidavit reciting that affiant has reasons to believe and believes that the named place is being utilized as a site for the violation of the provisions of this chapter, together with such additional evidence as the court may require to make out a prima facie case; and no house, room or apartment used as, or which apparently is a bona fide residence, shall be subject to invasion and search, except by an officer designated in a search and warrant issued by a competent court having the powers of a committing magistrate, upon the filing in said court of an affidavit by two (2) reliable persons reciting that they have reasons to believe and do believe that place or residence is being used as a cloak or cover for a violation of the provisions of this chapter, and setting forth the specific violations being committed therein, together with such additional corroborating evidence as the court may, at its discretion, require to establish the probable existence of the alleged violation of this chapter. Such warrant shall be directed to a duly authorized peace officer and the premises described in the warrant shall be searched and all alcoholic beverages equipment, apparatus, containers, bottles, etc., or any property used or designed or intended to be used in connection with alcoholic beverages on said premises in violation of this chapter shall be seized by such officer and the keeper of this place, or he person whom such alcoholic beverages or property belongs, shall be apprehended and brought before the court issuing the warrant, to abide the further orders of the court. The officer to whom the search warrant is directed shall make proper return thereon of the action taken thereunder, describing the alcoholic liquors or property seized, if any, and the liquors or property is seized shall be held by such officer, without right of having the same released, upon writ, except alcoholic beverages seized in a bona fide dwelling house, which alcoholic beverages shall be released to their owner upon his giving bond, with good and solvent surety, for the value of such alcoholic beverages, conditioned for the return of same to such owner upon the court of the order. The court upon conviction of the accused, shall order all alcoholic beverages and property illegally held by the accused at the time of seizure to be immediately and publicly destroyed by the chief of police or peace officer designated by the court.

The court shall preserve in its record, subject to inspection at any time by the public, the affidavit herein above referred to, if it should appear that the person or persons making said affidavit did so maliciously or without probable cause, and any house, room or apartment used as a bona fide residence is searched by reason of the issuance of a search warrant based upon said affidavit, affiant or affiants making said affidavit shall be fined not more than one hundred dollars (\$100) or imprisoned for not less than ten (10) days nor more than thirty (30) days, or shall suffer both such fine and imprisonment at the discretion of the court.

(Ord. No. 4, § XXII, 5-19-60)

Sec. 3-18. Penalties for violations.

- (A) Each violation of any of the provisions of this chapter by any person, association of persons, firm or corporation is hereby declared to be unlawful.
- (B) The permit of any person violating any of the provisions of this chapter or any other ordinance, or violating any of the laws of the state and/or of the United States, or conducting said business as to have it become a nuisance and against the good and welfare in the community, may be revoked by the governing authority. No permit issued herein is assignable or transferable and once revoked cannot be reissued to the same person for the same business.
- (C) Except as otherwise provided, or if any penalty contained in this Section is found unconstitutional, a person convicted of a violation of this Chapter shall be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding six months, or both such fine and imprisonment. With respect to violations that are continuous with respect to time, each day the violation continues is a separate offense.
- (D) The imposition of a penalty does not prevent revocation or suspension of a license or permit.
- (E) Continuous or repeated violations of this Chapter may be abated by injunctive relief.
- (F) If the City of Opelousas prevails in any judicial action or proceeding brought to abate or enjoin any violation of this Chapter, the court shall award the City of Opelousas its attorney's fees incurred in bringing the action.

Sec. 3-19. Qualifications for Permits.

Applications for wholesaler or retailer permits shall be in writing and sworn to, and shall contain the full name of the applicant with his correct home address; an accurate description and correct address of the premises, which address shall be considered the proper address for all notices to applicant, or permittees, required by this article, and an affidavit of the applicant showing that the following qualifications:

- (1) Is a person of good character and reputation; and over twenty-one (21) years of age.
- (2) Is a citizen of the United States and of the State of Louisiana, and a resident of Louisiana continuously for a period of not less than two (2) years preceding the date of the filing of such application.
- (3) Has not been convicted of a felony under the laws of the United States, the state of Louisiana, or any other state.
- (4) Is the owner of the premises, or has a bona fide written lease for same.
- (5) Has not been convicted in this state or in any other state or by any other state or by the United States of soliciting for prostitution, pandering, letting premises for prostitutes, contributing to the delinquency of juveniles; keeping a disorderly place; dealing in narcotics
- (6) Has not had revoked a license or permit to sell or deal in alcoholic beverages issued by the United States or any other state for five (5) years prior to the application, or been convicted or had judgment against him involving alcoholic beverages by the State of Louisiana or any other state or the United States for five (5) years prior to the application; and,
- (7) Has not been convicted of violating any of the provisions of this chapter. (Ord. No. 2, § 5, 8-13-46)

Sec. 3-20. Agent, etc., qualifications.

If applicant's place of business is conducted wholly or partly by a manager, agent, servant or employee, such person shall possess the qualifications set forth in section 3-19, and an affidavit to that effect shall be submitted with the application. (Ord. No. 2, § 6, 8-13-46)

Sec. 3-21. Same-State permit; time limitations for issuance of permit; notice to state collector of denial of permit.

Application for permits shall be mailed or delivered to the city clerk, with the permit fee, within twenty-four (24) hours of the mailing or delivery of the application by the applicant for a state permit, and failure to do so may be considered as sufficient cause for denial of the permit applied for. Upon receipt of such application the city clerk shall immediately write or stamp the day and date of receipt of the application and no permit shall be issued without the approval of the chief of police and the mayor. It shall be the duty of the chief of police to cause to be investigated all applications for permits hereunder, and after such investigation the mayor shall withhold issuance of permits if he has good reason to believe that the applicant does not have the required qualifications, and in such cases the mayor shall notify the Collector of Revenue of the State of Louisiana that the permit is being withheld, and shall give the reason or reasons for such withholding. (Ord. No. 2, § 8, 8-13-46)

Sec. 3-22. No permit when state permit withheld.

No permit shall be issued hereunder to any applicant when written notice has been received, within thirty-five (35) calendar days from the date of filing of application, from the Collector or Revenue of the State of Louisiana advising that a state permit is being withheld from the applicant for specified written reasons. (Ord. No. 2, § 9, 8-13-46)

Sec. 3-23. Periodic examination of permittees.

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It shall be the duty of the chief of police to periodically investigate the operation of the businesses of all permittees hereunder and when violations of Act No. 2 of the Extra Session of 1999, as amended by Act No. 190 of 1946 of the Legislature of the State of Louisiana, are observed which are sufficient cause for suspension or revocation of the permit, they shall file an affidavit with the board of tax appeals setting forth all the facts and circumstances of the violations. (Ord. No. 2, § 10, 8-13-46)

Sec. 3-24. Transfer of permit.

Any permit issued hereunder shall be personal to the person to whom issued and shall not be transferable, and shall be applicable only to the place of business or location designated in the application therefor and for which said permit was issued. No change of such place of business or location shall be permitted, until written application has been made to the mayor and board of aldermen and has been approved by them. (Ord. No. 2, § 11, 8-13-46)

Sec. 3-25. Gallonage tax.

By virtue of the authority granted by Act 190 of the Louisiana Legislature of 1946 [R.S. 26:493], there is hereby levied, in addition, to all other excises, licenses or privilege taxes presently imposed, a tax on all beer, porter, ale, fruit juices, and/or wine, having an alcoholic content of not less than one-half of one (0.5) per cent or more than six (6) per cent, by volume, of one and 50/100 dollars (\$1.50) per standard barrel of thirty-one (31) gallons, or any like rate of any other quantity, or for the fractional parts of such barrel sold for consumption in the City of Opelousas, within the meaning and intent of the provisions of Act 190 of the Louisiana Legislature of 1946.

The tax herein levied shall be collected by any and all Louisiana wholesale dealers from their vendees purchasing for consumption in the City of Opelousas on each sale and shall be remitted by said wholesale dealers to the state collector of revenue for each month, on or before the twentieth day of each succeeding month, respectively, all in accordance with the rules and regulations promulgated by the collector of revenue and as provided by Section 19 of Act 190 of 1946.

Failure of the wholesale dealer to collect and remit the tax levied, when due, or failure to pay the tax, when due, by a purchaser for consumption in the city shall, ipso facto, render each of them liable for amount of taxes found to be due with a penalty of twenty percent (20%) of the amount of tax due, plus an additional amount of ten (10) per cent of the tax and penalty, as attorney's fees if referred to an attorney's fees if referred to an attorney for collection. (Ord. No. 2, § 14, 8-13-46)

Sec. 3-26. Savings Clause.

If, for any reason, any provision contained in this Ordinance should be held invalid in part or in full by a court of competent jurisdiction, then it is the intent of each of the parties hereto that the balance of this Ordinance be enforced to the fullest extent permitted by applicable law.

Sec. 3-27. Effective Date.

This Ordinance shall not apply retroactively and shall be effective beginning April 1, 2020.

Opelousas, Louisiana this 11th day of February, 2020.

ATTEST:


LEISA ANDERSON, CLERK


JULIUS ALSANDOR, MAYOR

PUBLIC HEARINGS

Pursuant to an advertisement in the *Daily World*, a Public Hearing was opened at 6:51 p.m. for a PUBLIC HEARING for possible condemnation/demolition of the following properties:

- | | |
|---|-------------------------|
| a. James Jolivet & Mary Margaret Victorian (Wife) (2 Abandoned Mobile Homes) | 725 & 727 Joseph Street |
| <i>Recommendation is for condemnation for demolition.</i> | |
| b. James Alvin Jolivet, Sr. & Mary Margaret Victorian (Wife) (Abandoned Mobile Home) | 723 Joseph Street |
| <i>Recommendation is for condemnation for demolition.</i> | |
| c. Debra Bowman Etals c/o Cheryl Bowman (Abandoned Brick Veneer Structure) | 431 W. Landry Street |
| <i>Recommendation is for 90 days extension with status update to be provided by Mr. Patrick Bowman.</i> | |
| d. Angel Gail Thomas (Abandoned Mobile Home) | 1614 Evans Street |
| <i>Recommendation is for condemnation for demolition.</i> | |

The Public Hearing was closed at 7:00 p.m.

On a motion by Alderman Floyd Ford and seconded by Alderman Milton Batiste, it was resolved to accept the recommendations. A roll call vote was taken with the following results:

YEAS: Sherell Roberts, Chasity Davis, Marvin Richard, Milton Batiste III, Floyd Ford, and Charles Cummings.

NAYS: None.

ABSENT: None.

Pursuant to an advertisement in the *Daily World*, a Public Hearing was opened at 7:02 p.m. for a Public Hearing for consideration for Final Adoption of an Ordinance authorizing the issuance of not to exceed Five Million Dollars (\$4,650,000) of Utility Revenue Refunding Bonds, Series 2020B, of the City of Opelousas, Parish of St. Landry, State of Louisiana at a rate not to exceed four (4%) percent; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; providing for the acceptance of an offer for the purchase of said Bonds; and providing for other matters in connection therewith. The Public Hearing was closed at 7:04 p.m.

CITY OF OPELOUSAS, STATE OF LOUISIANA

The following ordinance, having been previously introduced on October 8, 2019, and a public hearing having been held on February 11, 2020, was offered for adoption by Alderman Charles Cummings and seconded by Alderwoman Sherell Roberts:

ORDINANCE NO. 2 OF 2020

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE, AND DELIVERY OF FOUR MILLION SIX HUNDRED FIFTY THOUSAND DOLLARS (\$4,650,000) UTILITY REVENUE REFUNDING BOND, SERIES 2020B, CITY OF OPELOUSAS, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS, AND CONDITIONS OF SUCH BOND AND PROVIDING FOR THE PAYMENT THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Opelousas, Parish of St. Landry, State of Louisiana (the "City" or the "Issuer"), now owns and operates a combined utility system consisting of a sewerage system, a waterworks plant and system and an electric distribution system (the three utility systems are hereinafter referred to in *globo* as the "System"); and

WHEREAS, the City now has the following outstanding bonds payable from a pledge and dedication of the Net Revenues of the System, as defined herein (collectively, the "**Parity Bonds**");

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Name and Series	Outstanding Balance (2.11.2020)	Original Issue Amount	Original Date of Issuance
Utility Revenue Bonds, 2003	\$630,885.40	\$2,200,000.00	10.23.2003
Utility Revenue Bonds, 2006	3,380,000.00	7,800,000.00	01.01.2006
Utility Revenue Bonds, 2007	555,000.00	1,500,000.00	10.04.2007
Utility Revenue Refunding Bonds, 2012	3,915,000.00	5,865,000.00	08.27.2012

WHEREAS, the Issuer desires to provide debt service savings by redeeming and refunding the below-described bonds (the "**Refunded Bonds**");

Name and Series	Outstanding Balance (2.11.2020)	Original Issue Amount	Original Date of Issuance
Utility Revenue Bonds, 2003	\$630,885.40	\$2,200,000.00	10.23.2003
Utility Revenue Bonds, 2006	3,380,000.00	7,800,000.00	01.01.2006
Utility Revenue Bonds, 2007	555,000.00	1,500,000.00	10.04.2007

WHEREAS, the Issuer desires to refund and redeem all of its Utility Revenue Bonds, Series 2003, Utility Revenue Bonds, Series 2006 and its Utility Revenue Bonds, Series 2007 (the "**Refunding**") and after refunding and redeeming the Refunded Bonds the only remaining and outstanding bonds on a parity with the Issuer's Utility Revenue Refunding Bond, Series 2020B, being issued herein are the Utility Revenue Refunding Bonds, Series 2012 (the "Series 2012 Bonds"). described below:

Name and Series	Outstanding Balance (2.11.2020)	Original Issue Amount	Original Date of Issuance
Utility Revenue Refunding Bonds, 2012	\$3,915,000.00	\$5,865,000.00	08.27.2012

WHEREAS, pursuant to Louisiana Consolidated Local Government Indebtedness Act, Part A, Subtitle II, Chapter 4, Section 531 of Title 39 (the "**Refunding Act**") of the Louisiana Revised Statutes of 1950, of the Louisiana Revised Statutes of 1950 as amended, and other applicable constitutional and statutory authority, it is now the desire of the Issuer to adopt this ordinance (the "**Bond Ordinance**") in order to provide for the issuance of Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000) Utility Revenue Refunding Bond, Series 2020B, (the "**Bond**") at an annual interest rate of not to exceed four (4%) percent, for the purpose of (i) prepaying and refunding the Refunded Bonds, (ii) funding a debt service reserve fund and (iii) paying the costs of issuance therefor; and

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

Section 1.1. Definitions. The following terms as used in this Bond Ordinance shall have the following respective meanings, such definitions being equally applicable to both the singular and plural sense of any of such terms:

"**Additional Parity Bonds**" shall mean any *pari passu* additional obligations hereafter issued by the Issuer on a parity with the Bond, with respect to the Net Revenues of the System.

"**Authorized Denominations**" shall mean denominations of \$100,000 or any integral multiple of \$1,000 in excess thereof.

"**Authorized Officers**" shall mean (i) for the Issuer, the duly elected Mayor of Opelousas (the "**Mayor**") or clerk to the Opelousas City Council (the "**Clerk**"), together or acting alone, or any person or persons designated by the Issuer by ordinance to act on behalf of the Issuer pursuant to this Bond Ordinance; and (ii) for the Paying Agent, an officer of the bank authorized to execute documents on its behalf pursuant to a resolution of the board of said bank.

"**Bond**" or "**Bonds**" means the Issuer's Utility Revenue Refunding Bond, Series 2020B, issued pursuant to this Bond Ordinance in the total aggregate principal amount of Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000), and any bond of said issue, whether initially delivered or issued in exchange for, upon transfer of or in lieu of any Bond previously issued.

"**Bond Counsel**" shall mean MAHTOOK & LAFLEUR (Eric LaFleur), a firm of attorneys whose experience in matters relating to the issuance of obligations by states and their political subdivisions, is nationally recognized.

"**Bond Proceeds**" shall mean the proceeds realized from the sale of the Bond.

"**Bond Register**" shall mean the records kept by the Paying Agent at its principal corporate trust office in which registration of the Bond and transfer of the Bond shall be made as provided herein.

"**Bond Ordinance**" shall mean this ordinance, as further amended and supplemented as herein provided.

"**Bond Year**" shall mean the one-year period ending on the principal payment date on the Bond (September 1) of each.

"**Bondholder**" or "**Registered Owner**" or "**Owner**" shall mean the person reflected as registered owner of the Bond on the registration books maintained by the Paying Agent.

"**Business Day**" shall mean a day of the year other than a day on which banks located in New York, New York and the cities in which the principal offices of the Paying Agent are located are required or authorized to remain closed and on which the New York Stock Exchange is closed.

"**Closing Date**" shall mean the date all documents related to the issuance of the Bond are signed by all parties and on which payment is tendered by the Lender in exchange for the Bond.

"**Closing Memorandum**" shall mean that certain memorandum provided to the Paying Agent on the Closing Date, which details the disbursement of Bond Proceeds.

"**Code**" means the Internal Revenue Code of 1986, as amended.

"**Consulting Engineer**" means a regionally known consulting engineer or firm of consulting engineers with skill and experience in the construction and operation of publicly owned System properties.

"**Costs of Issuance**" shall mean all items of expense related to the authorization, sale, and issuance of bonds pursuant to La. R. S. 39§503(2).

"**Cost of Issuance Fund**" shall mean the Series 2020B Cost of Issuance Fund established pursuant to Section 4.1 hereof.

"**Debt Service**" shall mean, for any period, as of any date of calculation and with respect to the outstanding Bond, an amount equal to the sum of (i) interest accruing during such period on the Bond, and (ii) that portion of principal installment for the Bond, which would accrue during such period.

"**Default Rate**" shall mean the maximum rate approved for the Bond by the State Bond Commission in accordance with Louisiana law (7.00%).

"**Defeasance Obligations**" shall mean

1. Cash, or
2. Government Securities, or
3. Evidences of ownership of proportionate interests in future interest and principal payments of Government Securities. Investments in such proportionate interests must be limited to circumstances wherein (i) a bank or trust company acts as custodian and holds the underlying Government Securities; (ii) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying Government Securities; and (iii) the underlying Government Securities are held in a special

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account separate from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated.

"Determination of Taxability" shall mean a final decree or judgment of any federal court or a final action of the Internal Revenue Service Service determining that interest paid or payable on the Bond is or was includable in the gross income of an Owner of the Bond for federal income tax income tax purposes; provided, that no such decree, judgment, or action will be considered final for this purpose, however, unless the Issuer has been has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of any Owner, and until the conclusion of any appellate review, if sought.

"Event of Default" shall have the meaning set forth in Section 11.1 hereof.

"Fiscal Agent Bank" shall mean the fiscal agent bank of the Issuer and any successor Fiscal Agent Bank so appointed by the Issuer.

"Fiscal Year" shall mean the twelve-month period commencing on September 1 of each year, or such other twelve-month period as may be designated by the Governing Authority as the fiscal year of the Issuer.

"Governing Authority" shall mean the Opelousas City Council.

"Government Securities" shall mean direct general obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which 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 **March 1** and **September 1** of each year during the period the Bond is outstanding, commencing **March 1, 2020**.

"Issuer" shall mean the City of Opelousas, Parish of St. Landry, State of Louisiana.

"Issuance Date" shall mean the date on which the Bond is issued.

"Lender" shall mean with respect to the Bond, REGIONS EQUIPMENT FINANCE CORPORATION, Birmingham, Alabama, the initial purchaser of the Bond from the Issuer.

"Maturity Date" shall mean the date of maturity of the Bond as set forth in this Bond Ordinance.

"Maximum Annual Debt Service" shall mean, as of the date of calculation, the highest aggregate annual debt service requirement and debt service payable on the Bonds, Parity Bonds and any Additional Parity Bonds during the then current or any succeeding Fiscal Year.

"Municipal Advisor" shall mean SISUNG SECURITIES CORPORATION, New Orleans, Louisiana.

"Net Revenues of the System" or "Net Revenues" shall mean Revenues, after there have been deducted therefrom the reasonable and necessary expenses of operating and maintaining the System

"Operating Agreements" shall mean shall mean collectively, (i) the Operating and Franchise Agreement dated July 10, 2019, as amended and supplemented to the date hereof, by and between CLECO and the Issuer; and (ii) the Operating and Franchise Agreement dated March 1, 2006, as amended and supplemented to the date hereof, by and between SLEMCO and the Issuer.

"Outstanding" when used with respect to the Bond means, as of the date of the Bond theretofore issued and delivered under this Bond Ordinance, except;

1. Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
2. Bonds for which payment or redemption sufficient funds have been theretofore deposited in trust for the owners of such Bonds with the effect specified in Section 13.6 of this Bond Ordinance; provided that if such Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for pursuant to this Bond Ordinance or waived;
3. Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and
4. Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Bond Ordinance or by law.

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

"Parity Bonds" means any outstanding *pari passu* bonds secured by or payable from **Net Revenues of the System, including the Series 2012 Bonds**.

"Parity Bond Ordinances" means the respective ordinance adopted by this Governing Authority authorizing the issuance of the Parity Bonds.

"Paying Agent" shall mean Regions Bank, an Alabama state bank with trust powers having a corporate office located in Baton Rouge, Louisiana in its capacities as Paying Agent for the Bond and as trustee for the funds and accounts established with Regions Bank in its capacity as Paying Agent under Article XII of this Bond Ordinance, until a successor Paying Agent shall have become such pursuant to the applicable provisions of the Bond Ordinance, and thereafter Paying Agent shall mean such successor Paying Agent.

"Paying Agent Agreement" shall mean the Paying Agent and Registrar Agreement to be entered into between the Issuer and Regions Bank in its capacity as Paying Agent and Registrar pursuant to this Bond Ordinance.

"Permitted Investments" shall mean those certain securities, obligations or other instruments specifically set forth in La. R.S. 33:2955 as amended from time to time, or pursuant to any other constitutional or statutory authority, as being legal investments for political subdivisions of the State.

"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" shall mean September 1 of each year, commencing September 1, 2020.

"Preliminary Resolution" means the resolution previously adopted by the Issuer on September 5, 2019 granting authority to take preliminary action relative to the issuance, sale and delivery of the Bond.

"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.

"Redemption Price" means, with respect to any Bond or portion thereof to be redeemed, one hundred percent (100%) of the principal amount thereof, plus the applicable premium, if any, and accrued interest thereon payable upon redemption thereof pursuant to this Bond Ordinance.

"Refunded Bonds" means collectively the previously issued obligations of the Issuer, which obligations were issued to acquire, construct, extend and improve the System:

Name and Series	Outstanding Balance (2.11.2020)	Original Issue Amount	Original Date of Issuance
Utility Revenue Bonds, 2003	\$630,885.40	\$2,200,000.00	10.23.2003
Utility Revenue Bonds, 2006	3,380,000.00	7,800,000.00	01.01.2006
Utility Revenue Bonds, 2007	555,000.00	1,500,000.00	10.04.2007

"Refunding Act" means Louisiana Consolidated Local Government Indebtedness Act, Title 39, Subtitle II, Chapter 4, Section 531 of Title 39 of the Louisiana Revised Statutes of 1950, of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority.

"Reserve Fund Requirement" means, as of the date of calculation, the lesser of (i) ten percent (10%) of the aggregate principal amount of Bonds, Parity Bonds and any Additional Parity Bonds and (ii) Maximum Annual Debt Service on the Bonds, Parity Bonds and Additional Parity Bonds.

"Revenue Fund" shall mean the fund established pursuant to Section 4.1 hereof for deposits derived from and expenditures related to the operation of the System.

"Revenues" means all income and revenues to be derived by the Issuer from the operation of the System, including earnings on investments in the funds and accounts described in Section 4.1 hereof and revenues received by the Issuer under the terms of the Operating Agreements, but not including any insurance or condemnation proceeds, or proceeds from the sale or other disposition of any part of the System.

"Sinking Fund" shall mean the Revenue Bond Sinking Fund established pursuant to Section 4.1 hereof.

"State" means the State of Louisiana.

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"System" means the revenue producing utility system consisting of a sewerage system, a waterworks plant and system and an electric distribution system of the Issuer, as such system now exists and as it may be hereafter improved, extended or supplemented from any source whatsoever while any the Bond herein authorized remain outstanding, including specifically all properties of every nature owned, leased or operated by the Issuer and used or useful in the operation of the System, and including real estate, personal and intangible properties, contracts, franchises, leases and choses in action, whether lying within or without the boundaries of the Issuer.

"Tax Certificate" shall mean the tax regulatory agreement and non-arbitrage certificate executed by the Issuer in connection with the issuance of the Bond.

"Taxable Adjusted Rate" shall mean in the event of Determination of Taxability, a rate of interest (which rate of interest shall not exceed 7%) which would provide the Owner(s) with an after tax yield on the then outstanding principal amount of the Bond at least equal to the after-tax yield the Owner(s) could have received if a Determination of Taxability had not occurred (subject to the interest rate limitation of 7%).

Section 1.2. Interpretation. In this Bond Ordinance, unless the context otherwise requires, (a) words importing the singular include the plural and vice versa, (b) words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders and (c) the title of the offices used in this Bond Ordinance shall be deemed to include any other title by which such office shall be subsequently known.

ARTICLE II
AUTHORIZATION AND ISSUANCE

Section 2.1. Authorization of Bond. Maturities. In compliance with and under the authority of the Refunding Act, and other constitutional and statutory authority, there is hereby authorized the incurring of an indebtedness of Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000) Utility Revenue Refunding Bond, Series 2020B, of the Issuer at an annual interest rate not to exceed four (4%) percent for, on behalf of and in the name of the Issuer, for the purpose of (i) prepaying and refunding the Refunded Bonds, (ii) providing a debt service reserve fund for said Bond, and (iii) paying the Costs of Issuance.

Section 2.2. Bond Form. The Bond shall initially be issued in form of a single term bond, numbered R-1, and shall be dated the Issuance Date, shall bear interest (calculated on the basis of a 30-day month and a 360-day year) from date thereof or the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on each Interest Payment Date. The Bond shall be issued initially in the form of one (1) single term bond in the full principal amount at the initial fixed interest rate per annum and maturing as follows:

Par amount	Maturity	Interest Rate
\$4,650,000	September 1, 2025	2.63%

The principal of the Bond, upon maturity or redemption, shall be payable at the principal corporate trust office of the Paying Agent, upon presentation and surrender thereof, and interest on the Bond shall be payable by check or electronic funds from the Paying Agent to the Owners (determined as of the close of business on the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer of, in exchange for or in lieu of any other Bond shall be in an Authorized Denomination and 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.

Upon the occurrence of an Event of Default in Section 11.1 hereof, the Bond shall bear interest at the Default Rate during the time that such Event of Default continues to exist.

In the event of a Determination of Taxability, the interest rate on the Bond shall be adjusted, at the written direction of the Lender, to provide an after-tax yield on the then outstanding principal amount of the Bond equal to the Taxable Adjusted Rate. In such event, the Issuer shall execute and deliver a substitute Bond to the Lender, which shall be duly authenticated by the Paying Agent.

The principal of the Bond, upon maturity or redemption, shall be payable at the principal office of the Paying Agent and interest on the Bond will be payable by wire transfer or 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 2.3. Acceptance of Offer or Award of Bond. The sale of the Bond to the Lender pursuant to the term sheet attached hereto as **Exhibit B** (the "Term Sheet") and the terms set forth in this Bond Ordinance is hereby in all respects approved, ratified and confirmed. Each Authorized Officer, individually or collectively, is hereby empowered, authorized and directed to execute and deliver or cause to be executed and delivered all documents required to be executed on behalf of the Issuer or deemed by, either, in their sole discretion, necessary or advisable to implement this Bond Ordinance or facilitate the sale of the Bond, including the execution of the Term Sheet. In the event the terms of this Bond Ordinance conflict with those in the Term Sheet, the Term Sheet shall control.

ARTICLE III
GENERAL TERMS AND PROVISIONS OF THE BOND

Section 3.1. Registration and Transfer. The Issuer shall cause a Bond Register to be kept by the Paying Agent. The Bond may be transferred, registered and assigned only on the Bond Register of the Paying Agent, and such registration shall be at the expense of the Issuer. A Bond may be assigned by the execution of an assignment form on the Bond or by other instruments of transfer and assignment acceptable to the Paying Agent. A new Bond or 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. Such new Bond or Bonds shall be in Authorized Denominations within a single maturity. Neither the Issuer nor the Paying Agent shall be required to issue, register, transfer or exchange any Bond during a period beginning (i) at the opening of business on a Record Date and ending at the close of business on the Interest Payment Date or (ii) with respect to Bonds to be redeemed, at the opening of business fifteen (15) days before the date of the mailing of a notice of redemption of such Bond and ending on the date of such redemption.

Section 3.2. Registration by Paying Agent. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Bond Ordinance unless and until a certificate of registration on such Bond substantially in the form set forth in **Exhibit A** (the "Form of the Bond") hereto shall have been duly executed on behalf of the Paying Agent by a duly authorized signatory, and such executed certificate of the Paying Agent upon any such Bond shall be conclusive evidence that such Bond has been executed, registered and delivered under this Bond Ordinance.

Section 3.3. Recital of Regularity. The Issuer, having investigated the regularity of the proceedings had in connection with this issue of Bond, and having determined the same to be regular, the Bond shall contain the following recital, to-wit:

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

Section 3.4. Execution of Bond. The Bond shall be executed in the name and on behalf of the Issuer by the manual or facsimile signature of the Authorized Representatives of the Issuer. In case any one or more of the officers who shall have signed any of the Bond shall cease to be such officer before the Bond so signed shall have been actually delivered such Bond may, nevertheless, be delivered as herein provided, and may be issued as if the person who signed such Bond had not ceased to hold such office. Said officers shall, by the execution of the Bond, adopt as and for their own proper signatures their respective facsimile signatures appearing on the Bond or any legal opinion certificate thereon, and the Issuer may adopt and use for that purpose the facsimile signature of any person or persons who shall have been such officer at any time on or after the date of such Bond, notwithstanding that at the date of such Bond such person may not have held such office or that at the time when such Bond shall be delivered such person may have ceased to hold such office.

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Section 3.5. Mutilated, Destroyed, Lost or Stolen Bond. If any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss, or theft of any Bond, and there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide underwriter, the Issuer shall execute and upon its request the Paying Agent shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost, or stolen 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. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost, or stolen Bond shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Bond Ordinance equally and ratably with all other outstanding bonds. The procedures set forth in the Paying Agent Agreement authorized in this Bond Ordinance shall also be available with respect to mutilated, destroyed, lost or stolen Bond. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bond.

Section 3.6. Cancellation of the Bond. The Bond paid or redeemed either at or before maturity together purchased by the Issuer, shall thereupon be promptly canceled by the Paying Agent. The Paying Agent shall upon request promptly furnish to the Mayor or Clerk an appropriate certificate of cancellation.

Section 3.7. Restrictions on Transfer. The Registered Owners of the Bond shall have the right at any time to assign, transfer or convey the Bond or any interest therein or portion thereof to any person or entity in its sole and absolute discretion, but no such assignment, transfer or conveyance shall be effective as against the Issuer unless and until such registered owner has delivered to the Issuer written notice thereof that discloses the name and address of the assignee. The Issuer may not assign its rights hereunder or under any of the loan documents to any person or entity without the prior written consent of the Registered Owners.

ARTICLE IV

CREATION OF FUNDS/APPLICATION OF BOND PROCEEDS

SECTION 4.1. Funds and Accounts. The Issuer hereby establishes the following funds and accounts with respect to the Bond:

(a) The **Utilities System Fund** (the "**Revenue Fund**") previously established by the Issuer and maintained as a separate and special bank account with the Fiscal Agent Bank in which the Issuer deposits, daily, all Revenues, and from which the Issuer pays all reasonable and necessary expenses of operating and maintaining the System;

(b) The **Series 2020B Cost of Issuance Fund** (the "**Cost of Issuance Fund**") for the purpose of paying Costs of Issuance with respect to the Bond.

(c) The **Revenue Bond Sinking Fund** (the "**Sinking Fund**") previously established by and maintained as a separate and special bank account with the Fiscal Agent Bank into which the Issuer shall make deposits on or prior to the twentieth (20th) day of each month from Net Revenues in the Revenue Fund in the amount of (i) 1/6th of the next interest payment plus (ii) 1/12th of the next principal payment of the Bond, the Parity Bonds and any Additional Parity Bonds.

(d) The **Revenue Bond Reserve Fund** (the "**Reserve Fund**") previously established and maintained as a separate and special bank account with the Fiscal Agent Bank to secure the Bond, the Parity Bonds and any Additional Parity Bonds.

(e) The **Series 2020B Rebate Fund** (the "**Rebate Fund**") to be established and maintained as a separate and special bank account with the Fiscal Agent Bank from which the Issuer make any rebate payments owed to the United States under the Code; and

(f) The **Capital Additions and Contingencies Fund** (the "**Contingency Fund**") previously established and maintained as a separate and special bank account with Fiscal Agent Bank for the purpose of funding extensions, additions, improvements, renewals and replacements necessary to properly operate the System. Additionally, the Contingencies Fund may also be used to pay debt service in the event of a shortfall in Net Revenues and the Debt Service Reserve Fund

Additional accounts may be created pursuant to the Paying Agent Agreement, if deemed necessary by an Authorized Officer, in consultation with the Municipal Advisor and Bond Counsel.

SECTION 4.2. Application of Bond Proceeds. Upon the issuance of the Bond, the Bond Proceeds shall be deposited as follows:

- (a) To the respective paying agent for each of the Refunded Bonds for the prepayment and the full redemption of the Refunded Bonds;
- (b) To the Paying Agent for deposit into the Cost of Issuance Fund for payment of the Costs of Issuance for the Bond; and
- (c) To the Fiscal Agent for deposit into the Reserve Fund an amount of proceeds to cause the balance in the Reserve Fund to equal the Reserve Fund Requirement.

The Issuer shall cause the Paying Agent to pay Costs of Issuance from the Cost of Issuance Fund in the manner and amounts set forth in the authorization to pay costs of issuance (the "**Order to Pay Costs**"). The Paying Agent or the designated party named in the Order to Pay Costs of Issuance shall pay said costs upon receipt of the order pursuant to invoices submitted for payment.

Any funds remaining in the Cost of Issuance Fund one hundred eighty (180) days after the closing of the issuance of the Bond shall be transferred to the Sinking Fund and applied as stated herein.

All such deposits shall be made in accordance with the Authorization to Pay Costs and Closing Order.

ARTICLE V

SECURITY FOR THE BOND

AND

MAINTENANCE OF FUNDS AND ACCOUNTS

Section 5.1. Security for the Bond. The Bond shall be secured by and payable in principal, premium, if any, and interest solely by a pledge of the Net Revenues, on a parity with the Parity Bonds, until the Bond has been fully paid. The Net Revenues are irrevocably and irrepealably pledged in an amount sufficient for the payment of the Bond in principal and interest as they shall respectively become due and payable and for the other purposes hereinafter set forth in this Bond Ordinance. All Revenues shall be set aside in the Revenue Fund and shall remain so pledged for the security and payment of the Bond in principal and interest, and for all other payments provided in this Bond Ordinance, until the Bond shall be fully paid and discharged.

At the closing of the issuance of the Bond, pursuant to La. R.S. 39:504 and as provided for herein, the lien of the Net Revenues will be perfected, preserved and fully protects the security of the Bond Holders in the Net Revenues and any other collateral and the rights of any trustee for the Bond Holders. The Issuer covenants that it will do, execute, acknowledge and deliver or cause to be done, executed, acknowledged and delivered such further acts, instruments and transfers as may be required for securing, assuring, continuing, transferring, conveying, pledging, assigning and confirming unto the Bondholders or any trustee for the Bondholders, the Net Revenues and any other collateral pledged to the payment of the principal of, premium, if any, and interest on the Bond. Except to the extent it is exempt therefrom, the Issuer will pay or cause to be paid all filing fees incident to such filing and all expenses incident to the preparation, execution and acknowledgment of such instruments of further assurance, and all federal or state fees and other similar fees, duties, imposts, assessments and charges arising out of or in connection with the execution and delivery of such instruments.

Section 5.2. Flow of Funds.

All Revenues shall continue to be deposited daily by the Issuer as same may be collected in the Revenue Fund, a separate and special bank account established and administered in the order and for the following express purposes as set forth herein:

- (a) The payment of all reasonable and necessary expenses of operating and maintaining the System.
- (b) To transfer into the Sinking Fund, an amount sufficient to pay promptly and fully the principal of and the interest on the Bond, the Parity Bonds and any Additional Parity Bonds, as they severally become due and payable, monthly in advance on or before the twentieth (20th) day of each month of each year, commencing March 20, 2020, a sum equal to 1/6th of the interest falling due on the next Interest Payment Date and 1/12th of the principal falling due on the next Principal Payment Date with regard to the Bond, the Parity Bonds and any Additional Parity Bonds. If Additional Parity Bonds are hereafter issued by the Issuer in the manner provided in this Bond Ordinance, moneys in the Sinking Fund shall be equally available to pay principal and interest on such bonds, and payments in the Sinking Fund shall be increased as provided in the Parity Bond Ordinances authorizing the issuance of the Additional Parity Bonds. The Issuer shall transfer from said Sinking Fund to the paying agent bank or banks for the Bond payable

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from the Sinking Fund at least three (3) days in advance of each Interest Payment Date, funds fully sufficient to pay promptly the principal and interest so falling due on such date.

- (c) To deposit an amount to cause the balance in the Reserve Fund to equal the Reserve Fund Requirement. The money in the Reserve Fund shall be retained solely for the purpose of paying the principal of and interest on the bonds payable from the Sinking Fund as to which there would otherwise be default. In the event that Additional Parity Bonds are hereafter issued in the manner provided by the Bond Ordinance, there shall be deposited into the Reserve Fund from the proceeds of the sale of such bonds immediately upon their delivery an amount necessary to satisfy the Reserve Fund requirement after the issuance of such bonds.

If at any time it shall be necessary to use moneys in the Reserve Fund above provided for the purpose of paying principal of or interest on the Bond, the Parity Bonds and any Additional Parity Bonds payable from the Sinking Fund as to which there would otherwise be default, then the moneys so used shall be replaced from the Net Revenues first thereafter received, not hereinabove required to be used for operation and maintenance of the System or for current principal, interest and reserve requirements. If at any time there are sufficient moneys on deposit in said Reserve Fund to retire the Bond, the Parity Bonds and any Additional Parity Bonds payable from the Sinking Fund by defeasance, by exercising the redemption option provided by such bonds or by purchase on the open market, the Issuer may utilize such funds for such purpose.

- (d) Any money remaining in the Revenue Fund after making the above-required payments each month may be used by the Issuer for the purpose of calling and/or purchasing and paying any outstanding bonds payable from the Net Revenues, or for such other lawful purposes as the Governing Authority may determine, whether such purposes are or are not in relation to the System.

Moneys deposited and held in the Rebate Fund shall be used to make any rebate payments owed to the United States under the Code and shall not be subject to the pledge of accounts under the Bond Ordinance. The Issuer has covenanted in this Bond Ordinance and the Tax Agreement to comply with the requirements of Section 148 of the Code and the regulations thereunder, and the Issuer, at its expense, shall make the calculation(s) required by the Code and the Tax Agreement and shall make deposits to and make disbursements from the Rebate Fund that the Issuer determines are in accordance therewith. The Tax Agreement and any provisions of this Bond Ordinance governing deposits to the Rebate Fund may be superseded or amended (except the requirement of annual calculations and deposits to the Rebate Fund, if required) if accompanied by an opinion of Bond Counsel addressed to the Issuer to the effect that any revisions thereof will not cause the interest on the Bond to become includable in gross income of the recipient thereof for federal tax purposes.

Section 5.3. Investment of Funds. All or any part of the moneys in any of the aforesaid funds and accounts shall, at the written request of the Issuer, be invested in Permitted Investments. Such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which said respective funds are maintained.

Investments on deposit in all funds and accounts shall be valued at market value at least monthly. No forward delivery agreements, hedge, purchase and resale agreements or par-put agreements may be used with respect to the investment of any fund or account with respect to the trust estate pledged to the Bond without the prior written request.

Section 5.4. Funds to Constitute Trust Funds. The Cost of Issuance Fund, Revenue Fund, Sinking Fund, Reserve Fund and Contingency Fund provided for in Section 4.1 hereof shall all be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Bond issued pursuant to this Bond Ordinance shall be and they are hereby granted a lien on all such funds until applied in the manner provided herein. The moneys in such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds in the manner required by the laws of the State. The Authorized Officers are hereby authorized and directed to execute any instrument necessary to obligate the Issuer to fulfill its obligations provided for in this Section.

**ARTICLE VI
REDEMPTION OF BOND**

Section 6.1. Optional Redemption Provisions. The Bond shall not be subject to optional redemption prior to the date of its maturity.

Section 6.2. Redemption Provision

- (a) *Mandatory Scheduled Redemption.* The Bond ,without further notice to the Owner(s) or the Paying Agent, is subject to mandatory sinking fund redemption and payment prior to maturity on September 1 in each of the years set forth below, at 100% of the principal amounts plus accrued interest to the redemption date, without premium as follows:

Year (September 1)	Principal Amount
2020	\$996,000
2021	958,000
2022	682,000
2023	708,000
2024	727,000
2025*	579,000

*Final Maturity

- (b) *Optional Redemption On Determination of Taxability.* If a Determination of Taxability occurs before September 1, 2025, at the sole option of the Lender, the Bond may be redeemed in whole but not in part following receipt by the Issuer of written notice of such Determination of Taxability at a redemption price equal to 100% of the unpaid principal balance of the Bond outstanding, plus accrued interest thereon to the date fixed for redemption at the Taxable Adjusted Rate from the date of Determination of Taxability.

**ARTICLE VII
ISSUER COVENANTS**

Section 7.1. Payment of the Bond. The Issuer shall duly and punctually pay or cause to be paid as herein provided, the principal, premium, if any, and interest thereon, at the dates and places and in the manner stated in the Bond according to the true intent and meaning thereof.

Section 7.2. Tax Covenants. To the extent permitted by the laws of the State, the Issuer will comply with the requirements of the Code to establish, maintain and preserve the exclusion from "gross income" of interest on the Bond under the Code. The Issuer shall not take any action or fail to take any action, nor shall it permit at any time or times any of the proceeds of the Bond or any other funds of the Issuer to be used directly or indirectly to acquire any securities or obligations the acquisition of which, would cause any Bond to be an "arbitrage bond" as defined in the Code or would result in the inclusion of the interest on any Bond in "gross income" under the Code, including without limitation, the failure to comply with the limitation on investment of the proceeds of the Bond, the payment of any required rebate of arbitrage earnings to the United States of America, or the use of the proceeds of the Bond in a manner which would cause the Bond to be "private activity bonds" under the Code.

Section 7.3. Accounting Requirements. So long as the Bond is outstanding and unpaid in principal, premium, if any, 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 System and shall cause the same to be performed relative to the application of amounts deposited in each fund established or maintained hereunder.

Section 7.4. Audit and Reporting Requirements. The Issuer shall deliver each of the following, in form and substance satisfactory to the Lender or any subsequent Owners of the Bond: (i) the audited financial statements of the Issuer to be made by an independent firm of certified public accountants in accordance with the requirements of Section 8.4 hereof and Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, as amended, not later than one hundred eighty days (180) days after the close of each Fiscal Year (b) the right to inspect the records, accounts and data of the Issuer relating to its operations the System and the Net Revenues with said right also granted to the Paying Agent; and (c) the budget within sixty (60) days of its adoption by the Issuer.

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ARTICLE VIII
RATES AND CHARGES; COVENANTS AS TO THE MAINTENANCE
AND
OPERATION OF THE SYSTEM

Section 8.1. Obligation to Fix Rates. The Issuer, through its Governing Authority by proper ordinances, hereby covenants to fix, to fix, establish, maintain and collect such rates, fees, rents or other charges for the services and facilities of the System, and all parts thereof, and to revise the same from time to time whenever necessary, as will always provide Revenues in each Fiscal Year sufficient to pay the reasonable and necessary expenses of operating and maintaining the System in each Fiscal Year and as will provide Net Revenues at least equal to 140% of the Maximum Annual Debt Service and as will provide Net Revenues at least sufficient to pay all reserve or sinking funds or other payments required for such Fiscal Year by this Bond Ordinance and all obligations or indebtedness payable out of the Revenues during such year, and that such rates, fees, rents or other charges shall not at any time be reduced as to be insufficient to provide adequate Net Revenues for such purposes.

Section 8.2. Schedule of Rates and Charges. Except as provided herein, nothing in this Bond Ordinance or in the Bond shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary any ordinance setting up and establishing a schedule or schedules of rates and charges for the service and facilities to be rendered by the System, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the income and revenues of the System, not alone for the payment of the principal of and interest on the Bond, but to give assurance and insure that the Net Revenues shall be sufficient at all times to meet and fulfill the obligations set forth herein. It is understood and agreed, however, that the Issuer shall fix and maintain and collect rates and charges for the services and facilities to be rendered by the System, irrespective of the user thereof, that no free service shall be furnished to any person, association of persons or corporation, public or private, or even to the Issuer itself and that no discrimination shall be made as to rates and charges for the services and facilities of the System as between users of the same type or class.

The Issuer agrees that failure of any individual, partnership or corporation to pay said charges within fifteen (15) days of the date on which it is due shall cause such charge to become delinquent, that if such delinquent charge, with interest and penalties accrued thereon, is not paid within fifteen (15) days from the date on which it became delinquent, the Issuer will shut off water and gas services to the affected premises, and that the Issuer and this Governing Authority and its officials, agents and employees will do all things necessary and will take advantage of all remedies afforded by law to collect and enforce the prompt payment of all charges made for services rendered by the System. All delinquent charges for such services shall on the date of delinquency have added thereto a penalty in such amount as may be determined by this Governing Authority, and the amount so due, including any penalty charge, may, in the discretion of this Governing Authority, after ten (10) days from the date of delinquency, bear interest at the rate of at least six per centum (6%) per annum. If services shall be discontinued as above provided, the customer shall, in addition to paying the delinquent charges, penalties and interest, if any, pay as a condition precedent to the resumption of service, a reasonable reconnection charge.

It is further understood and agreed that the schedule of rates, fees, rents and other charges being charged as of the date of the adoption of this Bond Ordinance for services and facilities rendered by the System shall remain in effect and neither said existing schedule nor any subsequent schedule shall be reduced at any time unless all payments required for all funds by this Bond Ordinance, including any deficiencies for prior payments, have been fully made, and unless such schedule as so reduced will in each year thereafter produce sufficient Revenues to meet and fulfill the other provisions stated and specified in Section 8.1 of this Bond Ordinance.

Section 8.3. Right to Pledge Net Revenues; Rank of Lien. In providing for the issuance of the Bond, the Issuer does hereby covenant and warrant that it is lawfully seized and possessed of the System, that it has a legal right to pledge the Net Revenues therefrom as herein provided, that the Bond will have a lien and privilege on said Net Revenues subject only to the prior payment of all reasonable and necessary expenses of operation and maintenance of the System and that the Issuer will at all times maintain the System in first class repair and working order and condition.

Section 8.4. Records and Account Audit Reports. As long as the Bond is outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books and accounts of the System separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the System. The Issuer shall cause an audit of its books and accounts to be made by the Legislative Auditor or an independent firm of certified public accountants, showing the receipts of and disbursements made by the Issuer during the previous Fiscal Year, including those made for the account of the System, and provide to the Lender within 180 days after the close of each Fiscal Year. Such audit shall be available for inspection by the Owners of the Bond. Each such audit, in addition to whatever matters may be thought proper by the accountant to be included therein, shall include the following:

1. A statement in detail of the income and expenditures of the System for such Fiscal Year.
2. A balance sheet as of the end of such Fiscal Year.
3. The accountant's comments regarding the manner in which the Issuer has carried out the requirements of this Bond Ordinance, and the accountant's recommendations for any changes or improvements in the operation of the System or the method of keeping the records relating thereto.
4. A list of the insurance policies in force at the end of the Fiscal Year, setting out as to each policy, the amount of the policy, the risks covered, the name of the insurer and the expiration date of the policy.
5. The number of metered water customers and the number of unmetered water customers, if any.
6. An analysis of additions, replacements and improvements to the physical properties of the System.

All expenses incurred in the making of the audits required by this Section shall be regarded and paid as a maintenance and operating expense. The issuer further agrees to furnish the Paying Agent and to any Owner, upon request therefor, a monthly statement itemized to show the income and expenses of the operation of the System and the number of connections for the preceding month. The issuer further agrees that the Paying Agent and the Owners of the Bond shall have at all reasonable times the right to inspect the System and the records, accounts and data of the Issuer relating thereto.

Section 8.5. Rights of Owners; Appointment of Receiver in Event of Default. The Owners of the Bond from time to time shall be entitled to exercise all rights and powers for which provision is made in the laws of the State of Louisiana. Any Owners of the Bond or any trustee acting for such Owners in the manner hereinafter provided, may, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Louisiana, or granted and contained in this Bond Ordinance, and may enforce and compel the performance of all duties required by this Bond Ordinance, or by any applicable statutes to be performed by the Issuer or by any agency, board or officer thereof, including the fixing, charging and collecting or rentals, fees or other charges for the use of the System and in general to take any action necessary to most effectively protect the right of the said Owners.

In the event that default shall be made in the payment of the interest on or the principal of the Bond as the same shall become due, or in the making of the payments into any Sinking Fund or Reserve Fund or any other payments required to be made by this Bond Ordinance, or in the event that the Issuer or any agency, board, officer, agent or employee thereof shall fail or refuse to comply with the provisions of this Bond Ordinance or shall default in any covenant made herein, and in the further event that any such default shall continue for a period of thirty (30) days after written notice, any Owner of the Bond or any trustee appointed to represent such Owners as hereinafter provided, shall be entitled as to or right to the appointment of a receiver of the System in an appropriate judicial proceeding in a court of competent jurisdiction.

The receiver so appointed shall forthwith directly or by his agents and attorneys, enter into and upon and take possession of the System, and each and every part thereof, and shall hold, operate and maintain, manage and control the System, and each and every part thereof, and in the name of the Issuer shall exercise all the rights and powers of the Issuer with respect to the System as the Issuer itself might do. Such receiver shall collect and receive all rates, fees, rentals and other revenues, maintain and operate the System in the manner provided in this Bond Ordinance, and comply under the jurisdiction of the court appointing such receiver, with all of the provisions of this Bond Ordinance.

Whenever all that is due upon the Bond and interest thereon, and under any covenants of this Bond Ordinance for reserve, sinking or other funds, and upon any other obligations and interest thereon, having a charge, lien or encumbrance upon the fees, rentals or other revenues of the System, shall have been paid and made good, and all defaults under the provisions of this Bond Ordinance shall have been cured and made good, possession of the System shall be surrendered to the Issuer upon the entry of an order of the court to that effect. Upon any subsequent default, any Owner of the Bond, or any trustee appointed for Owners as hereinafter provided, shall have the same right to secure the further appointment of a receiver upon any such subsequent default.

Such receiver shall in the performance of the powers hereinabove conferred upon him by under the direction and supervision of the court making such appointment, shall at all times be subject to the orders and decrees of such court, and may be removed thereby and a successor receiver

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appointed in the discretion of such court. Nothing herein contained shall limit or restrict the jurisdiction of such court to enter such other and further orders and decrees as such court may deem necessary or appropriate for the exercise by the receiver of any function not specifically set forth herein.

Any receiver appointed as provided herein shall hold and operate the System in the name of the Issuer and for the joint protection of the Issuer and Owners of the Bond. Such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any property of character belonging or pertaining to the System but the authority of such receiver shall be limited to the possession, operation and maintenance System for the sole purpose of the protection of both the Issuer and Owners and the curing and making good of any default under the Bond Ordinance, and the title to and the ownership of the System shall remain in the Issuer, and no court shall have any jurisdiction to enter any order or decree permitting or requiring such receiver to sell, mortgage or otherwise dispose of any property of the System except with the consent of the Issuer and in such manner as the court shall direct.

The Owner or Owners of the Bond in an aggregate principal amount of not less than twenty-five percent (25%) of the Bond then outstanding may by a duly executed certificate appoint a trustee for the Owners with authority to represent such Owners in any legal proceedings for the enforcement and protection of the rights of such Owners. Such certificate shall be executed by such Owners, or by their duly authorized attorneys or representatives, and shall be filed in the office of the Clerk of the Issuer.

Until the event of default shall have occurred, the Issuer shall retain full possession and control of the System with full right to manage, operate and use the same and every part thereof with the rights appertaining thereto, and to collect and receive, and, subject to the provisions of this Bond Ordinance, to take, use and enjoy and distribute the earnings, income, rent, issue and profits accruing on or derivable from the System.

**ARTICLE IX
SUPPLEMENTAL ORDINANCES**

SECTION 9.1. Supplemental Ordinances Effective Without Consent of Bondholders. For any one or more of the following purposes and at any time from time to time, an ordinance supplemental hereto may be adopted, which, upon the filing with the Paying Agent of a certified copy thereof, but without any consent of the Owners, shall be fully effective in accordance with its terms:

- (a) to issue Additional Parity Bonds pursuant to Article X hereof;
- (b) to add to the covenants and agreements of the Issuer in this Bond Ordinance other covenants and agreements to be observed by the Issuer which are not contrary to or inconsistent with this Bond Ordinance as theretofore in effect;
- (c) to add to the limitations and restrictions in this Bond Ordinance other limitations and restrictions to be observed by the Issuer which are not contrary to or inconsistent with this Bond Ordinance as theretofore in effect;
- (d) to surrender any right, power or privilege reserved to or conferred upon the Issuer by the terms of this Bond Ordinance, but only if the surrender of such right, power or privilege is not contrary to or inconsistent with the covenants and agreements of the Issuer contained in this Bond Ordinance; and
- (e) to cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision of this Bond Ordinance, or to insert such provisions clarifying matters or questions arising under this Bond Ordinance as are necessary or desirable and are not contrary to or inconsistent with this Bond Ordinance as theretofore in effect.

SECTION 9.2. Supplemental Ordinances Effective With Consent of Owners. Except as provided in Section 9.1, any modification or amendment of this Bond Ordinance or of the rights and obligations of the Issuer and of the Owners hereunder, in any particular, may be made by a supplemental ordinance, with the written consent of the Owners of a majority of the outstanding principal amount of the Bond at the time such consent is given. No such modification or amendment shall permit a change in the terms of redemption or maturity of the principal of any outstanding Bond, or of any installment of principal or interest thereon or a reduction in the principal amount or the redemption price thereof, or in the rate of interest thereon, without the consent of the Owner of such Bond. No such amendment or modification or shall reduce the percentages of consent of the Owners of which is required to effect any such modification or amendment, or change the obligation of the Issuer to levy tax for the payment of the Bond as provided herein, without the consent of the Owners of the Bond. No such amendment or modification shall change or modify any of the rights or obligations of the Paying Agent without its written assent thereto. For the purposes of this Section, no bond shall be deemed to be affected by a modification or amendment of this Bond Ordinance if the same adversely affects or diminishes the rights of the Owners of said Bond.

**ARTICLE X
PARITY BONDS**

SECTION 10.1. Issuance of Refunding and Additional Parity Bond. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Net Revenues having priority over or parity with the Bond, except under the following conditions:

- (a) The Bond, or any part thereof, including interest and redemption premiums thereon, may be refunded and the bonds so issued shall enjoy complete equality of lien with the portion of the Bond which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues that may have been enjoyed by the Bond refunded, provided, however, that if only a portion of Bond outstanding is so refunded and the refunding bonds require total principal and interest payments during any Fiscal Year in excess of the principal and interest which would have been required in such Fiscal Year to the Bond refunded thereby, then such Bond may not be refunded unless the requirements of Section 10.1(b) have been met.
- (b) Additional Parity Bonds, including any other *pari passu* additional bonds as may at any later date be authorized by the Issuer or otherwise, may also be issued, and such Additional Parity Bonds shall be on a parity with the Bond herein authorized if all of the following conditions are met:
 - (i) The average annual Net Revenues when computed for the two (2) completed Fiscal Years immediately preceding the proposed issuance of the Additional Parity Bonds must have been not less than 1.40x times the Maximum Annual Debt Service for any succeeding Fiscal Year period on the Bonds, the Parity Bonds and on all the Additional Parity Bonds so proposed to be issued;
 - (ii) The payments to be made into the various funds as described hereinafter must be current;
 - (iii) The existence of the facts required by paragraphs (i) and (ii) above must be determined and certified to in writing by the Authorized Officers;
 - (iv) The Additional Parity Bonds so proposed to be issued must be payable as to principal on September 1st of each year in which principal falls due, beginning not later than two (2) years from the date of issuance of said Additional Parity Bonds and payable as to interest on March 1st and September 1st of each year; and
- (v) The proceeds of the Additional Parity Bonds must be used solely for the making of improvements, extensions, renewals, replacements or repairs to the System or to refund the Bonds, Parity Bonds or any Additional Parity Bonds.

**ARTICLE XI
EVENTS OF DEFAULT**

SECTION 11.1. Events of Default and Remedies. The occurrence of one or more of the following events shall be an Event of Default under this Bond Ordinance and under the Bond:

- (a) if default shall be made in the due and punctual payment of the principal of the Bond when and as the same shall become due and payable, whether at maturity or otherwise; or
- (b) if default shall be made in the due and punctual payment of any installment of interest on the Bond when and as such interest installment shall become due and payable; or
- (c) 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 Bond contained and such default shall continue for a period of thirty (30) days after written notice thereof to the Issuer by the Owners of not less than 25% of the Bond; or
- (d) if the Issuer shall file a petition or otherwise seek relief under any federal or State bankruptcy law or similar law.

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Upon the happening and continuance of any Event of Default, the Owners of the Bond shall be entitled to exercise all rights and powers for which provision is made in the Refunding Act or in any provision of applicable law.

**ARTICLE XII
CONCERNING FIDUCIARIES**

SECTION 12.1. 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 Bond. 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 filing with the Person then performing such function a certified copy of an ordinance giving notice of the termination of the Paying Agent Agreement and appointing a successor and by causing notice to be given to each Owner provided, however, so long as Lender is the Owner of a majority of the Bond, the appointment of a successor Paying Agent shall require Lender's prior written consent. 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 Authorized Officers are hereby authorized and directed to execute an appropriate Paying Agent Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Paying Agent Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

**ARTICLE XIII
MISCELLANEOUS**

SECTION 13.1. Limitations on Sale, Lease or Other Disposition of Property. So long as the Bond is outstanding and unpaid in principal or interest, the Issuer shall be bound and obligated not to sell, lease, encumber or in any manner dispose of the System or any substantial part thereof; provided, however, that this covenant shall not be construed to prevent the disposal by the Issuer of property which in its judgment has become worn out, unserviceable, unsuitable or unnecessary in the operation of the System, when other property of equal value is substituted therefor.

SECTION 13.2. Competitive Franchises. So long as the Bond is outstanding and unpaid in principal and interest, the Issuer obligates itself not to grant a franchise to any utility for operation within the boundaries of the Issuer which would render services of facilities similar to those of the System, and also obligates itself to oppose the granting of any such franchise by any other public board having jurisdiction over such matters. Further, the Issuer shall maintain its corporate identity and existence as long as any of the Bond remain outstanding.

SECTION 13.3. Prohibition Against Encumbrances. Except as hereinafter provided in Section 10.1 of this Bond Ordinance, the Issuer hereby covenants that it will not voluntarily create or cause to be created any debt, lien, pledge, mortgage, assignment, encumbrance or any other charge whatsoever having priority over a parity with the lien of the Bond and the interest thereon upon any of the Net Revenues pledged as security therefor in this Bond Ordinance.

SECTION 13.4. Fidelity Bonds. So long as the Bond is outstanding and unpaid, the Issuer, in operating the System, shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the operation of the System, 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 13.5. Discharge of Bond Ordinance. If the Issuer shall pay or cause to be paid, or there shall be paid to the Owner(s) of the outstanding Bond, the principal (and redemption price) of and interest on the Bond, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Net Revenues or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Lender of Bond 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 13.6. Defeasance. The Bond 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. The Bond shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if there shall have been deposited in trust either money in an amount which shall be sufficient, or other Defeasance Obligations the principal of and the interest on which when due will provide money which, together with the money, if any, deposited in trust with the Paying Agent at the same time, shall be sufficient to pay when due the principal of, premium, if any, and interest to become due on such Bond on and prior to the stated maturity. Neither Defeasance Obligations nor money deposited in trust pursuant to this Section, nor principal or interest payments on any such Defeasance Obligations, shall be withdrawn or used for any such purpose other than, and shall be held in trust for, the payment of the principal of and interest on such Bond. Any cash received from such principal of and interest on such investment securities deposited in trust, if not needed for such purpose, shall, to the extent practicable, be reinvested in Defeasance Obligations (which may be noninterest bearing) maturing at times and in amounts sufficient to pay when due the principal, premium, if any, and interest on such Bond on and prior to the maturity thereof, and interest earned from such reinvestments shall be paid over to the Issuer as received by the depository, free and clear of any trust, lien, or pledge. Any payment for Defeasance Obligations purchased for the purpose of reinvestment as aforesaid shall be made only against delivery of such Defeasance Obligations.

To accomplish defeasance, the Issuer shall cause to be delivered (i) a report of an independent firm of nationally recognized certified public accountants or such other accountant as shall be acceptable to the Lender ("**Accountant**") verifying the sufficiency of the escrow established to pay the Bond in full on the maturity or redemption date ("**Verification**"), (ii) an opinion of nationally recognized bond counsel to the effect that the Bond is no longer "Outstanding" under this Bond Ordinance, and (iii) a certificate of discharge of the Paying Agent with respect to the Bond; each Verification and defeasance opinion shall be acceptable in form and substance, and addressed to the Issuer, Paying Agent and Lender. The Lender shall be provided with final drafts of the above-reference documentation not less than five business days prior to the funding of the escrow. The Bond shall be deemed "Outstanding" under this Bond Ordinance unless and until it is in fact paid and retired or the above criteria are met.

SECTION 13.7. Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name the Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal 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 13.8. Notices to Bondholders. Any notices or other communications required or permitted to be given to the Bondholders pursuant to this Bond Ordinance shall be mailed by first class mail in a sealed envelope, postage prepaid, addressed to each such Bondholder as his address last appears on the Bond Register. In case, by reason of the suspension of or irregularities in regular mail service, it shall be impractical to mail notice to the Bondholders of any event when such notice is required to be given pursuant to any provision of this Bond Ordinance, then any manner of giving such notice as shall be satisfactory to the Paying Agent shall be deemed to be sufficient giving of such notice. Any notice herein required may be omitted if the owners of the Bond entitled to such notice give to the Paying Agent a written waiver of such notice.

SECTION 13.9. Evidence of Signatures of Bondholders and Ownership of Bond. Any requests, consents, revocation of consent or other instrument which the Bond Ordinance may require or permit to be signed and executed by the Owners may be in one or more instruments of similar tenor and shall be signed or executed by such Owners in person or by their attorneys-in-fact appointed in writing. Proof of (i) the execution of any such instrument, or of an instrument appointing any such attorney, or (ii) the ownership by any person of the Bond shall be sufficient for any purpose of the Bond Ordinance (except as otherwise therein expressly provided) if made in the following manner, or in any other manner satisfactory to the Paying Agent, which may nevertheless in its discretion require further or other proof in cases where it deems the same desirable:

- (1) the fact and date of the execution by any Owner or his attorney-in-fact of such instrument may be proved by the certificate, which need not be acknowledged or verified, of an officer of a bank or trust company or of any notary public or other officer authorized to take acknowledgments of deeds, that the person signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer. Where such execution is by an officer of a corporation or association or a member of a partnership, on behalf of such corporation, association or partnership, such certificate or affidavit shall also constitute sufficient proof of his authority;
- (2) the ownership of Bond and the amount, numbers and other identification, and date of owning the same shall be proved by the registration books.

Any request or consent by the Owner of the Bond shall bind all future Owners of such Bond in respect of anything done or suffered to be done by the Issuer or the Paying Agent in accordance therewith.

SECTION 13.10. Moneys Held for Particular Bond. The amounts held by the Paying Agent for the payment due on any date with respect to the Bond shall, on and after such date and pending such payment, be set aside on its books and held in trust by it, without liability for interest, for the Owners of the Bond entitled thereto.

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SECTION 13.11. Parties Interested Herein. Nothing in this Bond Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Issuer, the Paying Agent and the Owners of the Bond any right, remedy or claim under or by reason of this Bond Ordinance or any covenant, condition or stipulation thereof, and all the covenants, stipulations, promises and agreements in this Bond Ordinance contained by and on behalf of the Issuer shall be for the sole and exclusive benefit of the Issuer, the Paying Agent and the Owners of the Bond.

SECTION 13.12. Bond Ordinance and Contract Amendment. The provisions of this Bond Ordinance shall constitute a contract between the Issuer and Owner or Owners from time to time of the Bond, and any such Owner or Owners may 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 this Governing Authority as a result of issuing the Bond.

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 Bond then outstanding, provided, however, that no such modification or amendment shall permit a change in the maturity or the redemption provisions of the Bond, or a reduction in the rate of interest thereon, or in the amount of the principal obligations thereof, or affecting the obligation of the Issuer to pay the principal of and interest on the Bond as the same shall become due from the revenues of the System, or change the requirements specified herein for the issuance of Parity Bonds under the provisions of this Bond Ordinance, or reduce the percentage of the Owners of the Bond required to consent to any material modification or amendment of this Bond Ordinance, without the consent of such Owner or Owners.

SECTION 13.13. Issuance of Bond - Application of Proceeds. The Authorized Officers are 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 cause the necessary Bond to be printed, to issue, execute and seal the Bond and to effect delivery thereof as hereinafter provided. All the proceeds derived from the sale of the Bond shall be applied for the purposes authorized herein pursuant to written instructions executed by the Authorized Officers.

SECTION 13.14. Insurance. So long as the Bond is outstanding and unpaid in principal or interest, the Issuer shall carry full coverage of insurance on the System at all times against those risks and in those amounts normally carried by privately owned public utility companies engaged in the operation of such utilities. Said policies of insurance shall be issued by a responsible insurance company or companies duly licensed to do business under the laws of the State of Louisiana. In case of loss, any insurance money received by the Issuer shall be used for the purpose of promptly repairing or replacing the property damaged or destroyed.

SECTION 13.15. Cancellation of Bond. The Bond surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly canceled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already canceled, shall be promptly canceled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation of the Bond previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and the Bond so delivered shall be promptly canceled by the Paying Agent. The canceled Bond held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 13.16. Severability; Application of Subsequently Enacted Laws. In case any one or more of the provisions of this Bond Ordinance or of the Bond shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Bond Ordinance of the Bond, but this Bond Ordinance and the Bond shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this Bond Ordinance which validate or make legal any provisions of this Bond Ordinance and/or the Bond which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bond.

SECTION 13.17. Lender Requested Changes. Any changes requested by the Lender to the terms of the Bond, as reflected in the Paying Agent Agreement, shall be incorporated in this Bond Ordinance as if set forth in their entirety herein. Any changes to substantive provisions of this Bond Ordinance, as determined by the President on advice of Bond Counsel, explicitly including, but not limited to, the par amount, interest rate, term, redemption provisions and/or the requisite terms for the of issuance of Additional Parity Bonds, as stated in Article X herein, be and are hereby incorporated in this Bond Ordinance via this Section.

SECTION 13.18. Successors and Assigns. Whenever the Issuer is named or referred to, in this Bond Ordinance, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Bond Ordinance contained by or on behalf of the Issuer shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 13.19. Tax Covenants – Designation as Qualified Tax-Exempt Obligations. To the extent permitted by the laws of the State, the Issuer will comply with the requirements of the Code to establish, maintain and preserve the exclusion from "gross income" of interest on the Bond under the Code. The Issuer shall not take any action or fail to take any action, nor shall it permit at any time or times any of the proceeds of the Bond or any other funds of the Issuer to be used directly or indirectly to acquire any securities or obligations the acquisition of which, would cause any Bond to be an "arbitrage bond" as defined in the Code or would result in the inclusion of the interest on any Bond in "gross income" under the Code, including without limitation, the failure to comply with the limitation on investment of the proceeds of the Bond, the payment of any required rebate of arbitrage earnings to the United States of America, or the use of the proceeds of the Bond in a manner which would cause the Bond to be "private activity Bond" under the Code.

The Bond is designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the Issuer finds and determines that;

- (a) the Bond is not "private activity Bond" within the meaning of the Code; and
- (b) the reasonable anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2020 does not exceed \$10,000,000.

SECTION 13.20. Role of Lender. The Issuer hereby acknowledges that the Lender and its representatives are not registered municipal advisors and do not provide advice to municipal entities or obligated persons with respect to municipal financial products or the issuance of municipal securities (including regarding the structure, timing, terms and similar matters concerning municipal financial products or municipal securities issuances) or engage in the solicitation of municipal entities or obligated persons for the provision by non-affiliated persons of municipal advisory services and/or investment advisory services. With respect to the Term Sheet and any other information, materials or communications provided by the Lender: (a) the Lender and its representatives are not recommending an action to any municipal entity or obligated person; (b) the Lender and its representatives are not acting as an advisor to any municipal entity or obligated person and do not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to any municipal entity or obligated person with respect to the Term Sheet, information, materials or communications; (c) the Lender and its representatives are acting for their own interests; and (d) the Issuer has been informed that the Issuer should discuss the Term Sheet and any such other information, materials or communications with any and all internal and external advisors and experts that the Issuer deems appropriate before acting on the Term Sheet or any such other information, materials or communications.

SECTION 13.21. Waiver of Jury Trial. The Issuer irrevocably and voluntarily waives any right it may have to a trial by jury with respect to any controversy or claim between the Issuer and the Lender, whether arising in contract or tort or by statute, including but not limited to any controversy or claim that arises out of or relates to the Bond or any of the other loan documents. This provision is a material inducement for the Lender's determination to make the loan and for the parties to enter into the loan documents.

SECTION 13.22. Privately Negotiated Loan. The Lender is purchasing the Bond as evidence of a privately negotiated loan and in that connection the Bond shall not be (i) assigned a separate rating by any municipal securities rating agency; (ii) registered with The Depository Trust Company or any other securities depository; (iii) issued pursuant to any type of offering document or official statement; or (iv) assigned a CUSIP number by Standard & Poor's CUSIP Service.

SECTION 13.23. US Patriot Act. The Issuer represents and warrants to the Lender that neither it nor any of its principals, shareholders, members, partners or affiliates, as applicable, is a Person named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of such person. The Issuer further represents and warrants to the Lender that the Issuer and its principals, shareholders, members, partners or affiliates, as applicable, are not directly or indirectly, engaged in, nor facilitating, the transactions contemplated by this transaction on behalf of any Person named as a Specially Designated National and Blocked Person.

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SECTION 13.24. No Recourse on Members of Governing Authority. No recourse shall be had for the payment of the principal of or interest on the Bond or for any claim based thereon or on this Bond Ordinance against any member of the Governing Authority or officer of the Issuer or any person executing the Bond.

SECTION 13.25. Approval and Ratification of Terms of the Bond. The Mayor and Clerk of the Issuer are each hereby empowered, empowered, authorized and directed to execute and deliver or cause to be executed and delivered all documents required to be executed on behalf of behalf of the Issuer or deemed by them necessary or advisable to facilitate the sale of the Bond. In the event the terms of this Bond Ordinance conflict conflict with terms and conditions provided for in the Term Sheet, the Term Sheet shall control.

SECTION 13.26. Employment of Bond Counsel. Pursuant to the Preliminary Resolution, the Issuer has retained Mahtook & La Fleur, represented by Eric La Fleur, as bond counsel to do and perform comprehensive legal and coordinate professional work. The engagement of bond counsel pursuant to the terms of the Preliminary Resolution is hereby ratified and confirmed.

SECTION 13.27. Employment of Municipal Advisor. Pursuant to the Preliminary Resolution, the Issuer has retained Sisung Securities Corporation, represented by John Mayeaux, as its municipal advisor. The engagement of the municipal advisor pursuant to the terms of the Preliminary Resolution is hereby ratified and confirmed.

SECTION 13.28. Continuing Disclosure. It is recognized that the Issuer will not be required to comply with Rule 15c(2)-12.

SECTION 13.29. Publication of Bond Ordinance. Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer. For a period of thirty (30) days after the date of such publication any person in interest shall have the right to contest the legality of this Bond Ordinance, the Bond to be issued pursuant hereto and the security for the Bond. After the expiration of said thirty (30) day period, no one shall have any right of action to contest the validity of the Bond, the provisions of this Bond Ordinance or the security of the Bond for any cause whatsoever, and the Bond shall thereafter be conclusively presumed to be legal and no court shall thereafter have authority to inquire into such matters.

SECTION 13.30. Recordation of Bond Ordinance. A certified copy of this Bond Ordinance shall be filed and recorded in the Mortgage Records of the Parish of St. Landry, Louisiana, as soon as possible.

SECTION 13.31. 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 13.32. Electronic Signature. The Issuer or the Governing Authority, through its Authorized officers, Bond Counsel consent and agree herein to the execution of documents by electronic signature in accordance with the Louisiana Uniform Electronic Transactions Act (La. Rev. Statutes 9§2601, et seq.), and electronically executed documents are deemed binding and legal on all parties to the extent allowed by the provisions of that act.


SECTION 13.33. Effective Date. This Bond Ordinance shall become effective immediately.

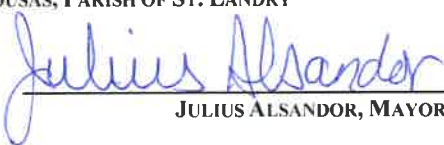
This Bond Ordinance having been submitted to a vote, the vote thereon was as follows:

Name	Yea	Nay	Abstaining	Absent
Charles W. Cummings	X			
Chasity Davis	X			
Floyd Ford	X			
Marvin Tyrone Richard	X			
Milton Batiste, III	X			
Sherell Roberts	X			

And the bond ordinance was adopted on **February 11, 2020**.

OPELOUSAS CITY COUNCIL
CITY OF OPELOUSAS, PARISH OF ST. LANDRY


LEISA ANDERSON, CLERK


JULIUS ALSANDOR, MAYOR

CERTIFICATE OF AUTHENTICITY


STATE OF LOUISIANA
PARISH OF ST. LANDRY

I, the undersigned Clerk of the City of Opelousas, State of Louisiana (the "City"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the governing authority of the City on **February 11, 2020**:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE, AND DELIVERY OF FOUR MILLION SIX HUNDRED FIFTY THOUSAND DOLLARS (\$4,650,000) UTILITY REVENUE REFUNDING BOND, SERIES 2020B OF THE CITY OF OPELOUSAS, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS, AND CONDITIONS OF SUCH BOND AND PROVIDING FOR THE PAYMENT THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City on **February 11, 2020**.

OPELOUSAS CITY COUNCIL
CITY OF OPELOUSAS, PARISH OF ST. LANDRY


LEISA ANDERSON, CLERK

(SEAL)

CITY OF OPELOUSAS
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EXHIBIT A
FORM OF THE BOND

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. LANDRY

CITY OF OPELOUSAS
PARISH OF ST. LANDRY, STATE OF LOUISIANA

Bond No.	Bond Date	Principal Amount	Maturity Date	Interest Rate
R-1	February 18, 2020	\$4,650,000	September 1, 2025	_____

The **CITY OF OPELOUSAS**, PARISH OF ST. LANDRY, STATE OF LOUISIANA (the "**Issuer**"), promises to pay, but solely from the sources and as hereinafter provided, to:

REGIONS EQUIPMENT FINANCE CORPORATION

or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, 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, payable on **March 1** and **September 1** of each year, commencing **March 1, 2020** (each an "**Interest Payment Date**"), at the Interest Rate per annum set forth above until said Principal Amount is paid, unless this Bond shall have been previously called for redemption and payment shall have been made or duly provided for. The principal of this Bond, upon maturity or redemption, is payable in lawful money of the United States of America at the principal corporate trust office of Regions Bank in the City of Baton Rouge (the "**Paying Agent**"), upon presentation and surrender hereof. Interest on this Bond is payable by check or electronic funds from the Paying Agent to the Owners as of the close of business on the 15th calendar day of the month next preceding each Interest Payment Date) at the address as shown on the registration books of the Paying Agent.

This Bond represents all of the authorized issue aggregating in principal the sum of Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000) Utility Revenue Refunding Bond, Series 2020B, of the Issuer (the "**Bond**"), said Bond having been issued by the Issuer pursuant to an Ordinance enacted by its governing authority on February 11, 2020 (the "**Bond Ordinance**"), for the purpose of (i) prepaying and refunding the Refunded Bonds described herein:

Refunded Bonds	Outstanding Balance (2.11.2020)	Original Issue Amount	Original Date of Issuance
Utility Revenue Bonds, 2003	\$630,885.40	\$2,200,000.00	10.23.2003
Utility Revenue Bonds, 2006	3,380,000.00	7,800,000.00	01.01.2006
Utility Revenue Bonds, 2007	555,000.00	1,500,000.00	10.04.2007

(ii) funding a debt service reserve fund for the Bond; and (iii) paying the costs of issuance. The Bond is issued under the authority of to the Louisiana Consolidated Local Government Indebtedness Act, Title 39, Subtitle II, Chapter 4, Section 531 of Title 39 regarding refunding bonds (the "**Refunding Act**") of the Louisiana Revised Statutes of 1950, of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority.

The principal of the Bond, upon maturity or redemption, shall be payable at the principal office of the Paying Agent, upon presentation and surrender thereof, and interest on the Bond shall be by check or electronic funds from the Paying Agent to the Owners (determined as of the close of business on the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer of, 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 neither gain nor loss in interest shall result from such transfer, exchange or substitution.

The Bond is not subject to optional redemption.

The Bond matures on the dates set forth below, shall be subject to mandatory redemption and payment prior to maturity on September 1 in each of the years set forth below, at 100% of the principal amounts plus accrued interest to the redemption date, without premium, as follows:

Year (September 1)	Principal Amount
2020	\$996,000
2021	958,000
2022	682,000
2023	708,000
2024	727,000
2025*	579,000

*Final Maturity

The Issuer shall cause the Bond Register to be kept by the Paying Agent. The Bond may be transferred, registered and assigned only on the Bond Register, and such registration shall be at the expense of the Issuer. A Bond may be assigned by the execution of an assignment form on the Bond or by other instruments of transfer and assignment acceptable to the Issuer. A new Bond will be delivered by the Issuer 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.

The Bond is secured by and payable solely from a pledge and dedication of, and issuer does hereby irrevocably pledge and dedicate in favor of the Owner, all Net Revenues derived or to be derived from the operation of the combined utility system consisting of a sewerage system, a waterworks plant and system and an electric distribution system of the Issuer (the "**System**"). The Bond constitutes a borrowing solely upon the credit of said Net Revenues and do not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory limitation of indebtedness.

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
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The governing authority of the Issuer has covenanted and agreed and does hereby covenant and agree to fix, establish and maintain such rates and collect such fees, rents or other charges for the services and facilities furnished by the operation and maintenance of the System, to provide for the payment of interest on and principal of the Bond, the Parity Bonds or Additional Parity Bonds payable therefrom as and when the same shall become due and payable, For a more complete statement of the Net Revenues from which and conditions under which this Bond is payable and conditions under which Additional Parity Bonds may be issued and the general covenants and provisions pursuant to which this Bond is issued, reference is hereby made to the Bond Ordinance.

THE BOND IS A LIMITED AND SPECIAL OBLIGATIONS OF THE ISSUER AND DO NOT CONSTITUTE OR CREATE AN OBLIGATION, GENERAL OR SPECIAL, DEBT, LIABILITY OR MORAL OBLIGATION OF THE STATE, THE PARISH OF ST. LANDRY, OR ANY OTHER POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISIONS WHATSOEVER AND NEITHER THE FAITH OR CREDIT NOR THE TAXING POWER OF THE STATE OR OF ANY OTHER POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, OR THE INTEREST ON THE BOND. THE BOND ARE NOT A GENERAL OBLIGATION OF THE ISSUER BUT ARE A LIMITED AND SPECIAL REVENUE OBLIGATION OF THE ISSUER PAYABLE SOLELY FROM THE PLEDGE AND DEDICATION OF THE NET REVENUES.


It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State 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 is 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 the limitations prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, the City Council of Opelousas, Parish of St. Landry, 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 facsimile signatures of its Mayor and Clerk, and a facsimile of the Issuer's corporate seal to be imprinted hereon.

OPELOUSAS CITY COUNCIL
CITY OF OPELOUSAS, PARISH OF ST. LANDRY


LEISA ANDERSON, CLERK


JULIUS ALSADOR, MAYOR

* * *

[THIS SPACE WAS INTENTIONALLY LEFT BLANK]

FORM OF PAYING AGENT'S CERTIFICATE OF REGISTRATION

CERTIFICATE OF REGISTRATION

This Bond R-1 has been registered as to principal and interest on the books of the Paying Agent, as Registrar, in the name of the registered owner listed below:

NAME AND ADDRESS OF REGISTERED OWNER	DATE OF REGISTRATION	BOND NO.	SIGNATURE OF REGISTRAR
Regions Equipment Finance Corporation	February ____, 2020	R-1	By: _____ Name: _____ Officer: _____ Regions Bank as Paying Agent/Bond Registrar

FORM OF ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

Please insert Social Security or other Identifying Number of Assignee, attorney or agent to transfer the within Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever

Pursuant to an advertisement in the *Daily World*, a Public Hearing was opened at 7:05 p.m. for a public hearing for consideration for Final Adoption of an Ordinance authorizing the incurring of debt and issuance of a Taxable Utility

**CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
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Revenue Bond, Series 2019, in an amount not to exceed \$500,000, by the City of Opelousas, State of Louisiana; making application to the State Bond Commission for approval of said Bond; employing bond counsel, and providing for other matters in connection therewith. The Public Hearing was closed at 7:07 p.m.

CITY OF OPELOUSAS, STATE OF LOUISIANA

The following ordinance, having been previously introduced on October 8, 2019, and a public hearing having been held on February 11, 2020, was offered for adoption by Alderman Charles Cummings and seconded by Alderwoman Sherell Roberts:

ORDINANCE NO. 3 OF 2020

AN ORDINANCE AUTHORIZING THE INCURRING OF DEBT AND ISSUANCE OF A TAXABLE UTILITY REVENUE BOND, SERIES 2020A, IN AN AMOUNT NOT TO EXCEED \$500,000, BY THE CITY OF OPELOUSAS, STATE OF LOUISIANA; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID BOND; EMPLOYING BOND COUNSEL, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT ORDAINED by the Mayor and Council of the City of Opelousas, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Opelousas, State of Louisiana (the "City"), that:

SECTION 1. Authorization and Sale of Bond. Pursuant to La. R.S. 39§526 and Sub- Part A, Part II, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, the City of Opelousas, State of Louisiana, (the "City") is hereby authorized to incur debt for the purpose of acquiring, constructing and installing improvements, extensions and additions to the wastewater collection, treatment and disposal system of the City, and to represent said indebtedness, the City shall issue its Taxable Utility Revenue Bond, Series 2020A, in an amount not exceeding Five Hundred Thousand Dollars (\$500,000) (the "Bond"). The Bond shall be issued in the form of a single fully registered bond, dated the date of delivery thereof and numbered R-I. The Bond shall be non-interest bearing and shall mature not later than ten (10) years from date thereof. The principal of the Bond will be subject to forgiveness as provided in Section 3 below. The Mayor may approve a different series designation if the Bond is delivered after the end of calendar year 2019.

Pursuant to the Act and La. R.S. 39§505(B), the City has determined to sell the Bond at a private sale without the necessity of publishing any notice of sale. Accordingly, the Bond is hereby sold to the Louisiana Department of Environmental Quality, Clean Water State Revolving Fund (the "Department"). The purchase price of the Bond shall be paid to the City by the Department in installments on an "as-needed" basis, and the date and amount of each installment of the purchase price shall be noted on the Bond and the obligation of the City to repay the principal of the Bond shall only accrue to the extent of the purchase price of the Bond theretofore paid by the Department.

SECTION 2. Form and Execution of Bond. The Bond shall be in substantially the form attached hereto as Exhibit A, and the Mayor and City Clerk of the City are authorized and directed on behalf of the City to execute, seal and deliver the Bond to the Department.

SECTION 3. Security for Bond; Principal Forgiveness. As provided by La. R.S. 39§526, the Bond will be secured by and payable from the revenues of the City of subsequent years. after the payment from such revenues of (1) all charges required by law or regulation, (2) all contractual obligations, (3) all necessary and usual charges provided for by ordinance or resolution, excluding depreciation and (4) all payments in respect of bonds for which a pledge or dedication of specified taxes or revenues has been provided by law or in proceedings authorizing such bonds, regardless of the date of issue of such bonds, all in accordance with the provisions of the Act and other constitutional and statutory authority. The City shall budget and set aside from time to time as necessary sufficient revenues, subject to the foregoing, to pay the principal of the Bond when due.

However, it is understood that the terms of the purchase of the Bond by the Department provide that the City's obligation to repay the principal of the Bond will be forgiven simultaneously with the payment by the Department of each installment of the purchase price of the Bond. Accordingly, it is anticipated that no payments of principal, interest or administrative fees to the Department will ever be due and payable on the Bond. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of the Bond theretofore advanced by the Department shall in no way extinguish the Bond or the obligation thereof with respect to the yet-to-be advanced portion of the principal thereof.

SECTION 4. Recital of Regularity. This Governing Authority, having investigated the regularity of the proceedings had in connection with the Bond, and having determined the same to be regular, the Bond 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 5. Loan Documents. The Commitment Agreement and the Loan & Pledge Agreement, in substantially the forms attached hereto as Exhibit B, are hereby approved, and the Mayor and City Clerk of the City are authorized to execute and deliver the aforesaid documents on behalf of the City, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the Bond.

SECTION 6. Authorization of Officers. The Mayor and City Clerk of the City (the "Executive Officers") are hereby further authorized and directed, for and on behalf of the City, to accept, receive, execute, seal, attest and deliver all such additional documents, certificates and other instruments as are required in connection with the authorization, issuance, sale and delivery of the Bond and to take such further action as may be appropriate or required by law or advised by bond counsel in connection with the authorization, issuance, sale and delivery of the Bond.

SECTION 7. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance of the Bond. A certified copy of this ordinance shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application.

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

SECTION 8. Employment of Bond Counsel. A real necessity is hereby found for the employment of special bond counsel in connection with the issuance of the Bond, and accordingly the law firm of LaFleur & Mahtook, Bond Counsel, is hereby employed as Bond Counsel to handle all matters of a traditional legal nature in connection with the negotiation, sale, issuance and delivery of the Bond. Said special bond counsel shall prepare and submit to the City all proceedings necessary for the due authorization, issuance, sale and delivery of the Bond, shall counsel the City as to the issuance and sale of the Bond, and shall furnish its opinion covering the legality of the Bond. The fee of special bond counsel in connection with the issuance of the Bond is hereby fixed at a sum which shall be in accordance with the Attorney General's fee schedule for revenue bonds based on the principal amount of the Bond actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses; provided, however, that said fee shall be contingent upon the sale, issuance and delivery of the Bond and may be paid from the proceeds of the Bond. A certified copy of this ordinance shall be forwarded to the Attorney General of the State of Louisiana for his approval of the employment herein provided for.

SECTION 9. Publication; Peremption. A copy of this ordinance shall be published immediately after its adoption in one issue of the official journal of the City, provided that as provided by La. R.S. 39§509, the exhibits to this ordinance (the form of Bond, the Commitment Agreement and the Loan & Pledge Agreement) need not be published but will instead be available for public inspection at the office of the Governing Authority during regular business hours on weekdays.

For thirty (30) days after the date of such publication any person in interest may contest the legality of this ordinance and of any provision herein made for the security and payment of the Bond. After that time, no one shall have any cause of action

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
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to test the regularity, formality, legality, or effectiveness of this ordinance, and provisions thereof for any cause whatsoever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the Bond, has been complied with. No court shall have authority to inquire into any of these matters after the thirty days. SECTION 10. No Recourse on the Bond. No recourse shall be had for the payment of the Bond or for any claim based thereon or on this ordinance against any member of the Governing Authority or officer of the City or any person executing the Bond.

SECTION 11. Electronic Signatures. The Governing Authority consents to and authorizes its Executive Officers to execute any and all documents related to the issuance of the Bonds by electronic signature in accordance with the Louisiana Uniform Electronic Transactions Act (La. Rev. Statutes 9§2601, et seq.), and electronically executed documents are deemed binding and legal on all parties to the extent allowed by the provisions of that act.

SECTION 12. Effective Date. This ordinance shall take effect immediately.

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

Name	Yea	Nay	Abstaining	Absent
Charles W. Cummings	X			
Chasity Davis	X			
Floyd Ford	X			
Marvin Tyrone Richard	X			
Milton Batiste, III	X			
Sherell Roberts	X			

And the bond ordinance was adopted on February 11, 2020.

OPELOUSAS CITY COUNCIL
CITY OF OPELOUSAS, PARISH OF ST. LANDRY

 LEISA ANDERSON, CLERK

 JULIUS ALSANDOR, MAYOR

[FORM OF BOND]
UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. LANDRY
TAXABLE UTILITY REVENUE BOND, SERIES 2020A
OF THE
CITY OF OPELOUSAS, STATE OF LOUISIANA

Bond Number	Bond Date	Maturity Date	Principal Amount
R-I	.2020		

THE CITY OF OPELOUSAS, STATE OF LOUISIANA (the "City"), promises to pay, but solely from the source and as hereinafter provided, to:

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
(the "Department")

ATTN: Financial Services Division, Accounts Receivable
P. O. Box 4311

Baton Rouge, LA 70821-4311 (the "Department")

or registered assigns, on the dates and in the amounts as shown below, but solely from the revenues hereinafter specified, the principal amount stated above, on the Maturity Date stated above. This bond is non-interest bearing.

The purchase price of this Bond shall be paid by the Department to the City in installments. The date and amount of each purchase price installment, together with the amount of principal forgiveness associated therewith and the cumulative outstanding balance of this Bond, shall be noted on Schedule A attached hereto. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of this Bond theretofore advanced by the Department shall in no way extinguish this Bond or the obligation of this Bond with respect to the yet-to-be advanced portion of the principal hereof.

This Bond represents the entire issue of indebtedness designated "Taxable Utility Revenue Bond, Series 2020A, of the City of Opelousas, State of Louisiana," and this Bond is issued by the City pursuant to an ordinance adopted by its governing authority on February 11, 2020 (the "Ordinance"), for the purpose of acquiring, constructing and installing improvements, extensions and additions to the wastewater collection, treatment and disposal system of the City, under the authority conferred by La. R.S. 39:526 and Sub-Part A, Part II, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (collectively, the "Act").


As provided by La. R.S. 39:526(B), the payment of this Bond is be secured by and payable from the revenues of the City of subsequent years, after the payment from such revenues of (1) all charges required by law or regulation, (2) all contractual obligations, (3) all necessary and usual charges provided for by ordinance or resolution, excluding depreciation and (4) all payments in respect of bonds for which a pledge or dedication of specified taxes or revenues has been provided by law or in proceedings authorizing such bonds, regardless of the date of issue of such bonds, all in accordance with the provisions of the Act and other constitutional and statutory authority. In the Ordinance the City has covenanted that it shall budget and set aside from time to time as necessary sufficient revenues, subject to the foregoing, to pay the principal of this Bond when due.

For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Ordinance.

**CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
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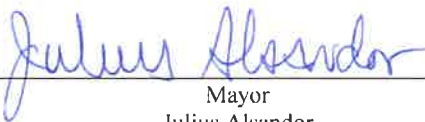
It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana.

IN WITNESS WHEREOF, the City acting through its governing authority, has caused this Bond to be executed in its name by the signatures of its Mayor and City Clerk, and its official seal to be imprinted or impressed hereon.



City Clerk
Leisa Anderson

CITY OF OPELOUSAS,
STATE OF LOUISIANA



Mayor
Julius Alsandor

(SEAL)

SCHEDULE A
SCHEDULE OF PRINCIPAL DRAWS AND PRINCIPAL BALANCE
\$500,000
TAXABLE UTILITY REVENUE BOND, SERIES 2020A
OF THE
CITY OF OPELOUSAS, STATE OF LOUISIANA

Date:	Draw	Number:	_____
Principal Draw Paid to City 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 City 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 City 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: _____			

**[LOAN & PLEDGE AGREEMENT
AND COMMITMENT AGREEMENT]**

**AVAILABLE UPON REQUEST AT THE OFFICE OF THE CITY CLERK
OPELOUSAS CITY HALL**

CERTIFICATE OF AUTHENTICITY

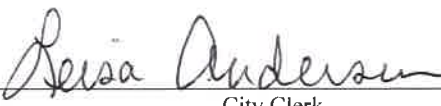
**STATE OF LOUISIANA
PARISH OF ST. LANDRY**

I, the undersigned Clerk of the City of Opelousas, State of Louisiana (the "City"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the governing authority of the City on **February 11, 2020**:

**AN ORDINANCE AUTHORIZING THE INCURRING OF DEBT AND ISSUANCE
OF A TAXABLE UTILITY REVENUE BOND, SERIES 2020A, IN AN AMOUNT
NOT TO EXCEED \$500,000, BY THE CITY OF OPELOUSAS, STATE OF
LOUISIANA; MAKING APPLICATION TO THE STATE BOND COMMISSION
FOR APPROVAL OF SAID BOND; EMPLOYING BOND COUNSEL, AND
PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City on **February 11, 2020**.

**OPELOUSAS CITY COUNCIL
CITY OF OPELOUSAS, PARISH OF ST. LANDRY**



City Clerk
Leisa Anderson

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
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CONSENTS


The following CONSENTS items were unanimously approved by the Council:

- Approve Contract Change Order No. 1 in the decrease amount of \$21,937.50 for reduction of estimated quantities for bid items 1 and 2. This change order is for Street Improvements Project (Veazie Street - Landry to Vine), MGA Project S#535. (Contractor: Le Talley Ho Construction Company).
- *Authority to advertise a Public Hearing for consideration of Condemnation/Demolition of the following properties:*
 - (a) Alex Decoux, C/O Hilda Decoux Gardere, 315 High Street (Abandoned Concrete Block Building)
 - (b) St. Landry Parish Police Jury, Quincy Mason Richard, Sr., T/S, 1342 Hayward Street (Abandoned Mobile Homes in Mobile Home Park)
- *Authority to advertise for Bids for Uniforms in the Police Department.*
- *Authority to advertise for Bids for the following in the Public Works Department: (a) Type E Multi-Grade Mix; (b) Type B Cold Mix, and (c) Chlorine.*
- Ratify the promotion by Fire Chief Charles Mason of Permanent Firefighter Josh Thomas to Probationary Fire Operator, effective 02/09/2020, to fill position left vacant from resignation.
- Approve the working test period for Kaleb Bellard from Probationary Firefighter to Permanent Firefighter, effective 02/10/2020.
- Approve the resignation of Police Communications Officer Chassidy M. Deville, effective 02/12/2020.
- Approve the extended sick leave for Permanent Police Officer First Class Bill L. Ortego, effective 10/30/2019.

There being nothing further to come before the Council, on a motion by Aldermen Milton Batiste III and Charles Cummings, seconded by Alderwoman Sherell Roberts and unanimously carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 7:13 p.m.

ATTEST:


CITY CLERK


MAYOR