

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, JANUARY 11, 2021 AT 5:30 P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Council Chambers, 716 Second Street, Natchitoches, Louisiana on Monday, January 11, 2021 at 5:30 p.m.

There were present:

Councilwoman At Large Betty Smith
Councilman Dale Nielsen
Councilman Christopher Petite

Guests: None

Absent: Mayor Ronnie Williams, Councilman Eddie Harrington, Councilwoman Rosemary Elie

Councilwoman At Large Betty Smith called the meeting to order and welcomed everyone for coming. Councilman Petite led the invocation and Councilman Nielsen led the Pledge of Allegiance. Councilwoman At Large Betty Smith then called for the reading and approval of the minutes for the December 14, 2020 meeting. Mr. Nielson moved that we dispense with the reading of the minutes and approval of same. Seconded by Mr. Petite, a roll call vote was as follows:

Ayes:	Nielsen, Smith, Petite
Nays:	None
Absent:	Elie, Harrington
Abstain:	None

The following Resolution was introduced by Mr. Petite and Seconded by Mr. Nielsen as follows, to –wit:

RESOLUTION NO. 001 OF 2021

PROCLAMATION DECLARING JANUARY 18, 2021 AS MARTIN LUTHER KING, JR. DAY IN THE CITY OF NATCHITOCHES

WHEREAS, each year on the third Monday of January, schools, federal offices, post offices and banks across America close as we observe and honor Dr. Martin Luther King’s Birthday; and

WHEREAS, the first national celebration of the Dr. Martin Luther King, Jr., Holiday took place January 20, 1986, and this year the celebration will be on January 18, 2020; and

WHEREAS, America was moved by a young preacher who called a generation to action and forever changed the course of history. The Reverend Dr. Martin Luther King, Jr. devoted his life to the struggle for justice and equality, sowing seeds of hope for a day when all people might claim “the riches of freedom and the security of justice.” On Martin Luther King, Jr., Federal Holiday, we celebrate the life and legacy of Dr. King; and

WHEREAS, Dr. King advocated non-violent action as a means to overcome the evil of racism in America, and he led the effort that resulted in the Civil Rights Act of 1964; and

WHEREAS, Dr. King guided us toward a mountaintop on which all Americans – regardless of skin color – could live together in mutual respect and brotherhood. Dr. King recognized the power of service to strengthen communities and achieve common goals; and

WHEREAS, Dr. King dedicated his life to empowering people, and challenged them to lift up their neighbors and communities. He broke down barriers within our society by encouraging Americans to look past their differences and refused to rest until our Nation fulfilled its pledge of liberty and justice for all; and

NOW, THEREFORE, I, RONNIE WILLIAM, JR., Mayor of the City of Natchitoches hereby proclaim, Monday, January 18, 2021 as

MARTIN LUTHER KING, JR. DAY

in the City of Natchitoches in honor of the memory and legacy of Dr. King.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Nielsen, Smith, Petite
NAYS:	None
ABSENT:	Elie, Harrington
ABSTAIN:	None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

Councilman Pettie presented Ms. Sylvia Morrow with Resolution 001.

The following Ordinance was Introduced by Mr. Petite and Seconded by Mr. Nielsen as follows, to-wit:

ORDINANCE NO. 064 OF 2020

AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:

TO REZONE THE FOLLOWING: Lots 14 & 15 of East Broadmoor Subd., unit # 2 & lot adjacent desc. as. beg. at the NE cor. of lot 14 of the EAST BROADMOOR SUBD., thence s 85 deg. 21 min. east 500 ft., thence S 2 deg. 51 min. est 232.4 ft., thence N 85 deg. 21 min. west 500 ft., thence N 2 deg. 51 min. est 232.3 ft. to the pt. of beg., less 1.59 ac. to Peoples State Bank., less 1,375.9 sq.ft. to hwy. dept. for Commercial use.

(311 Royal St.)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of **December 4, 2020** that the application of **Mike Wolff** to rezone the property described above from R-1 Residential to B-1 Commercial zoning for Commercial use, be **APPROVED**.

THIS ORDINANCE was introduced on December 14, 2020 and published in the *Natchitoches Times* on December 17, 2020.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor Pro Tempore and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Harrington, Elie
ABSTAIN: None

THEREUPON, Mayor Pro Tempore Betty Smith declared the Ordinance passed by a vote of 3 Ayes to 0 Nays this 11th day of January 2021.

BETTY SMITH, MAYOR PRO TEMPORE

Mr. Mike Wolfe spoke about the property on 311 Royal Street where he summarized the past and current uses of the building.

The following Ordinance was Introduced by Mr. Nielsen and Seconded by Mr. Petite as follows, to-wit:

ORDINANCE NO. 066 OF 2020

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs, RONNIE WILLIAMS, TO EXECUTE AN AGREEMENT OR LEASE OF PUBLIC PROPERTY AND AIRSPACE WITH RED SKY ADVENTURES, LLC, WHEREBY THE CITY OF NATCHITOCHEs AND THE BOARD OF COMMISSIONERS OF WATERWORKS DISTRICT NUMBER 1 WILL LEASE PUBLIC GROUND AND AIRSPACE PURSUANT TO THE TERMS OF R. S. 33:4712 AND R. S. 33:4712.1 TO RED SKY ADVENTURES, LLC, TO PROVIDE FOR A PUBLIC HEARING, TO PROVIDE FOR ADVERTISING, AND A SAVINGS CLAUSE.

WHEREAS, the City of Natchitoches (the “City”), along with the Board of Commissioners of Waterworks District No. One (the “Board”) are the owners of the bed of Sibley Lake, being all that portion of said lake complex which lies at and below the elevation of 116.0 feet above mean sea level;

AND WHEREAS, included in the property owned by the City and the Board is a small island located in Section 134, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, being situated due South of Property owned by Red Sky Adventures, LLC and West of Louisiana Highway 1 Bypass Bridge over Sibley Lake, said island being 200 feet, more or less, South of the tract owned by Red Sky Adventure, LLC and being 4,200 square feet, more or less, (sometimes hereinafter described as “Island”), said Island being shown and depicted on the attached copy of assessor’s map.

AND WHEREAS, Red Sky Adventures, LLC (sometimes hereinafter “Red Sky”) operates a restaurant, The Mariner, on its property located to the North of the island and has expressed an interest in utilizing the island for special events that would include dinner service; and

AND WHEREAS, Red Sky further desires to construct a walkway from its property to access the Island, and in order to have legal right to construct the walkway and utilize the Island, Red Sky has applied to the City and to the Board for a 20 year lease for the Island and of the air space situated above same together with an easement for the location of a walkway for access to the Island (collectively, the “Lease Property”) pursuant to the provisions of La. R. S. 33:4712 and 33:4712.1 (the “Applicable Laws”) for the pre-paid cash rental of Eight Hundred and 00/100 (\$800.00) Dollars cash, to be divided equally between the City and Board, pursuant to a written Lease Agreement, but only after the final adoption of this Ordinance and ratification approval of the same by the Board, and final compliance with due legal proceedings and advertisements required by law; and

AND WHEREAS, a proposed Lease Agreement providing for limitations on use and access is attached hereto and has been reviewed by the City Council; and

NOW, THEREFORE, BE IT ORDAINED that notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart in The Natchitoches Times, the legal journal for the City of Natchitoches, and that said Ordinance further be posted in the City Hall; and

BE IT FURTHER ORDAINED by the City that the Mayor, Ronnie Williams, on behalf of the City, be and he is hereby authorized after due proceedings had, and after the lapse of all the delays above set forth have run, to execute a 20 year lease to Red Sky on the Lease Property, for the pre-paid rental of 800.00 Hundred and 00/100 (\$800.00) Dollars cash, said Mayor being authorized and directed to incorporate in said lease such terms, provisions and conditions as may be necessary and proper in the premises; and

BE IT FURTHER ORDAINED that the City Clerk is hereby authorized to advertise this Ordinance three (3) times in fifteen (15) days, one (1) week apart, and to report to the City Council if any opposition is made in writing prior to the time of final adoption of this Ordinance; and

BE IT FURTHER ORDAINED that, notwithstanding all of the above, this Ordinance shall not be effective until such time as it is ratified and approved by the Board; and

BE IT FURTHER ORDAINED that the City Council take cognizance of the fact that the Lease Property is not now used for public purposes, is not needed for public purposes, and in the opinion of this City Council constitutes surplus property which can be leased pursuant to the authority of the Applicable Laws.

THIS ORDINANCE was introduced at a Regular Meeting of the City Council on the 14th day of December, 2020, and published in the *Natchitoches Times* on December 17, December 24, and December 31, 2020 and that a public hearing be called for at the next regular meeting of the City Council which will be held on the 11th day of January, 2021.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor Pro Tempore and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Harrington, Elie
ABSTAIN: None

THEREUPON, Mayor Pro Tempore Betty Smith declared the Ordinance passed by a vote of 3 Ayes to 0 Nays this 11th day of January 2021.

BETTY SMITH, MAYOR PRO TEMPORE

The following Ordinance was Introduced by Mr. Petite at the January 11, 2021 City Council meeting as follows:

ORDINANCE NO. 001 OF 2021

AN ORDINANCE APPROVING THE POLICY AND PROCEDURE FOR APPLICATIONS FOR REBATE OF SALES AND USE TAXES FOR NATCHITOCHEs ECONOMIC DEVELOPMENT DISTRICT A AND C, STATE OF LOUISIANA, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

Tax Commissioner, Jerry McWherter explained in detail the Tax Rebate Policy and Procedure.

Jerry Sharplin spoke in reference to Ordinance 001.

The following Ordinance was Introduced by Mr. Nielsen at the January 11, 2021 City Council meeting as follows:

ORDINANCE NO. 002 OF 2021

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF NATCHITOCHEES ANNEXING A TRACT SITUATED IN SECTION 32, TOWNSHIP 9 NORTH, RANGE 7 WEST, NATCHITOCHEES PARISH, LOUISIANA, SAID TRACT OWNED BY BRAXTON KEYSER, LLC, AND LYING NORTH OF LOUISIANA HIGHWAY 494, AND ADJACENT TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF NATCHITOCHEES, BEING A TOTAL OF 13.0 ACRES, MORE OR LESS, AND FURTHER PROVIDING FOR THE FIXING OF A PUBLIC HEARING, ADVERTISEMENT, FIXING COUNCIL DISTRICT FOR SAME, FIXING ZONING CLASSIFICATION AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, a petition has been filed in accordance with Revised Statutes 33:172, et. seq., by Braxton Keyser, LLC, requesting that the boundaries of the City of Natchitoches be enlarged so as to include a parcel or tract of land, to-wit:

That certain tract of land, together with all buildings and improvements located thereon, situated in Section 32, Township 9 North, Range 7 West, and being more particularly described as follows:

Commencing at a point on the northern right of way of Louisiana Highway 494 shown as P.O.B. on a survey by Brandon C. Thornton, dated January 5, 2021, a copy of which is attached, thence North 69 degrees 21 minutes 20 seconds West, along the northern right of way of Louisiana Highway 494, a distance of 186.07 feet; thence North 71 degrees 34 minutes 10 seconds West, along the northern right of way of Louisiana Highway 494, a distance of 131.89 feet; thence continuing along the northern right of way of Louisiana Highway 494, along a curve having a radius of 1,026.78 feet, a chord bearing of North 78 degrees 23 minutes 4 seconds West a chord distance of 168.82 feet and a arc length of 169.01 feet; thence continuing along the northern right of way of Louisiana Highway 494, along a curve having a radius of 1,026.78 feet, a chord bearing of North 84 degrees 50 minutes 36 seconds West, a chord distance of 62.48 feet and a arc length of 62.49 feet; thence North 21 degrees 20 minutes 52 seconds East a distance of 564.42 feet; thence North 88 degrees 37 minutes 57 seconds West a distance of 232.66 feet to a point on the current corporate limits of the City of Natchitoches, Louisiana, thence North 20 degrees 11 minutes 47 seconds East, along the current corporate limits of

the City of Natchitoches, Louisiana, a distance of 60 feet; thence South 88 degrees 37 minutes 58 seconds East a distance of 292.66 feet, more or less, back to the western boundary of the 12 acre tract depicted on the above referenced survey by Thornton, thence North 21 degrees 20 minutes 52 seconds East a distance of 357.63, more or less, to the Northwest corner of the 12 acre tract depicted on the above referenced survey by Thornton; thence South 70 degrees 16 minutes 26 seconds East a distance of 604.57 feet; thence South 28 degrees 26 minutes 19 seconds West, a distance of 369.19 feet; thence South 28 degrees 29 minutes 27 seconds West a distance of 599.93 feet to the point of beginning.

WHEREAS, the petitioner, Braxton Keyser, LLC, is the sole owner of the property described above as is reflected in the attached certificate from the Assessor's Office of the Parish of Natchitoches, Louisiana which was filed with the petition for annexation;

WHEREAS FURTHER, attached to the petition is a certificate from the Tax Assessors's Office of the Parish of Natchitoches, Louisiana, certifying that the requirements of Louisiana R.S. 33:172 have been complied with, said certificate being dated _____, 2019.

WHEREAS FURTHER, the matter was considered by the City Council for the City of Natchitoches, Louisiana, and a public hearing was called for on the 22nd day of February, 2021, at which time the public was allowed to express opinions concerning this annexation;

WHEREAS FURTHER, the notice of filing of the petition has been published in The Natchitoches Times, legal journal of the City of Natchitoches, Louisiana, on the _____ day of _____, 2021;

WHEREAS FURTHER, the property to be annexed has a single structure located on it being used for business purposes, but has no residents living thereon;

WHEREAS FURTHER, an opportunity has been given to all interested person in accordance with Louisiana R. S. 33:172, et. seq., on the ___ day of _____, 2021;

WHEREAS FURTHER, the property is contiguous to the City of Natchitoches, Louisiana;

NOW THEREFORE, be it ordained by the City Council of the City of Natchitoches, in legal session assembled as follows:

Section 1. The boundaries of the City of Natchitoches are hereby enlarged so as to include the following described property, to-wit:

That certain tract of land, together with all buildings and improvements located thereon, situated in Section 32, Township 9 North, Range 7 West, and being more particularly described as follows:

Commencing at a point on the northern right of way of Louisiana Highway 494 shown as P.O.B. on a survey by Brandon C. Thornton, dated January 5, 2021, a copy of which is attached, thence North 69 degrees 21 minutes 20 seconds West, along the northern right of way of Louisiana Highway 494, a distance of 186.07 feet; thence North 71 degrees 34 minutes 10 seconds West, along the northern right of way of Louisiana Highway 494, a distance of 131.89 feet; thence continuing along the northern right of way of Louisiana Highway 494, along a curve having a radius of 1,026.78 feet, a chord bearing of North 78 degrees 23 minutes 4 seconds West a chord distance of 168.82 feet and a arc length of 169.01 feet; thence continuing along the northern right of way of Louisiana Highway 494, along a curve having a radius of 1,026.78 feet, a chord bearing of North 84 degrees 50 minutes 36 seconds West, a chord distance of 62.48 feet and a arc length of 62.49 feet; thence North 21 degrees 20 minutes 52 seconds East a distance of 564.42 feet; thence North 88 degrees 37 minutes 57 seconds West a distance of 232.66 feet to a point on the current corporate limits of the City of Natchitoches, Louisiana, thence North 20 degrees 11 minutes 47 seconds East, along the current corporate limits of the City of Natchitoches, Louisiana, a distance of 60 feet; thence South 88 degrees 37 minutes 58 seconds East a distance of 292.66 feet, more or less, back to the western boundary of the 12 acre tract depicted on the above referenced survey by Thornton, thence North 21 degrees 20 minutes 52 seconds East a distance of 357.63, more or less, to the Northwest corner of the 12 acre tract depicted on the above referenced survey by Thornton; thence South 70 degrees 16 minutes 26 seconds East a distance of 604.57 feet; thence South 28 degrees 26 minutes 19 seconds West, a distance of 369.19 feet; thence South 28 degrees 29 minutes 27 seconds West a distance of 599.93 feet to the point of beginning.

Section 2. Be it further ordained that the City of Natchitoches takes cognizance of the fact that this ordinance was introduced at a regular session of the City Council on the ___ 11th day of January, 2021, after receiving the petition signed by the sole property owner, and that a public hearing was held on the ___ day of _____, 2021;

Section 3. Be it further ordained that the above and foregoing property be and is hereby annexed to the City of Natchitoches, declared to be included in Council District No. 2, all in accordance with Section 2.03B of the Home Rule Charter of the City of Natchitoches, Louisiana.

Section 4. Be it further ordained by the City Council that the above described property be, and it is hereby annexed into the corporate limits of the City of Natchitoches, with a zoning classification of R - 2.

Section 5. Be it further ordained by the City Council that this ordinance shall go into effect thirty (30) days after the publication of this ordinance in accordance with Louisiana Revised Statute 33:173.

This ordinance was introduced on January 11, 2021, was duly advertised with law, and a public hearing had on same on the ___ day of _____, 2021, after advertisement.

The following Ordinance was Introduced by Mr. Petite at the January 11, 2021 City Council meeting as follows:

ORDINANCE NO. 003 OF 2021

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A CONTRACT AND AGREEMENT WITH BOYS AND GIRLS CLUB OF ACADIANA, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT WITH BOYS AND GIRLS CLUB OF ACADIANA, INC., ON BEHALF OF THE CITY OF NATCHITOCHEES AND FURTHER AUTHORIZING THE FINANCE DIRECTOR OF THE CITY OF NATCHITOCHEES TO TRANSFER FUNDS FROM THE 2021 - 2022 BUDGET.

WHEREAS, the Boys and Girls Club of Acadiana, Inc., (hereinafter sometimes referred to as Club) is a Louisiana non-profit corporation that provides activities and education opportunities to the youth of Natchitoches in five areas: character and leadership development, education and career development, health and life skills, the arts, and sports fitness and recreation; and

WHEREAS, the Club provides the above activities with the goal of enhancing the development of youth by instilling a sense of competence, a sense of usefulness, a sense of belonging, and a sense of power or influence; and

WHEREAS, the Club provides activities at the Martin Luther King, Jr. Recreational Center, located at 660 MLK Drive, Natchitoches, Louisiana 71457; as well as other locations in the City and Parish of Natchitoches; and

WHEREAS, the City Council is of the opinion that the activities offered by the Club for youth are beneficial to the health, welfare, and safety of the citizens of the City of Natchitoches; and

WHEREAS, under the general law and the Home Rule Charter of the City of Natchitoches, the **CITY** has the right, power, and authority to promote, protect, and preserve the general welfare, safety, health, peace and good order of the City, including the right to provide for recreation and activities; and

WHEREAS, the City is interested in, and is empowered to promote recreation and activities of young people through wholesome activities through the Club, which may be contracted for, and the City is particularly desirous of cooperating with the private sector in organizing and running activities for the youth of the City and area; and

WHEREAS, the City of Natchitoches takes cognizance of the fact that the Club is providing an excellent program of activities for the youth of our City, which programs benefit many young people and could not be duplicated for the money by public funds, and further takes cognizance of the fact that the City is interested in promoting wholesome activities which promote the general health, welfare and safety of the citizens of the City of Natchitoches; and the City further being desirous to cooperate with the private sector in organizing and running activities for the youth of our City, and for this consideration and other considerations all of which is more fully set forth in the attached agreement; and

WHEREAS, the City of Natchitoches and the Club have negotiated a contract for the 2021-2022 fiscal year wherein the Club will continue to provide programs and activities for the youth of the City and as consideration for this contract and the services rendered by the Club, the City of Natchitoches agrees to pay to the Club, for the fiscal year 2021-2022, the sum of Twenty Thousand and No/100 (\$20,000.00) Dollars, said payment to be made for the fiscal year beginning June 1, 2021 through May 31, 2022; and

WHEREAS, it shall be a condition of the Contract and Agreement and a part of the consideration that the Club will segregate the funds provided by the City and the Club agrees to use the funding provided by the City at a City owned recreational centers; and

WHEREAS, it shall be a further condition of the Contract and Agreement and a part of the consideration that the Club will offer an all day summer program at a City owned recreational center; and

NOW THEREFORE BE IT ORDAINED that the contract for services, attached hereto, for the 2021-2022 fiscal year wherein the Club will continue to provide programs and activities for the youth of the City and specifically those services detailed in the contract for services, and as consideration for this contract and the services rendered by the Club, the City of Natchitoches agrees to pay to the Club, for the fiscal year 2021-2022, the sum of Twenty Thousand and No/100 (\$20,000.00) Dollars, said payment to be made for the fiscal year beginning June 1, 2021 through May 31, 2022 is hereby approved.

NOW THEREFORE BE IT FURTHER ORDAINED by the City Council of the City of Natchitoches, Louisiana, that the Mayor is hereby authorized to execute the attached Contract and Agreement between the City of Natchitoches and the Boys & Girls Club of Acadiana, Inc.,

Chairman Van Erickson and Co-Chairman Laura Lyles spoke in reference to where the City is today with the Boys and Girls Club of Acadiana.

Mr. Erickson explained that the board has fourteen members and the City of Natchitoches will be a financial partner. Boys and Girls Club of Acadiana will oversee the running of the Club in Natchitoches. All funds collected will stay local.

Ms. Lyles spoke about the need for the Boys and Girls Club in the community and the sponsors.

The following ordinance was introduced by Mr. Nielsen at the January 11, 2021, City Council meeting as follows:

CITY OF NATCHITOCHEs,

STATE OF LOUISIANA

**SECOND SUPPLEMENTAL
BOND ORDINANCE NO. 004 OF 2021**

A Second Supplemental Bond Ordinance Amending and Supplementing Ordinance No. 1 of 2015 providing for the incurring of debt and issuance of not to exceed Four Million Dollars (\$4,000,000) of Utilities Revenue Refunding Bonds, Series 2021, of the City of Natchitoches, State of Louisiana; prescribing the form, terms and conditions of said Refunding Bonds, designating the date, denomination and place of payment of said Refunding Bonds, providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith.

WHEREAS, the City of Natchitoches, State of Louisiana (the “*City*”), acting through its governing authority, this City Council of the City of Natchitoches, State of Louisiana (this “*Governing Authority*”), has by ordinance heretofore issued the following described bonds payable from a pledge and dedication of the income and revenues of the hereinafter-defined System:

(i) \$874,000 Utilities Revenue Bonds, Series 2009A (the “*Series 2009A Bonds*”), of which approximately \$584,000 is currently outstanding, having a final maturity of December 1, 2030, and having been issued pursuant to Ordinance No. 44 of 2009 adopted by this Governing Authority on August 10, 2009 (the “*2009 Bond Ordinance*”);

(ii) \$2,613,000 Utilities Revenue Bonds, Series 2009B (the “*Series 2009B Bonds*”), of which approximately \$1,748,000 is currently outstanding, having a final maturity of December 1, 2030, and having been issued pursuant to the 2009 Bond Ordinance;

(iii) \$2,000,000 Taxable Utilities Revenue Bond, Series 2015 (the “*Series 2015 Bonds*” and, collectively with the Series 2009A Bonds and the Series 2009B Bonds, the “*Refunded Bonds*”), of which approximately \$1,134,000 is currently outstanding, having a final maturity of December 1, 2035, and having been issued pursuant to the General Bond Ordinance No. 1 adopted by this Governing Authority on January 26, 2015 (the “*General Bond Ordinance*”) and the First Supplemental Bond Ordinance No. 2 of 2015 adopted by this Governing Authority on January 26, 2015 (the “*First Supplemental Bond Ordinance*”); and

(iv) \$1,030,000 Utilities Revenue Refunding Bonds, Series 2013 (the “*Series 2013 Bonds*”), of which approximately \$65,000 is currently outstanding and with a final maturity of December 1, 2022, issued pursuant to Ordinance No. 30 of 2013 adopted by this Governing Authority on July 8, 2013 (the “*Outstanding Parity Bond Ordinance*”); and

WHEREAS, in order to provide debt service savings, the City, acting through this Governing Authority, is authorized to and believes it to be in its best interest to refund the Refunded Bonds pursuant to the provisions of the Act, the Refunding Act, the General Bond Ordinance, the First Supplemental Bond Ordinance, and other constitutional and statutory authority, through the issuance of its hereinafter-defined Refunding Bonds; and

WHEREAS, the City now desires to incur debt and issue not to exceed Four Million Dollars (\$4,000,000) of its Utilities Revenue Refunding Bonds, Series 2021 (the “*Refunding Bonds*”), in the manner authorized and provided by the Refunding Act, as hereinafter provided for the purpose of, along with funds on deposit, (i) refunding the Refunded Bonds; (ii) funding a debt service reserve fund or purchasing a reserve fund surety bond, if necessary; and (iii) paying costs of issuance of the Refunding Bonds, including the cost of bond insurance premium, if necessary; and

WHEREAS, pursuant to the Act, the Refunding Bonds will be secured by and payable from Net Revenues (as defined in the General Bond Ordinance) of the City derived from the operation of the City’s combined waterworks plant and system, electric power and light plant and system and sewer utility system (the “*System*”) as a combined revenue-producing work of public improvement; and

WHEREAS, the State Bond Commission, by action taken on December 17, 2020, has given final approval for the issuance of the Refunding Bonds; and

WHEREAS, it is the desire of this Governing Authority to fix the details necessary with respect to the issuance of the Refunding Bonds and to provide for their authorization and issuance; and

WHEREAS, it is further the desire of this Governing Authority to provide for the sale of the Refunding Bonds at the price and in the manner herein provided; and

WHEREAS, this Governing Authority held a public hearing on February 8, 2021, at which public hearing no one presented or had filed any petition or written objection to the issuance of the Refunding Bonds.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Natchitoches, State of Louisiana, acting as the governing authority of the City, as follows:

ARTICLE 1
DEFINITIONS AND INTERPRETATION

SECTION 1.1. Definitions. Unless the context shall clearly indicate some other meaning, all words and terms used in this Second Supplemental Bond Ordinance which are defined in the General Bond Ordinance shall, for all purposes of this Second Supplemental Bond Ordinance, have

the respective meanings given to them in the General Bond Ordinance. In addition, unless the context shall clearly indicate some other meaning, the following terms shall, for all purposes of the General Bond Ordinance and of this this Second Supplemental Bond Ordinance or of any resolution or other instrument amendatory thereof or supplemental thereto have the following meanings:

“Bond Counsel” means Butler Snow LLP, or any other firm of attorneys satisfactory to the City and nationally recognized as experienced in matters relating to the issuance of bonds by states and political subdivisions.

“Bond Insurer” means any bond insurer issuing the Municipal Bond Insurance Policy, or any successors thereto or assigns thereof.

“Bond Ordinance” means the General Bond Ordinance as supplemented and amended by the First Supplemental Bond Ordinance and this Second Supplemental Bond Ordinance.

“Closing Date” means the date on which the Refunding Bonds are delivered and payment therefor is received by the City.

“Costs of Issuance” means all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of the Refunding Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, filing and recording fees, initial fees and charges of any fiduciary, legal fees and charges, fees and disbursements of consultants and professionals, fees and charges for preparation, execution, transportation and safekeeping of the Refunding Bonds, costs and expenses of refunding, and any other cost, charge or fee payable by the City in connection with the original issuance of the Refunding Bonds.

“Executive Officers” means the Mayor of the City and the Clerk of this Governing Authority.

“Governing Authority” means the City Council of the City of Natchitoches, State of Louisiana.

“Interest Payment Date” means June 1 and December 1 of each year in which the Refunding Bonds are outstanding, commencing June 1, 2021.

“Maximum Annual Debt Service” means, as of the date of calculation, the highest aggregate debt service requirements and debt service payable on the Refunding Bonds, the outstanding Series 2013 Bonds, and any additional Parity Bonds issued during the then-current Fiscal Year or any succeeding Fiscal Year over the remaining term of the Refunding Bonds.

“Municipal Bond Insurance Policy” means the municipal bond insurance policy issued by the Bond Insurer guaranteeing the scheduled payments of principal and interest on the Refunding Bonds.

“Net Revenues” means for the period in question the Revenues of the System, determined in accordance with then generally accepted accounting principles, after the payment of all reasonable and necessary expenses of operating and maintaining of the System as are not provided

for from other lawfully available sources, except that there shall be excluded from the calculation of Net Revenues the following:

- (a) Gains on the sale or other disposition of investments or fixed or capital assets, which do not result from the ordinary course of business;
- (b) Investment income that is restricted to a purpose inconsistent with the payment of operating expenses or debt service, including (whether or not so restricted) interest earned on any construction fund or construction account created with the proceeds of borrowing by the City;
- (c) Any amounts received by way of government grants; and
- (d) Any capital outlay moneys received from the State;

Furthermore, there shall be added back to net income for purposes of calculating Net Revenues hereunder the following:

- (e) Losses on the sale or other disposition of investments or capital assets which do not result from the ordinary course of business;
- (f) Depreciation and amortization allowances;
- (g) Amounts paid as principal interest or redemption premium on any of the Refunding Bonds; and
- (h) Interest earnings on any of the funds described in Section 5.01 of the General Bond Ordinance.

“*Outstanding*” when used with respect to the Refunding Bonds means, as of the date of determination, all Refunding Bonds theretofore issued and delivered under the Bond Ordinance, except:

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

- (5) Refunding Bonds for the payment of the principal (or redemption price, if any) of and interest on which money or Qualified Investments or both are held in trust with the effect specified in the Bond Ordinance.

“Owner” or **“Owners”** or **“Bondholder”** when used with respect to any Refunding Bond means the person in whose name the Refunding Bond is registered in the Bond Register.

“Paying Agent” means Regions Bank, in the City of Baton Rouge, State of Louisiana.

“Paying Agent Agreement” means the agreement to be entered into between the City and the Paying Agent pursuant to this Second Supplemental Bond Ordinance.

“Person” means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, other juridical entity, unincorporated organization or government or any agency or political subdivision thereof.

“Placement Agent” means Piper Sandler & Co., in the City of Baton Rouge, State of Louisiana.

“Purchase Agreement” means the agreement between the Placement Agent and the City regarding the purchase and sale of the Refunding Bonds.

“Qualified Investments” means investments permitted by La. Rev. Stat. § 33:2955 or any investment authorized by the laws and Constitution of the State.

“Record Date” for the interest payable on any Interest Payment Date means the fifteenth (15th) calendar date of the month next preceding such Interest Payment Date.

“Redemption Price” means, when used with respect to a Refunding Bond, the principal amount thereof plus the applicable premium, if any, payable upon redemption thereof pursuant to the Refunding Bond.

“Refunding Bond” or **“Refunding Bonds”** means any Refunding Bond of the City authorized to be issued by this Second Supplemental Bond Ordinance, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any Refunding Bond previously issued.

“Reserve Fund Alternate Investment” means an irrevocable letter of credit issued by a bank or surety bond issued by an insurance company meeting the requirements set forth herein to secure the Refunding Bonds in lieu of satisfying the Reserve Fund Requirement.

“Reserve Fund Requirement” means with respect to the Refunding Bonds if the Refunding Bond Reserve Fund is funded with the proceeds of the Refunding Bonds, an amount equal to the lesser of: (i) 100% of the maximum annual principal and interest due on the Refunding Bonds, (ii) 10% of the aggregate proceeds of the Refunding Bonds or (iii) 125% of the aggregate average annual debt service on the Refunding Bonds.

“State” means the State of Louisiana.

SECTION 1.2. Interpretation. In this Second Supplemental Bond Ordinance, unless the context otherwise requires, (a) words importing the singular include the plural and vice versa, and (b) words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders.

SECTION 1.3. Findings and Determinations. The Governing Authority hereby finds and determines:

1. The parity requirements of the 2009 Bond Ordinance, the 2013 Bond Ordinance, the General Bond Ordinance, and the First Supplemental Bond Ordinance are being complied with in connection with the issuance of the Refunding Bonds and a parity certification in substantially the form attached hereto as **EXHIBIT B** will be delivered at the time of delivery of the Refunding Bonds.

2. The City is authorized under the Refunding Act to issue the Refunding Bonds for the purpose of: (i) refunding all or a portion of the Refunded Bonds; (ii) funding a debt service reserve fund or purchasing a reserve fund surety bond, if necessary; and (iii) paying costs of issuance associated therewith, including the cost of for a Bond Insurance Policy, if necessary, by means of this Second Supplemental Bond Ordinance adopted pursuant to and in accordance with Article IX of the General Bond Ordinance.

ARTICLE 2 AUTHORIZATION AND ISSUANCE OF BONDS

SECTION 2.1. Authorization and Designation of Refunding Bonds. Pursuant to the provisions of the Bond Ordinance and the Act, there is hereby authorized the issuance of not to exceed Four Million Dollars (\$4,000,000) in aggregate principal amount of Refunding Bonds of the City to be designated “*Utilities Revenue Refunding Bonds of the City of Natchitoches, State of Louisiana, Series 2021*” for the purposes of, along with funds on deposit, (i) refunding the Refunded Bonds; (ii) funding a debt service reserve fund or purchasing a reserve fund surety bond, if necessary; and (iii) paying costs of issuance of the Refunding Bonds, including the cost of bond insurance premium. The Refunding Bonds shall be special obligations of the City payable, equally on a *pari passu* basis with the Series 2013 Bonds, solely from Net Revenues and shall be entitled pursuant to and in accordance with the General Bond Ordinance to the pledge and first lien created thereby and shall be otherwise entitled to the security and benefits thereof. This pledge and first lien shall be effective as described in this Second Supplemental Bond Ordinance without the necessity of any filing under Title 10, Chapter 9 of the Louisiana Revised Statutes of 1950, pursuant to La. Rev. Stat. § 39:1430 and the Refunding Act.

SECTION 2.2. Denominations, Dates, Maturities and Interest. The Refunding Bonds are issuable in fully registered form and will be dated the date of their delivery. The Refunding Bonds will be in the denominations of Five Thousand Dollars (\$5,000) each, or any integral

multiple thereof within any single maturity and will bear interest from the date thereof or the most recent Interest Payment Date (June 1 or December 1) to which interest has been paid or duly provided for, said interest to be payable semi-annually on June 1 and December 1 (the “*Interest Payment Dates*”) of each year, commencing June 1, 2021 or such date set forth therein and in the Purchase Agreement.

The Refunding Bonds shall mature on December 1 in the years and in the principal amounts and shall bear interest, in such principal amounts and as such rates of interest *per annum* as to be provided in the Purchase Agreement; provided that the annual interest rate shall not exceed three and one-half percent (3.50%) *per annum*. The final maturity of the Refunding Bonds shall be no later than December 1, 2035.

Except as provided herein, the principal of and premium, if any, on the Refunding Bonds shall be payable upon maturity or prior to redemption to the registered owners thereof upon presentation and surrender of such Refunding Bonds at the principal corporate trust office of the Paying Agent upon presentation and surrender thereof. Interest on the Refunding Bonds shall be payable to the registered owner thereof (determined as of the Regular Record Date, which shall be the May 15 or November 15, as the case may be, next preceding said Interest Payment Date). If the Refunding Bonds will be issued in book-entry only form registered in the name of Cede & Co., as nominee of the Depository Trust Company (“*DTC*”), principal, premium if any, and interest on the Refunding Bonds will be payable by the Paying Agent/Registrar to DTC which shall remit such payments in accordance with its normal procedures, as described herein. Interest is also payable, at the option of the registered owner, to the registered owners of \$1,000,000 or more in aggregate principal amount of the Refunding Bonds, by wire transfer to the bank account number filed with the Paying Agent/Registrar in writing not later than the Record Date.

The person in whose name any Refunding Bond is registered at the Record Date with respect to an Interest Payment Date shall in all cases be entitled to receive any payment properly due and payable on such Interest Payment Date notwithstanding the cancellation of such Refunding Bond upon any registration of transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date. Any interest not punctually paid or duly provided for shall be payable as provided in the General Bond Ordinance.

Subject to the limitations and upon payment of the charges provided in the General Bond Ordinance, the transfer of the Refunding Bonds may be registered on the registration books of the Paying Agent/Registrar upon surrender of the Refunding Bonds at the principal corporate trust office of the Paying Agent/Registrar as Bond Registrar, duly endorsed by, or accompanied by an written instrument or instruments of transfer in form and with a guaranty of signature satisfactory to the City and Paying Agent/Registrar, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new bond or bonds of the same maturity and of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee. Prior to due presentment for transfer of the Refunding Bonds and subject to provisions of the General Bond Ordinance, the City and the Paying Agent/Registrar may deem and treat the registered owner thereof as the absolute owner for all purposes, whether or not such Refunding Bond shall be overdue, and shall not be bound by any notice to the contrary.

Upon any such registration of transfer or exchange, the Paying Agent/Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith. The Paying Agent/Registrar shall not be required (a) to issue, register the transfer of or exchange any Refunding Bonds during a period beginning at the opening of business fifteen (15) days next preceding an Interest Payment Date or any date of selection of Refunding Bonds to be redeemed and ending at the close of business on the Interest Payment Date or day on which the applicable notice of redemption is given or (b) to register the transfer of or exchange any Refunding Bonds so selected for redemption in whole or in part.

SECTION 2.3. Book-Entry System.

(a) If the Refunding Bonds are issued in book-entry form, they shall be issued in the form of a separate single certified fully registered Refunding Bond per maturity. Unless the book-entry system is terminated as provided in this Section 2.3, this Section 2.3 shall override any other conflicting provisions of this Second Supplemental Bond Ordinance. The registered owner of all the Refunding Bonds shall be Cede & Co., as nominee for DTC, provided that Cede & Co. may register the transfer of the Refunding Bonds to another nominee for DTC if the Blanket Letter of Representations provides for such transfer. All payments of principal of and premium and interest on the Refunding Bonds shall be made in the manner provided in the Blanket Letter of Representations. The Paying Agent is hereby authorized and directed to comply with all terms of the Blanket Letter of Representations.

(b) Neither the City nor the Paying Agent shall be liable to any Person, including any Participant and any Person claiming any interest in any Refunding Bond under or through DTC or any Participant, for any action or failure to act or delay in action by DTC or any Participant. In particular, neither the City nor the Paying Agent shall have any obligation with respect to the accuracy of any records maintained by DTC or any Participant, the payment by DTC or any Participant of any amount in respect of the principal of or premium or interest on the Refunding Bonds, any notice which is permitted or required to be given to the Owners under the Bond Ordinance or which is permitted or required to be given under the Blanket Letter of Representations, the selection by DTC or any Participant of any Person to receive payment in the event of a partial redemption of the Refunding Bonds or any consent given by DTC as owner.

(c) If DTC gives notice to the City or the Paying Agent pursuant to the Blanket Letter of Representations that it will discontinue providing its services as securities depository with respect to the Refunding Bonds, the City shall, in its sole discretion, either appoint a successor securities depository or terminate the book-entry system for the Refunding Bonds. The City shall give the Paying Agent written notice of such appointment or termination. If a successor securities depository has not accepted such position prior to the effective date of DTC's termination of its services, the book-entry system shall automatically terminate and may not be reinstated without the consent of all the Owners.

(d) The City may also, in its sole discretion, elect to terminate the book-entry system at any time by giving written notice to DTC and the Paying Agent. Upon termination of the book-entry only system, the City shall cause the execution of certificated Refunding Bonds.

(e) Any successor securities depository must be a clearing agency registered with the Securities and Exchange Commission pursuant to Section 17A of the Securities Exchange Act of 1934, as amended, and must enter into an agreement with the City and the Paying Agent agreeing to act as the depository and clearing agency for all the Refunding Bonds. After such agreement has become effective, DTC shall present the Refunding Bonds for registration of transfer in accordance with Section 2.3 of this Second Supplemental Bond Ordinance and the Paying Agent shall register them in the name of the successor securities depository or its nominee.

(f) On the effective date of any termination of the book-entry system, the provisions of Section 2.3(a) hereof shall cease to be in effect. After such termination, the Paying Agent shall, upon presentation of Refunding Bonds by DTC or its nominee for registration of transfer or exchange in accordance with the General Bond Ordinance make such transfer or exchange in accordance with the General Bond Ordinance.

(g) Upon the appointment of a successor securities depository or termination of the book-entry system, the Paying Agent shall give notice of such event to the Owners (through DTC) and (i) the name and address of the successor securities depository or (ii) that Bonds may now be obtained by beneficial owners of the Refunding Bonds, or their nominees, upon proper instructions being given to DTC by the relevant Participant and compliance by DTC with the provisions of the General Bond Ordinance regarding registration of transfers.

ARTICLE 3 REDEMPTION PROVISIONS

SECTION 3.1. Redemption Provisions. The Refunding Bonds may be callable as set forth therein and in the Purchase Agreement. Any Refunding Bond made the subject of such call or calls shall be redeemed at the principal amount thereof plus accrued interest to the redemption date.

Notice of any optional redemption shall be given by the Paying Agent by mailing a copy of the redemption notice by first class mail, postage prepaid, not less than thirty (30) days prior to the date fixed for redemption, to the Owner of each Refunding Bond to be redeemed in whole or in part at the address shown on the registration books maintained by the Paying Agent.

If fewer than all of the Refunding Bonds of a particular maturity are called for redemption, the Refunding Bonds within such maturity to be redeemed will be selected by DTC or any successor securities depository pursuant to its rules or procedures or, if the book-entry system is discontinued, will be selected by the Paying Agent by lot in such manner as the Paying Agent in its discretion may determine.

In the event the Refunding Bond to be redeemed is of a denomination larger than \$5,000, a portion of such Refunding Bond (\$5,000 or any multiple thereof) may be redeemed. Any Refunding Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent and there shall be delivered to the owner of such Refunding Bond, a Refunding Bond or Refunding Bonds of the same maturity and of any authorized denomination or denominations as requested by the owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Refunding Bond so surrendered.

**ARTICLE 4
PAYING AGENT**

SECTION 4.1. Paying Agent, Successor Paying Agent, and Paying Agent Agreement.

The City will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Refunding Bonds. The designation of Regions Bank, in the City of Baton Rouge, Louisiana as the initial Paying Agent for the Refunding Bonds is hereby confirmed and approved. The City reserves the right to appoint a successor Paying Agent by (a) filing with the Paying Agent then performing such function a certified copy of a resolution or resolutions giving notice of the termination of the Paying Agent Agreement and appointing a successor, and (b) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority.

The Executive Officers are hereby authorized and directed to execute an appropriate Paying Agent Agreement for and on behalf of the City in such form as may be satisfactory to the Executive Officers, the signatures of the Executive Officers on such Paying Agent Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

**ARTICLE 5
GENERAL TERMS AND PROVISIONS OF THE REFUNDING BONDS**

SECTION 5.1. Execution and Form of Refunding Bonds. The Refunding Bonds and the endorsements to appear on all such Refunding Bonds issuable hereunder shall be, respectively, substantially in the form set forth in **EXHIBIT A** hereto, with such necessary or appropriate variation, omissions and insertions as are required or permitted by law or by the General Bond Ordinance, as amended and supplemented by this Second Supplemental Bond Ordinance.

SECTION 5.2. Sale of Refunding Bonds. The sale of the Refunding Bonds to the Placement Agent or such purchaser designated by the Placement Agent in the Purchase Agreement is hereby in all respects, approved, ratified and confirmed and after their execution, the Refunding Bonds shall be delivered to the Placement Agent or such purchaser, upon receipt by an Executive Officer of the City of the agreed purchase price. The Executive Officers of the City are 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 City or deemed by them necessary or advisable to implement this Second Supplemental Bond Ordinance or to facilitate the sale and issuance of the Refunding Bonds.

SECTION 5.3. Executive Officers; Authority. The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Supplemental Ordinance, to execute all documents including, but not limited to, the Purchase Agreement and the Paying Agent Agreement to cause the necessary Refunding Bonds to be printed, issued, executed, and delivered as hereinafter provided.

SECTION 5.4. Recital of Regularity. This Governing Authority having investigated the regularity of the proceedings had in connection with the Refunding Bonds and having determined

the same to be regular, the Refunding Bonds contain the following recital:

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

SECTION 5.5. Registration by Paying Agent. No Refunding Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under the Bond Ordinance unless and until a certificate of registration on such Refunding Bond substantially in the form set forth in **EXHIBIT A** 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 Refunding Bond shall be conclusive evidence that such Refunding Bond has been executed, registered and delivered under the Bond Ordinance.

SECTION 5.6. Exchange of Refunding Bonds; Persons Treated as Owners. The City shall cause books for the registration and for the registration of transfer of the Refunding Bonds as provided in the Bond Ordinance to be kept by the Paying Agent at its office in Baton Rouge, Louisiana, and the Paying Agent is hereby constituted and appointed the registrar for the Refunding Bonds. The provisions of this Section 5.6 are only applicable if a book-entry only system pursuant to Section 2.3 hereof is not in effect.

All Refunding Bonds presented for registration of transfer or exchange shall be accompanied by a written instrument or instruments of transfer in form and with a guaranty of signature satisfactory to the Paying Agent, duly executed by the Owner or his attorney duly authorized in writing.

The Refunding Bonds may be transferred, registered and assigned only on the registration books of the Paying Agent/Registrar, and the Paying Agent may require payment by the person requesting an exchange or registration of transfer of Refunding Bonds 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. Neither the City nor the Paying Agent shall be required to issue, register, transfer or exchange (i) any Refunding Bond during a period beginning at the opening of business on the 15th calendar day of the month next preceding an Interest Payment Date and ending at the close of business on the Interest Payment Date, or (ii) any Refunding Bonds called for redemption prior to maturity during a period beginning at the opening of business fifteen (15) days before the date of the mailing of a notice of redemption of such bonds and ending on the date of such redemption.

All Refunding Bonds delivered upon any registration of transfer or exchange of Refunding Bonds shall be valid obligations of the City, evidencing the same debt and entitled to the same benefits under the Bond Ordinance as the Refunding Bonds surrendered.

Prior to due presentment for registration of transfer of any Refunding Bond, the City and the Paying Agent, and any agent of the City or the Paying Agent may deem and treat the person in whose name any Refunding Bond is registered as the absolute Owner thereof for all purposes, whether or not such Refunding Bond shall be overdue, and shall not be bound by any notice to the contrary.

SECTION 5.7. Refunding Bonds Mutilated, Destroyed, Stolen or Lost. If (1) any mutilated Refunding Bond is surrendered to the Paying Agent, or the City and the Paying Agent receive evidence to their satisfaction of the destruction, loss or theft of any Refunding Bond, and (2) there is delivered to the City 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 City or the Paying Agent that such Refunding Bond has been acquired by a *bona fide* purchaser, the City 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 Refunding Bond, a new Refunding Bond of the same maturity and of like tenor, interest rate and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost or stolen Refunding Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Refunding Bond, pay such Refunding Bond. Upon the issuance of any new Refunding Bond under this Section, the City 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 Refunding Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost or stolen Refunding Bond shall constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost or stolen Refunding Bond shall be at any time enforceable by anyone and shall be entitled to all the benefits of the Bond Ordinance equally and ratably with all other outstanding Refunding Bonds. Any additional procedures set forth in the Paying Agent Agreement or authorized in the Bond Ordinance, shall also be available with respect to mutilated, destroyed, lost or stolen Refunding Bonds. 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 Refunding Bonds.

SECTION 5.8. Cancellation of Refunding Bonds. All Refunding Bonds paid or redeemed either at or before maturity, together with all Refunding Bonds purchased by the City, shall thereupon be promptly cancelled by the Paying Agent. The Paying Agent shall thereupon promptly furnish to the Clerk of the Governing Authority an appropriate certification of cancellation.

SECTION 5.9. Municipal Bond Insurance Policy and Reserve Policy. The specific terms and requirements relating to a Municipal Bond Insurance Policy, if any, and a municipal bond debt service reserve insurance policy (the “*Reserve Policy*”) issued by a Bond Insurer shall be set forth in a separate insurance agreement (the “*Insurance Agreement*”) and the Executive Officers are hereby authorized to execute and deliver such agreement, in a form acceptable to Bond Counsel. The terms and provisions of the Insurance Agreement are incorporated herein by reference as if set forth directly herein and in the event of any conflict in the terms of the Bond Ordinance and the Insurance Agreement, the terms of the Insurance Agreement shall control.

ARTICLE 6

SECURITY FOR THE REFUNDING BONDS, FUNDS AND ACCOUNTS

SECTION 6.1. Pledge of Net Revenues. The Refunding Bonds shall be secured and payable solely from an irrevocable pledge of the Net Revenues. The Net Revenues are hereby irrevocably and irrepealably pledged and dedicated to the payment of principal of and interest on the Refunding Bonds as they shall respectively become due and payable, as set forth herein. Net 12

SECTION 6.2. Refunding Bonds as a “Qualified Tax-Exempt Obligation”. The City hereby designates the Refunding Bonds as a “*qualified tax-exempt obligation*” within the meaning of Section 265(b)(3) of the Code.

SECTION 6.3. Refunding Bonds Legal Obligations. The Refunding Bonds shall constitute legal, binding and valid obligations of the City and shall be the only representations of the indebtedness as herein authorized and created.

ARTICLE 7 MISCELLANEOUS PROVISIONS

SECTION 7.1. Successors and Assigns. Wherever in this Second Supplemental Bond Ordinance the City is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Second Supplemental Bond Ordinance contained by or on behalf of the City shall bind and enure to the benefit of the successors and assigns whether so expressed or not.

SECTION 7.2. Second Supplemental Bond Ordinance a Contract. The provisions of this Second Supplemental Bond Ordinance shall constitute a contract between the City, or its successor, and the Owners from time to time of the Refunding Bonds, and any such 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 or the City as a result of issuing the Refunding Bonds.

SECTION 7.3. Amendment. No material modification or amendment of the Bond Ordinance, or any resolution amendatory hereof or supplemental hereto, may be made except as provided in Section 9.02 of the General Bond Ordinance.

SECTION 7.4. Publication. A copy of this Supplemental Ordinance shall be published immediately after its adoption in the official journal of the City. The Refunding Bonds herein authorized shall be incontestable in the hands of *bona fide* purchasers thereof for value and no court shall have the authority or jurisdiction to inquire into the legality thereof from a date thirty (30) days from the date of publication thereof.

SECTION 7.5. 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 7.6. Filing of Ordinance. A certified copy of this Supplemental Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish.

SECTION 7.7. Effective Date. This Second Supplemental Bond Ordinance shall become effective immediately.

Mr. Thompson, Ms. Matthews, and Mr. Busada spoke in reference to Ordinance 004.

Mr. Thompson explained the Bonds and Revenue and what it means for the City of Natchitoches. The proceeds from the old bonds can be used to pay off the new bonds.

MOTION TO AMEND THE AGENDA TO ADD-ORDINANCE NO. 005 OF 2021 WAS MADE BY MR. NEILSEN AND SECONDED BY MR. PETITE.

A roll call vote was as follows:

Ayes: Nielsen, Smith, Petite
Nays: None
Absent: Elie, Harrington
Abstain: None

The following Ordinance was introduced by Mr. Nielsen at the January 11, 2021 City Council meeting as follows:

as follows:

ORDINANCE NO. 005 OF 2021

AN ORDINANCE AMENDING THE 2020 - 2021 BUDGET TO REFLECT ADDITIONAL REVENUES AND EXPENDITURES

WHEREAS, Louisiana Statute (R.S. 39:1310-1311) requires that the City amend its operating budgets when fund balance is being budgeted, and there is a 5% unfavorable variance in revenues and expenditures and

WHEREAS, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority.

The Home Rule Charter of the City of Natchitoches states in part "...at any time during the fiscal year the Mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency upon written request by the Mayor, the Council may be ordinance transfer part or all of any unencumbered appropriation department, office or agency to be submitted to the Council for approval by ordinance. (Section 5.05 A-C)

NOW, THEREFORE BE IT RESOLVED, that the fund budget be amended to reflect these additional revenues and expenditures as follows:

Fund 002	Utility Indirect			
Expense				
002-6600-660-4571	Capital Projects	\$ 300,000	\$ (100,000)	\$ 200,000
002-6600-660-3521	Christmas Festival	\$ 75,000	\$ (50,000)	\$ 25,000
002-6600-660-4501	General Fund	\$ 4,821,000	\$ (50,000)	\$ 4,771,000
002-6200-620-9208	Auto Mall Capital Project	\$ -	\$ 200,000	\$ 200,000
TOTAL		\$ 5,196,000	\$ -	\$ 5,196,000

The following Resolution was introduced by Mr. Petite and Seconded by Mr. Nielsen as follows, to –wit:

RESOLUTION NO. 002 OF 2021

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE CITY OF
NATCHITOCHEES AND REGIONAL CONSTRUCTION, LLC FOR
PHASE 3 STREET REHABILITATION**

(BID NO. 0629)

WHEREAS, the City of Natchitoches (CITY) awarded the bid to Regional Construction, LLC (CONTRACTOR) on October 12, 2020 by Ordinance No. 052 of 2020 in the amount of \$499,719.25 for Phase 3 Street Rehabilitation (Bid No. 0629); and

WHEREAS, on October 12, 2020, the City Council approved **Change Order No. 1** in the amount of \$61,141.95 making the revised contact total \$560,861.20; and

WHEREAS, on October 12, 2020, the City Council approved **Change Order No. 1** increasing the contract time from Seventy-five (75) calendar days to Eighty-four (84) calendar days; and

WHEREAS, on January 4, 2021, ENGINEER issued Change Order No. 2, fully described in Attachment “A”; and

WHEREAS, the contract sum will be increased by this Change Order No. 2 in the amount of \$14,790.20 and the revised contract total will be \$575,651.40; and

WHEREAS, the contract time will be increased by this Change Order No. 2 from Eighty–Four calendar days to Ninety (90) calendar days; and

WHEREAS, the project Engineer, Nick Verret, has recommended this change order; and

WHEREAS, the CITY is of the opinion that Change Order No. 2 is in the best interest of the CITY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Ronnie Williams, Jr., Mayor, be and is hereby authorized, empowered and directed to execute the referenced Change Order No. 2 to the agreement between the City of Natchitoches and the contractor, Regional Construction, LLC.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Elie, Harrington
ABSTAIN: None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

Utility Director, Matt Anderson spoke in reference to Resolution 002. Mr. Andersons explained that funds requested are to replace an aged waterline, that has been patched numerous times.

The following Resolution was introduced by Mr. Nielsen and Seconded by Mr. Petite as follows, to –wit:

RESOLUTION NO. 003 OF 2021

A RESOLUTION OF SUPPORT FOR A GRANT APPLICATION SUBMITTED TO THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT, FOR THE 2020 - 2021 COMMUNITY WATER ENRICHMENT FUND (CWEF) GRANT FOR THE CITY OF NATCHITOCHEs, LOUISIANA

“**WHEREAS**, the City of Natchitoches intends to replace approximately 2,100-lf of 2” galvanized water main with 3” PVC water main within the City of Natchitoches; and

WHEREAS, the potential water main replacements will provide an extra measure of leak protection and provide for a safer, more efficient potable water supply within the City, as well as decrease the loss of revenue for the City; and

WHEREAS, the City of Natchitoches does not have sufficient unappropriated funds on hand for the required capital improvement project.

NOW, THEREFORE BE IT RESOLVED, in accordance with the requirements of the Community Water Enrichment Fund, the Mayor Pro Tempore and City Council of the City of Natchitoches do hereby support and cordially request grant authorization to execute and submit an application for the 2020-2021 Community Water Enrichment Fund funding.

FURTHER, that Betty Smith as Mayor Pro Tempore, be and he is hereby authorized to sign the application, contract, and all Requests for Payment or other documents required by the Community Water Enrichment Fund (CWEF) Program; and

FURTHER, that Stacy McQueary, Clerk, be and she is hereby authorized to serve as the Certifying Officer to attest to the signature of Ronnie Williams, Jr. as authorized signatory.”

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Elie, Harrington
ABSTAIN: None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

I, Stacy McQueary, City Clerk of the City of Natchitoches, certify that the above and foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Natchitoches at its regular meeting on January 11, 2021, at which meeting quorum was present and which Resolution is still in full force and effect and has not been amended, modified or repealed.

Natchitoches, Louisiana, this the 11th day of January, 2021.

The following Resolution was introduced by Mr. Petite and Seconded by Mr. Nielsen as follows, to –wit:

RESOLUTION NO. 004 OF 2021

A RESOLUTION APPOINTING MEMBERS TO THE MAYOR’S HEALTH AND FITNESS COUNCIL FOR THE CITY OF NATCHITOCHES

WHEREAS, the City of Natchitoches is authorized by Section 7.08 of the City Charter to appoint boards and commissions, subject to council confirmation, and to serve at the pleasure of the Mayor; and

WHEREAS, the Mayor’s Health and Fitness Council is to support and inspire Natchitoches Residents to improve their health by encouraging physical activity and improved nutrition; and

WHEREAS, the Mayor’s Health and Fitness Council will focus on providing community connections, building alliances and supporting the implementation of best practices and programs that truly affect positive changes to healthy lifestyles; and

WHEREAS, the Mayor of the City of Natchitoches has submitted the following names for appointment to the Mayor’s Health and Fitness Council to-wit:

- 1 Johnny Barnes**
- 2. Jameel Courtney**
- 3. Debra LaCour**
- 4. Tom Matuschka**
- 5. Mike Moulton**
- 6. Blane Murphy**
- 7. Dominique O’Con**
- 8. Claire Prymus**
- 9. Linda Queen**
- 10. Alex Rodriguez**
- 11. Betty Smith**
- 12. Lisa Wiggins**
- 13. Tiffany Williams**

WHEREAS FURTHER, Mayor Ronnie Williams, Jr., desires to appoint Feamula Bradley with the Louisiana Campaign for Tobacco-free living as an adviser to serve under the Mayor’s Health and Fitness Council.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Natchitoches that they hereby acknowledge the appointment of the above individuals to the Mayor’s Health and Fitness Council and hereby approve and consent to same.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: **Nielsen, Smith, Petite**
NAYS: **None**
ABSENT: **Elie, Harrington**
ABSTAIN: **None**

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

The following Resolution was introduced by Mr. Nielsen and Seconded by Mr. Petite as follows, to –wit:

RESOLUTION NO. 005 OF 2021

**A RESOLUTION AUTHORIZING THE MAYOR
TO ADVERTISE FOR BIDS FOR CAUSTIC SODA
FOR THE WATER TREATMENT PLANT**

BID NO. 0634

WHEREAS, the City wishes to advertise for bids for Caustic Soda for the Water Treatment Plant, Bid No. 0634; and

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana, 71457; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 pm on Thursday, February 11, 2021 at the Office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at 2:00 pm, on Thursday, February 11, 2021 held at the above mentioned Office of the Director of Purchasing; and

WHEREAS, upon receipt of proposals the committee of Debbie Miley, Director of Finance; Edd Lee, Director of Purchasing; Christopher Petite, Councilman; and Matt Anderson, Utility Director, are to review and make a recommendation of the bids received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Ronnie Williams, Jr., Mayor, be and is hereby authorized, empowered and directed to order the publication of the above bid.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Elie, Harrington
ABSTAIN: None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

Edd Lee, Purchasing Director spoke in reference to Resolution 005. Mr. Lee stated this is a routine item that is done every six months for the Utility Department/Water Plant. It is one component of the treatment process.

The following Resolution was introduced by Mr. Nielsen and Seconded by Mr. Petite as follows, to –wit:

RESOLUTION NO. 006 OF 2021

A RESOLUTION OF SUPPORT FOR A GRANT APPLICATION SUBMITTED TO THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT, FOR THE 2020 -2021 LOCAL GOVERNMENT ASSISTANCE PROGRAM

WHEREAS, the Local Government Assistance Program (LGAP) assists units of local government with funding for needed infrastructure and long-term capital improvements; and

WHEREAS, eligible activities funded through the LGAP Program include fire protection; and

WHEREAS, the Natchitoches Fire Department is in critical need of life-saving equipment and desires to submit an application for the 2020 -2021 Local Government Assistance Program.

NOW, THEREFORE, BE IT RESOLVED, that the City of Natchitoches offers its full support of a grant application submitted by the Natchitoches Fire Department to the Louisiana Office of Community Development, for the 2020 – 2021 Local Government Assistance Program.

BE IT FURTHER RESOLVED, that Mayor Ronnie Williams, Jr., is hereby authorized to sign the grant application on behalf of the City of Natchitoches.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Elie, Harrington
ABSTAIN: None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

MOTION TO AMEND THE AGENDA TO ADD RESOLUTION NO. 007 OF 2021 WAS MADE BY MR. NEILSEN AND SECONDED BY MR. PETITE.

A roll call vote was as follows:

Ayes:	Nielsen, Smith, Petite
Nays:	None
Absent:	Elie, Harrington
Abstain:	None

The following Resolution was introduced by Mr. Nielsen and Seconded by Mr. Petite as follows, to –wit:

RESOLUTION NO. 007 OF 2021

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COST SHARING AGREEMENT WITH SMITH & COMPANY, LLC RELATIVE TO THE EXTENSION OF SEWER SERVICES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Smith & Company, LLC (hereinafter referred to as “Smith”) is the owner of the property that has been subdivided into Lots 1, 2, and 3 of the Auto Mall of Natchitoches Subdivision, as shown on the plat recorded in the records of Natchitoches Parish, attached hereto and identified as Exhibit “A” (the “Subdivision”);

WHEREAS, City of Natchitoches (hereinafter referred to as the “City”) is the owner of a right of way for a water line which affects the Property and Subdivision, which it acquired pursuant to the Right of Way Agreement, attached hereto and identified as Exhibit “B”;

WHEREAS, the Right of Way Agreement requires the City to relocate its waterline to a new location on the Property, at the City’s expense to facilitate the development of the Property;

WHEREAS, Smith is in the process of developing the Property and the Subdivision for sale, and has requested the City to relocate its water line and related equipment from the right of way to a new location on the Property;

WHEREAS, the City, in an agreement entitled Agreement to Terminate Existing Servitudes and Easements and Establish New Servitudes and Easements, attached hereto and identified as Exhibit “C”, agreed to relocate its water line;

WHEREAS, due to the lack of currently available funds, the City could not commence the relocation of the water line within the time period requested by Smith;

WHEREAS, in an effort to expedite the development of the Property, Smith agreed to pay the cost of the relocation of the water line, but specifically reserved its right to seek reimbursement from the City in the future;

WHEREAS, in consideration of the City extending sewer services to the Property, Smith and the City agreed the City will be released from its obligation to reimburse Smith for the cost expended or to be expended in connection with the relocation of the water line;

WHEREAS, the Smith and the City desire to enter into the attached Cost Sharing Agreement, attached hereto and identified as Exhibit “D” to memorialize their agreement and facilitate their mutual objectives;

NOW THEREFORE, BE IT RESOLVED, by the Natchitoches City Council, in legal and regular session convened, that it hereby authorizes the execution of the above-described Cost Sharing Agreement in accordance with the terms and conditions set forth therein.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the Cost Sharing Agreement referenced hereinabove, and any and all other documents necessary to complete the transaction in the name of and on behalf of the City.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its adoption.

BE IT FURTHER RESOLVED, that if any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Resolution which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this Resolution are hereby declared severable; and

BE IT FURTHER RESOLVED, that all Resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form and content:

Alex Washington, Jr.

Date

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Nielsen, Smith, Petite
NAYS: None
ABSENT: Elie, Harrington
ABSTAIN: None

THEREUPON, Mayor Pro-Tempore Betty Smith, declared the Resolution passed by a vote of 3 Ayes to 0 Nays on this 11th day of January, 2021.

BETTY SMITH, MAYOR PRO-TEMPORE

