

**Mayor**  
Ray Bourque  
mayorbourque@broussardla.com  
www.cityofbroussard.com



**Council:**  
Angel Racca - District I  
David M. Bonin - District II  
Jesse Regan - District III  
Heather Girouard - District IV  
David Forbes - District V  
Kody Allen - District VI  
Jeff Delahoussaye - At Large

**AGENDA FOR THE  
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BROUSSARD, LA HELD ON  
MONDAY, October 7, 2024 AT 6:00 P.M. AT  
414 EAST MAIN STREET, COUNCIL CHAMBERS**

**Meetings are streamed live. Please visit our website at  
<https://www.cityofbroussard.com/government/city-council>  
to obtain access to our live meetings.**

**1. OPENING**

Mayor Bourque

- 1.1 Pledge of Allegiance
- 1.2 Invocation by Pastor David Tilley

**2. MINUTES**

Mayor Bourque

- 2.1 Acceptance of Minutes of the September 24th Meeting

**3. RESOLUTIONS**

Mayor Bourque/Gerald deLaunay

- 3.1 Resolution #810-24  
A resolution accepting the Act of Donation and Dedication of Sable Palms, III, LLC

Mayor Bourque/Joseph Marino

- 3.2 Resolution #811-24  
A resolution approving and awarding the low bid for the Main Street Phase 3-B Improvements Project

Mayor Bourque

- 3.3 Resolution #812-24  
A resolution in support of Type 2 Charter School/Charter Schools USA

Mayor Bourque

- 3.4 Resolution #813-24  
A resolution approving to enter into an agreement with Trident of Lafayette, LLC for improvements to the drainage canal near Omega West/Loadmaster and for financial participation

#### **4. ORDINANCES FOR INTRODUCTION**

Mayor Bourque/Deputy Chief Justin Denais

- 4.1 Ordinance #24-812  
An ordinance amending the 2024/2025 Operating Budget of Revenues and Expenditures for the Fire Department for Payroll and Capital Outlay-Equipment

Mayor Bourque

- 4.2 Ordinance #24-813  
An ordinance amending the 2024/2025 Operating Budget of Revenues and Expenditures for Capital Outlay Improvements near West/Loadmaster Drainage Canal with Trident of Lafayette, LLC

#### **5. ORDINANCES FOR ADOPTION**

Mayor Bourque

- 5.1 Ordinance #24-811  
An ordinance providing for the issuance and sale of Public Improvement Sales Tax Revenue Bonds Series 2024, of the City of Broussard, state of Louisiana; prescribing the form and providing for the payment of said bonds and providing for the sales of such bonds to the purchases there of and providing for other matters in connection therewith

#### **6. ADJOURNMENT**

Mayor Bourque

**MINUTES OF THE  
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BROUSSARD, LA  
ON Tuesday, September 24, 2024  
AT 6:00 P.M. AT 414 EAST MAIN STREET, COUNCIL CHAMBERS**

**Present:** Mayor Ray Bourque, Councilwoman Angel Racca (District 1), Councilman David Bonin (District 2), Councilman Jesse Regan (District 3), Councilwoman Heather Girouard (District 4), Councilman David Forbes (District 5), Councilman Kody Allen (District 6), Councilman Jeff Delahoussaye (At Large)

**Staff:** Tina Emert (City Clerk/Director of Administrative Services), Cristen Thibodeaux (Finance Manager), Callie Laviolette (Chief Administrative Officer), Mark Rigsby (Communications Coordinator), Millicent Norbert (Director of Tourism), Mel Bertrand (City Manager/Director of Public Works), Oscar Reed (City Attorney), Bryan Champagne (Fire Chief), Walter Comeaux (City Engineer), Ben Theriot (Code Enforcement Officer), Jamison Abshire (Director of Parks and Recreation), Chief Vance Olivier (Police Chief), Tony Ashy (Assistant Police Chief)

**1. OPENING**

- 1.1 Pledge of Allegiance
- 1.2 Invocation done by Pastor Marty Deroussel of Our Savior's Church

**2. MINUTES**

- 2.1 Acceptance of Minutes of the September 10, 2024, Regular Meeting  
Motion by Councilman Delahoussaye  
Second by Councilman Allen  
Discussion: No public comments.  
Final Resolution: Motion Approved

YEAS:            District 1 -    Angel Racca  
                     District 2 -    David Bonin  
                     District 3 -    Jesse Regan  
                     District 4 -    Heather Girouard  
                     District 5 -    David Forbes  
                     District 6 -    Kody Allen  
                     At Large -    Jeff Delahoussaye

### 3. FINANCIAL REPORT

#### 3.1 Approval of the August 2024 Financial Report

Motion by Councilman Delahoussaye

Second by Councilwoman Girouard

Discussion: Mayor Bourque stated the current total puts us 14% above 2023 and 10% above 2022. We are currently 5% ahead of 2024, even though the most recent deposit came in 4% less than budget.

Final Resolution: Motion Approved

YEAS:            District 1 -    Angel Racca  
                     District 2 -    David Bonin  
                     District 3 -    Jesse Regan  
                     District 4 -    Heather Girouard  
                     District 5 -    David Forbes  
                     District 6 -    Kody Allen  
                     At Large -    Jeff Delahoussaye

### 4. OTHER BUSINESS

#### 4.1 Condemnation Report on:

a) 308 East Monroe – Herbert and Helen Thomas Property

b) 200 St. Des Porres - Sharon Norbert/Gary Benjamin Property

Ben stated we brought this up a month ago and gave the property owners 30 days to get a contract to renovate the properties or demolish them.

The Norbert/Benjamin Property, the property owner purchased a demolition permit last week.

The Thomas property the daughter received a quote from a contractor, but it has not been signed off on yet. If the council wants to move forward tonight our contractor can start the demolition on Thursday, if not it won't be for another three weeks. Mayor Bourque stated 2 meetings ago we granted 30 days to each property to renovate the properties. The St. Des Porres property, the property the owner has met their obligations and agreed to demo the property. The East Monroe Property they have met with a contractor but are not under contract and the 30-day extension has ended. Amy Alexander, daughter of the property owner addressed the council. She stated they have spoken with different contractors, and they did get a proposal, but she needs to discuss it with her mother to see what she wants to do. They gave her a quote of \$54,000.

Councilman Girouard questioned if they will be able to come up with the money for the repairs? Amy stated she wants to see if her mother wants to repair it or demo it first.

Councilman Delahoussaye questioned if they have thought of maybe selling the property, if they can't come up with the money? He stated he doesn't want to see a

repairable house be torn down. He suggested maybe put up a for sale sign or get funding to fix it. The council agreed to give the property owner 30 days to either execute a contract to renovate it or demolish it or sell the property.

4.2 Montagnet & Domingue, Inc.

Ibrahim Balbeisi Development

Variance request for the development on North Morgan and Glenn Street

Motion by Councilman Delahoussaye

Second by Councilwoman Girouard

Discussion: Walter stated no one was present to represent the development tonight. They originally wanted to put 6 units on the property, but it was rejected by the Planning Commission. They have agreed to put only 5 units. Since the last meeting they have come up with 3 additional options, which Walter stated he prefers the first option presented to the council at the last meeting. The new options would require buffers to the adjoining properties, and it would require parking changes. First of all, we need to begin the work on Glenn Street which is a narrow street. The cost estimate for that project is \$100,000. The first option they presented to the council gives more room on Glenn Street between the structures. They would pipe in the ditch and build the road on top of the ditch. There would be 4 parking spots in the rear for each unit and 2 additional spots on Morgan Street for delivery and the trash truck. Councilman Bonin, questioned, how many variances do they want? Walter stated 4 or 5. He doesn't recommend any variances be given on the parking. The variances mostly deal with the setbacks on Glenn and Morgan Street. Councilman Bonin stated we had a 2-inch rain a couple of weeks ago and those ditches were completely full. For the side set backs they want 2 houses 6 feet apart instead of the 10 feet. Mayor Bourque stated the widening of Glenn Street is absolutely necessary if we need more room. Walter stated they will need to give easements as needed. He stated we might need 5 – 10 feet from the developer. Councilman Bonin stated they need to follow the drainage regulations. Walter stated they will have to meet the drainage ordinance regulations unless he comes back to the council for approval. Councilman Bonin stated the variances still have not been identified. Walter stated they were given to him in the last report. Councilman Delahoussaye stated the variances we gave him were, he would have a Morgan Street entrance leading to the back alley of the complex with 2 additional parking spots in the front and he even agreed to not put any windows on the rear of the complex. He also has to meet our requirements and do a drainage study. He doesn't want to stop the developer, but we have to use the commonsense approach and be fair. We give the variances, and he still has to do the drainage study. Mayor Bourque stated we still have to widen the Glenn Street and get a budget amendment for that. We will expect the developer to pipe in the ditch so we can get an apron done on the road. Walter stated we will design it. Councilman Regan questioned what if widening the

road causes the development to reduce the complex to 4 units? Walter stated he doesn't think that will happen. Councilman Bonin stated he took Civics and American History, and we have a representative government. He is representing 80 citizens. He stated we should not grant the variances. We have rules to follow for what is there now. This is not the kind of development that belongs there. Councilman Delahoussaye stated if we approve this and he doesn't meet the drainage requirements, he can't move forward. He has agreed to accommodate the back neighbors. Last meeting the Deputy Fire Chief said the back-alley way would be great. We are over thinking this, and we don't want to tell someone what to do with their property.

Councilman Delahoussaye amended his motion

Councilwoman Girouard second

To approve the variances, based on the developer meeting all the requirements including Glenn Street and no rear windows on the complex.

Final Resolution: Motion Approved

YEAS:            District 1 -    Angel Racca  
                     District 3 -    Jesse Regan  
                     District 4 -    Heather Girouard  
                     District 5 -    David Forbes  
                     District 6 -    Kody Allen  
                     At Large -    Jeff Delahoussaye

NAY:             District 2 -    David Bonin

## 5. RESOLUTIONS

### 5.1 Resolution #807-24

A resolution accepting that certain Act of Donation and Dedication of Access off of Fairfield Drive

Motion by Councilman Regan

Second by Councilman Bonin

Discussion: Oscar stated several months ago Jake McClelland needed approval from his bank and was refused because he had no public access. He is now donating .40 square feet of a private driveway to the city as access to the property only.

Final Resolution: Motion Approved

YEAS:            District 1 -    Angel Racca  
                     District 2 -    David Bonin  
                     District 3 -    Jesse Regan  
                     District 4 -    Heather Girouard  
                     District 5 -    David Forbes  
                     District 6 -    Kody Allen  
                     At Large -    Jeff Delahoussaye

## 6. ORDINANCES FOR INTRODUCTION

### 6.1 Ordinance #24-811

An ordinance providing for the issuance and sale of Public Improvement Sales Tax Revenue Bonds Series 2024, of the City of Broussard, State of Louisiana; prescribing the form and providing for the payment of said bonds; providing for the sales of such bonds to the purchases there of and providing for other matters in connection therewith

Motion by Councilman Bonin

Second by Councilman Delahoussaye

Discussion: Mayou Bourque stated Brennan requested this. They are taking the bonds to market to lock in a final interest rate. He will supply the details later. All perimeters have been met.

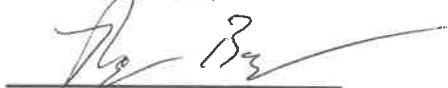
Final Resolution: Motion Approved

YEAS:            District 1 -    Angel Racca  
                     District 2 -    David Bonin  
                     District 3 -    Jesse Regan  
                     District 4 -    Heather Girouard  
                     District 5 -    David Forbes  
                     District 6 -    Kody Allen  
                     At Large -    Jeff Delahoussaye

Chief Olivier announced that Tuesday will be National Night Out at St. Julien Park. It is free to the public.

Mayor Bourque state there is Broussard on Friday at the Lazy Caveman from 7:00 – 8:30 am.

## 7. ADJOURNMENT



MAYOR RAY BOURQUE



TINA EMERT, CITY CLERK

**RESOLUTION NO. 810-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROUSSARD,  
LOUISIANA, ACCEPTING THAT CERTAIN  
ACT OF DONATION AND DEDICATION**

**WHEREAS**, the continued progress and development of the City of Broussard, Louisiana, requires the development of real estate and access for the citizens of the City of Broussard, Louisiana, to public streets and sidewalks, as well as the obtaining of utility and drainage servitudes to be provided in accordance with applicable regulations promulgated by the City of Broussard, Louisiana; and

**WHEREAS**, Sable Palms, III, LLC desires to dedicate for public use, and for perpetual public maintenance for the public in general, but, in particular, in favor of the City of Broussard, that certain easement for sidewalks, drainage, and utilities as shown in that on the plat attached hereto; and

**WHEREAS**, an Act of Dedication has been proposed by Sable Palms, III, LLC dedicating the servitude to the City for the ultimate benefit of the public, as reflected on the plat of survey referred to therein; and

**THEREFORE, BE IT RESOLVED** by the City of Broussard, Louisiana, that, the proposed Act of Dedication shall be accepted upon approval of the form of the dedication by the Mayor.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to review the proposed dedication, and once approved as to form by him, is authorized to accept the dedication.

And this Resolution was submitted to a vote on the 24<sup>th</sup> day of September, 2024, and the vote thereon was as follows:

YEAS:

NAYS:



ABSENT:

ABSTENTIONS:

\_\_\_\_\_  
TINA EMERT, City Clerk

\_\_\_\_\_  
RAY BOURQUE, Mayor

CERTIFICATE

I, Tina Emert, Clerk of the City of Broussard, do hereby certify that the above is a true and exact copy of the Resolution adopted by the City Council of the City of Broussard, on the 10<sup>th</sup> day of September, 2024, at which time a quorum was present and voted.

\_\_\_\_\_  
TINA EMERT  
CITY CLERK - CITY OF BROUSSARD

**RESOLUTION NO. 811-24**

**A RESOLUTION OF THE CITY COUNCIL ACCEPTING THE LOWEST  
RESPONSIVE BID FOR PHASE 3-B OF THE MAIN STREET IMPROVEMENTS  
PROJECT**

**WHEREAS**, the City of Broussard, Louisiana requested bids for construction of the Phase 3-B of the Main Street Capital Improvements project; and

**WHEREAS**, the project engineer for the City of Broussard, Louisiana, has recommended that the lowest responsive bid be awarded;

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Broussard, Louisiana that the bid of Southern Constructors, LLC in the amount of One Million Two Hundred Forty-Eight Thousand Seven Hundred Thirty-Three Dollars and Forty Cents (\$1,248,733.40) is hereby approved for acceptance, and the Mayor of the City of Broussard, or his designee is authorized to approve additions or deletions as he deems appropriate, and is further authorized to take further necessary action to proceed with the project, including execution of contracts, agreements, and other documents for the completion of said project.

And this Resolution was submitted to a vote on the 7<sup>th</sup> day of October, 2024, and the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

And this Resolution was declared adopted this, the 7<sup>th</sup> day of October, 2024.

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RAY BOURQUE, Mayor

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TINA EMERT, City Clerk

**CERTIFICATION**

I, TINA EMERT, the duly qualified and appointed Clerk of the City of Broussard, State of Louisiana do hereby certify that the above and foregoing Resolution is a true and correct copy from the minutes of the regular meeting of the Mayor and City Council of the City of Broussard, Louisiana, held on the 7<sup>th</sup> day of October, 2024.

THUS DONE AND SIGNED in Broussard, Louisiana, on this the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TINA EMERT  
City Clerk, City of Broussard



1308 CAMELLIA BLVD., SUITE 200  
LAFAYETTE, LA 70508

337.233.9914

WWW.DDGPC.COM

SEPTEMBER 26, 2024

MAYOR RAY BOURQUE  
CITY OF BROUSSARD  
310 E. MAIN STREET  
BROUSSARD, LOUISIANA 70518

MAIN STREET IMPROVEMENTS – PHASE 3B  
(ST. DE PORRES ST. TO ALBERTSON PKWY)  
BROUSSARD, LA

DDG PROJECT NO. 18-907

Dear Mayor Bourque,

On September 25, 2024, we accepted bids on the Main Street Improvements – Phase 3B project, based upon the prepared plans and specifications. We received three bids, have evaluated them, and provide the following recommendation for award. Bid tabs have been included for your information.

Price quotes were received by three (3) contractors as shown below:

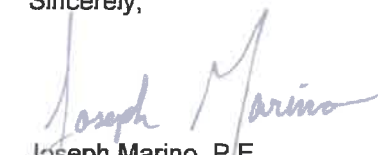
<i>Bidder</i>	<i>Base Amount</i>
Siema Construction, LLC	\$1,295,651.45
Bulliard Construction Company, Inc.	\$1,576,412.60
Southern Constructors, LLC	\$1,248,733.40

Southern Constructors, LLC submitted the lowest qualified bid of \$1,248,733.40. Our evaluation of the experience, reputation, and status report of Southern Constructors indicate that they can complete the work required within the allocated timeframe. Southern Constructors, LLC remains the low bidder and within range of the available City budget, therefore we recommend the City proceed with awarding any or all portions of the bid.

It is DDG's professional opinion that the City of Broussard should enter into an agreement with Southern Constructors, LLC in the amount of \$1,248,733.40 for the Base Bid.

Please let me know if there are any questions.

Sincerely,



Joseph Marino, P.E.  
Civil Engineering Regional Manager + Partner  
Duplantis Design Group



**DDG**  
 1308 Camellia Blvd., Suite 200  
 Lafayette, Louisiana 70508

**TABULATION OF BIDS**  
 MAIN ST. IMPROVEMENTS - PHASE 3B (ST. DE PORRES ST. TO ALBERTSON PKWY)  
 CITY OF BROUSSARD  
 LAFAYETTE PARISH, LOUISIANA

September 25, 2024

NAME OF BIDDER				SOUTHERN CONSTRUCTORS, LLC.		SIEMA CONSTRUCTION, LLC.		BULLIARD CONSTRUCTION COMPANY, INC.	
ITEM NO.	QUANTITY	UNIT	ITEM	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
202-01-00100	1	LUMP	Removal of Structures and Obstructions	\$ 6,500.00	\$ 6,500.00	\$ 10,000.00	\$ 10,000.00	\$ 7,500.00	\$ 7,500.00
202-02-02000	200	SQYD	Removal of Asphalt Drives	\$ 20.00	\$ 4,000.00	\$ 11.50	\$ 2,300.00	\$ 24.50	\$ 4,900.00
202-02-06080	30	LNFT	Removal of Concrete Combination Curb and Gutter	\$ 50.00	\$ 1,500.00	\$ 28.63	\$ 858.90	\$ 125.00	\$ 3,750.00
202-03-06100	748	SQYD	Removal of Concrete Walks and Drives	\$ 20.00	\$ 14,960.00	\$ 10.25	\$ 7,667.00	\$ 15.00	\$ 11,220.00
202-04-00100	340	SQYD	Removal of Aggregate Drives	\$ 20.00	\$ 6,800.00	\$ 17.00	\$ 5,780.00	\$ 14.50	\$ 4,930.00
203-01-00100	650	CUYD	General Excavation	\$ 10.00	\$ 6,500.00	\$ 35.00	\$ 22,750.00	\$ 38.50	\$ 25,025.00
203-03-00100	1,000	CUYD	Embankment	\$ 16.00	\$ 16,000.00	\$ 23.00	\$ 23,000.00	\$ 52.50	\$ 52,500.00
204-02-00100	50	EACH	Temporary Hay Bales	\$ 60.00	\$ 3,000.00	\$ 30.00	\$ 1,500.00	\$ 65.00	\$ 3,250.00
204-05-00100	25	EACH	Temporary Sediment Check Dams (Hay)	\$ 700.00	\$ 17,500.00	\$ 118.75	\$ 2,968.75	\$ 185.00	\$ 4,625.00
204-06-00100	5,000	LNFT	Temporary Silt Fencing	\$ 2.50	\$ 12,500.00	\$ 2.50	\$ 12,500.00	\$ 2.50	\$ 12,500.00
204-07-00100	1	EACH	Temporary Stone Construction Entrance	\$ 7,500.00	\$ 7,500.00	\$ 2,700.00	\$ 2,700.00	\$ 3,750.00	\$ 3,750.00
502-01-00100	28	TONS	Superpave Asphaltic Concrete (Turnouts) (Leveling)	\$ 350.00	\$ 9,800.00	\$ 420.00	\$ 11,760.00	\$ 315.00	\$ 8,820.00
509-01-00100	143.2	SQYD	Cold Planing Asphaltic Pavement (Avg. 2" Thick)	\$ 60.00	\$ 8,592.00	\$ 55.00	\$ 7,876.00	\$ 63.50	\$ 9,093.20
702-14-00100	1	EACH	Convert Existing Structure Top to ADA Grate	\$ 2,500.00	\$ 2,500.00	\$ 1,795.00	\$ 1,795.00	\$ 6,250.00	\$ 6,250.00
706-01-00100	5,659	SQYD	Concrete Walk (4" Thick)	\$ 72.00	\$ 407,448.00	\$ 57.50	\$ 325,392.50	\$ 85.00	\$ 481,015.00
706-02-00200	92	SQYD	Concrete Drive (6" Thick)	\$ 102.00	\$ 9,384.00	\$ 83.00	\$ 7,636.00	\$ 115.00	\$ 10,580.00
706-02-00300	1044	SQYD	Concrete Drive (8" Thick)	\$ 125.00	\$ 130,500.00	\$ 109.00	\$ 113,796.00	\$ 130.00	\$ 135,720.00
706-02-00400	313	SQYD	Concrete Drive (12" Thick)	\$ 145.00	\$ 45,385.00	\$ 210.00	\$ 65,730.00	\$ 180.00	\$ 56,340.00
706-04-00100	1	EACH	Handicapped Curb Ramp	\$ 1,000.00	\$ 1,000.00	\$ 1,600.00	\$ 1,600.00	\$ 4,000.00	\$ 4,000.00
706-04-00101	9	EACH	Truncated Domes	\$ 500.00	\$ 4,500.00	\$ 230.00	\$ 2,070.00	\$ 1,075.00	\$ 9,675.00
706-05-00100	256	SQFT	Retaining Wall	\$ 90.00	\$ 23,040.00	\$ 35.00	\$ 8,960.00	\$ 185.00	\$ 47,360.00
727-01-00100	1	LUMP	Mobilization	\$ 20,000.00	\$ 20,000.00	\$ 115,000.00	\$ 115,000.00	\$ 93,655.00	\$ 93,655.00
732-01-02000	1144	LNFT	Plastic Pavement Striping (4" Width) (Thermoplastic 125 Mil)	\$ 2.60	\$ 2,974.40	\$ 2.75	\$ 3,146.00	\$ 2.35	\$ 2,688.40
732-01-02600	309	LNFT	Plastic Pavement Striping (12" Width) (Thermoplastic 125 Mil)	\$ 6.00	\$ 1,854.00	\$ 6.50	\$ 2,008.50	\$ 11.00	\$ 3,399.00
732-01-02080	46	LNFT	Plastic Pavement Striping (24" Width) (Thermoplastic 125 Mil)	\$ 30.00	\$ 1,380.00	\$ 27.50	\$ 1,265.00	\$ 27.50	\$ 1,265.00
739-01-00100	3.46	ACRE	Hydro-Seeding	\$ 3,500.00	\$ 12,110.00	\$ 2,750.00	\$ 9,515.00	\$ 3,775.00	\$ 13,061.50
810-03-00100	90	LNFT	Pipe Railing	\$ 80.00	\$ 7,200.00	\$ 150.00	\$ 13,500.00	\$ 220.00	\$ 19,800.00



**DDG**  
 1308 Camellia Blvd., Suite 200  
 Lafayette, Louisiana 70508

**TABULATION OF BIDS**  
 MAIN ST. IMPROVEMENTS - PHASE 3B (ST. DE PORRES ST. TO ALBERTSON PKWY)  
 CITY OF BROUSSARD  
 LAFAYETTE PARISH, LOUISIANA

September 25, 2024

NAME OF BIDDER				SOUTHERN CONSTRUCTORS, LLC.		SIEMA CONSTRUCTION, LLC.		BULLIARD CONSTRUCTION COMPANY, INC.	
NS-1408-00340	6,303	IN-LNFT	Saw Cut Asphaltic Concrete Pavement (Full Depth)	\$ 2.00	\$ 12,606.00	\$ 0.85	\$ 5,357.55	\$ 2.00	\$ 12,606.00
NS-1411-00100	4,065	IN-LNFT	Saw Cut Portland Cement Concrete Pavement (Full Depth)	\$ 2.00	\$ 8,130.00	\$ 1.10	\$ 4,471.50	\$ 2.50	\$ 10,162.50
16015-1	1	EACH	Galvanized steel rack and concrete pad for electrical services	\$ 7,500.00	\$ 7,500.00	\$ 7,315.00	\$ 7,315.00	\$ 9,920.00	\$ 9,920.00
16015-10	75	LNFT	Boring 1" conduit w/3-#8 CU & 1-#10 CU under street	\$ 60.00	\$ 4,500.00	\$ 20.25	\$ 1,518.75	\$ 30.00	\$ 2,250.00
16015-11	4,600	LNFT	1" Sch 40 PVC conduit w/3-#8 CU & 1-#10 CU (Light Pole Circuits)	\$ 3.00	\$ 13,800.00	\$ 11.75	\$ 54,050.00	\$ 8.50	\$ 39,100.00
16015-12	4,600	LNFT	Trenching & Backfilling	\$ 3.50	\$ 16,100.00	\$ 5.40	\$ 24,840.00	\$ 6.00	\$ 27,600.00
16015-13	10	EACH	Flush Grade Pullboxes	\$ 500.00	\$ 5,000.00	\$ 852.00	\$ 8,520.00	\$ 1,020.00	\$ 10,200.00
16015-14	44	EACH	Receptacles - Weatherproof/GFI (Duplex)	\$ 100.00	\$ 4,400.00	\$ 43.50	\$ 1,914.00	\$ 200.00	\$ 8,800.00
16015-15	41	EACH	Photocells	\$ 100.00	\$ 4,100.00	\$ 100.00	\$ 4,100.00	\$ 50.00	\$ 2,050.00
16015-2	20	LNFT	1" RGS conduit w/3-#6 CU (Service Conductors)	\$ 35.00	\$ 700.00	\$ 97.50	\$ 1,950.00	\$ 20.00	\$ 400.00
16015-3	1	EACH	Service weatherheads	\$ 300.00	\$ 300.00	\$ 123.00	\$ 123.00	\$ 120.00	\$ 120.00
16015-4	1	EACH	Utility Meter Sockets	\$ 300.00	\$ 300.00	\$ 655.00	\$ 655.00	\$ 420.00	\$ 420.00
16015-5	1	EACH	Lighting Contactors in NEMA 3R Enclosure	\$ 1,600.00	\$ 1,600.00	\$ 1,125.00	\$ 1,125.00	\$ 2,465.00	\$ 2,465.00
16015-8	1	EACH	Small Unistrut Racks for Tree Lighting (with concrete buried legs)	\$ 500.00	\$ 500.00	\$ 600.00	\$ 600.00	\$ 2,500.00	\$ 2,500.00
16015-9	60	LNFT	1" Sch 40 PVC conduit w/2-#8 LV cables (Tree Lighting Circuits)	\$ 22.00	\$ 1,320.00	\$ 12.50	\$ 750.00	\$ 7.00	\$ 420.00
16025-1	1	EACH	Panelboards (NEMA 3R) 60 amp	\$ 2,400.00	\$ 2,400.00	\$ 6,600.00	\$ 6,600.00	\$ 2,410.00	\$ 2,410.00
16025-2	6	EACH	Circuit Breakers: 20 amp, 1 pole	\$ 300.00	\$ 1,800.00	\$ 67.00	\$ 402.00	\$ 65.00	\$ 390.00
16025-3	7	EACH	Circuit Breakers: 20 amp, 2 pole	\$ 300.00	\$ 2,100.00	\$ 67.00	\$ 469.00	\$ 70.00	\$ 490.00
16025-4	1	EACH	Circuit Breakers: 60 amp, 2 pole	\$ 1,400.00	\$ 1,400.00	\$ 94.00	\$ 94.00	\$ 75.00	\$ 75.00
16025-5	1	EACH	Surge Protection Device	\$ 8,300.00	\$ 8,300.00	\$ 782.00	\$ 782.00	\$ 5,410.00	\$ 5,410.00
16025-6	1	EACH	Low Voltage Power Supply	\$ 3,500.00	\$ 3,500.00	\$ 2,465.00	\$ 2,465.00	\$ 3,232.00	\$ 3,232.00
16525-1	30	EACH	20' Walkway Light Poles - Single Head w/ concrete foundation	\$ 9,500.00	\$ 285,000.00	\$ 9,925.00	\$ 297,750.00	\$ 10,335.00	\$ 310,050.00
16525-2	2	EACH	20' Walkway Light Poles - Double Head w/ concrete foundation	\$ 9,700.00	\$ 19,400.00	\$ 13,600.00	\$ 27,200.00	\$ 14,040.00	\$ 28,080.00
16525-3	5	EACH	40' Street Light Poles - Roadway	\$ 4,950.00	\$ 24,750.00	\$ 5,600.00	\$ 28,000.00	\$ 5,656.00	\$ 28,280.00
16525-4	4	EACH	40' Street Light Poles - Intersection	\$ 4,950.00	\$ 19,800.00	\$ 5,600.00	\$ 22,400.00	\$ 5,565.00	\$ 22,260.00
16525-5	5	EACH	Tree Lights w/ Pedestals	\$ 3,000.00	\$ 15,000.00	\$ 1,825.00	\$ 9,125.00	\$ 2,010.00	\$ 10,050.00
<b>TOTAL AMOUNT BID</b>					<b>\$ 1,248,733.40</b>		<b>\$ 1,295,651.45</b>		<b>\$ 1,576,432.60</b>
Amount of Bid Bond or Certified Check Required				5% Of Bid Amount		5% Of Bid Amount		5% Of Bid Amount	

**RESOLUTION NO. 812-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROUSSARD,  
LOUISIANA, DECLARING SUPPORT FOR A TYPE 2 CHARTER SCHOOL**

**WHEREAS**, the continued progress and development of the City of Broussard, Louisiana, requires the development of educational opportunities for citizens of the City; and

**WHEREAS**, proposals have been made for construction of Type 2 Charter School by Charter Schools USDA; and

**WHEREAS**, The City Council of the City of Broussard believes that construction of said school will benefit the citizens of Broussard; and

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Broussard, Louisiana, hereby declares its support for the construction of the Type 2 Charter School within the City of Broussard.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to publicly express the City's support of said project to interested parties as he deems appropriate.

And this Resolution was submitted to a vote on the 7<sup>th</sup> day of October, 2024, and the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTIONS:

\_\_\_\_\_  
TINA EMERT, City Clerk

\_\_\_\_\_  
RAY BOURQUE, Mayor

CERTIFICATE

I, Tina Emert, Clerk of the City of Broussard, do hereby certify that the above is a true and exact copy of the Resolution adopted by the City Council of the City of Broussard, on the 7<sup>th</sup> day of October, 2024, at which time a quorum was present and voted.

---

TINA EMERT  
CITY CLERK - CITY OF BROUSSARD



**RESOLUTION NO.: 813-24**

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN  
AGREEMENT WITH TRIDENT OF LAFAYETTE, LLC FOR  
IMPROVEMENTS TO A DRAINAGE CANAL**

**WHEREAS**, the City Council of the City of Broussard, Louisiana finds that it is in the best interest of all the citizens of the City to promote projects which improve drainage within the City; and

**WHEREAS**, Trident of Lafayette, LLC has requested the request the City's cooperation and assistance in the improvement of drainage of the canal near the Omega West/Loadmaster business facility in the City;

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Broussard, Louisiana that the Mayor is hereby authorized to enter into an agreement with Trident of Lafayette, LLC relating to improvements to the drainage canal located near Omega/West Loadmaster's facility, including financial participation in said improvements in an amount as deemed appropriate by the Mayor.

And this Resolution was submitted to a vote on the 7<sup>th</sup> day of October, 2024, and the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

And this Resolution was declared adopted this, the 7<sup>th</sup> day of October, 2024.

---

RAY BOURQUE, Mayor

---

TINA EMERT, City Clerk

**CERTIFICATION**

I, TINA EMERT, the duly qualified and appointed Clerk of the City of Broussard, State of Louisiana do hereby certify that the above and foregoing Resolution is a true and correct copy from the minutes of the regular meeting of the Mayor and City Council of the City of Broussard, Louisiana, held on the 7<sup>th</sup> day of October, 2024.

THUS DONE AND SIGNED in Broussard, Louisiana, on this the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TINA EMERT  
City Clerk, City of Broussard

**ORDINANCE NO: 24-812**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROUSSARD,  
LOUISIANA, TO AMEND THE 2024-2025 OPERATING  
BUDGET OF REVENUES AND EXPENDITURES TO INCREASE AUTHORIZED  
EXPENDITURES FOR FIRE DEPARTMENT PAYROLL AND EQUIPMENT**

The City Council for the City of Broussard, Louisiana, meeting in regular session on the 8<sup>th</sup> day of October, 2024 with a quorum being present, adopted the following Ordinance.

**WHEREAS**, the Broussard City Council finds that operation and improvements to the Broussard Fire Department are in the best interests of the citizens of Broussard; and

**WHEREAS**, the Broussard City Council desires to amend the 2024/2025 Operating Budget of Revenues and Expenditures to authorize expenditures for payroll and equipment for the fire department.

**THEREFORE, BE IT ORDAINED** by the City Council of the City of Broussard, Louisiana, that the 2024/2025 Operating Budget of Revenues and Expenditures be amended to increase authorize expenditures \$190,00 for payroll and capital outlay equipment for the Broussard Fire Department. (\$100,000 for payroll and \$90,000 for capital equipment)

**BE IT FURTHER ORDAINED** that the Mayor is hereby authorized to take such further action as is necessary in his opinion to facilitate the intents and purposes of this ordinance.

And this matter was submitted to a vote, and the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

And this Ordinance was adopted by the City Council for the City of Broussard on this, the 22<sup>nd</sup> of October, 2024.

TINA EMERT, City Clerk

RAY BOURQUE, Mayor

**ORDINANCE NO: 24-813**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROUSSARD,  
LOUISIANA, TO AMEND THE 2024-2025 OPERATING BUDGET OF REVENUES  
AND EXPENDITURES TO INCREASE AUTHORIZED  
EXPENDITURES FOR DRAINAGE CANAL IMPROVEMENTS NEAR  
OMEGA WEST/LOADMASTER FACILITY**

The City Council for the City of Broussard, Louisiana, meeting in regular session on the 22<sup>nd</sup> day of October, 2024 with a quorum being present, adopted the following Ordinance.

**WHEREAS**, the Broussard City Council finds that it is in the best interests of the citizens of Broussard to continue the capital improvements in the City of Broussard; and

**WHEREAS**, the City Council has authorized the Mayor to enter into an agreement with Trident of Lafayette, LLC or any other third party for participation in improvements to the drainage canal located near the business of Omega West/Loadmaster in the City of Broussard;

**WHEREAS**, City officials have determined that it is in the best interest of the citizenry to complete proposed capital improvements to the drainage canal near the Omega West/Loadmaster facility;

**WHEREAS**, the Broussard City Council desires to amend the 2024/2025 Operating Budget of Revenues and Expenditures to authorize expenditures for said improvements as agreed to by the City pursuant to an agreement executed by the Mayor.

**THEREFORE, BE IT ORDAINED** by the City Council of the City of Broussard, Louisiana, that the 2024/2025 Operating Budget of Revenues and Expenditures be amended to increase authorized expenditures by \$150,000.00 for said project.

**BE IT FURTHER ORDAINED** that the Mayor is hereby authorized to take such further action as is necessary in his opinion to facilitate construction of said improvements.

And this matter was submitted to a vote, and the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

And this Ordinance was adopted by the City Council for the City of Broussard on this, the 22<sup>nd</sup> of October, 2024.

TINA EMERT, City Clerk

RAY BOURQUE, Mayor

The following ordinance was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ :

**ORDINANCE NO. 24-811**

An ordinance providing for the issuance and sale of Public Improvement Sales Tax Revenue Bonds, Series 2024, of the City of Broussard, State of Louisiana; prescribing the form and providing for the payment of said bonds; providing for the sale of such bonds to the purchaser thereof; and providing for other matters in connection therewith.

**WHEREAS**, the City of Broussard, State of Louisiana (the "Issuer"), is now levying and collecting a special one percent (1%) sales and use tax authorized pursuant to elections held within the Issuer on November 16, 1991, and May 2, 1998 (the "Tax"); and

**WHEREAS**, in accordance with the provisions of the propositions presented at the aforesaid elections, the net avails or proceeds of the Tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) are available for appropriation and expenditure by the Issuer for the purposes designated in the propositions, which include the payment of bonds authorized to be issued in accordance with Louisiana law; and

**WHEREAS**, pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), it is now the desire of the City Council of the City of Broussard, State of Louisiana (the "Governing Authority"), to adopt this ordinance to provide for the issuance of Seven Million Five Hundred Thousand Dollars (\$7,500,000) of its Public Improvement Sales Tax Revenue Bonds, Series 2024 (the "Bonds"), for the purpose of (i) constructing and improving waterworks facilities, fire protection facilities, police protection facilities, sewers, sewerage disposal works, public streets, bridges, and drainage facilities, including the acquisition of equipment therefor, and (ii) paying the costs of issuance of the Bonds, including the costs of a municipal bond insurance policy and a reserve fund insurance policy, and to sell the Bonds to the purchasers thereof; and

**WHEREAS**, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the revenues of the Tax EXCEPT its: (i) Sales Tax Revenue Bonds, Series 2012, (ii) Public Improvement Sales Tax Revenue Refunding Bonds, Series 2015 and (iii) Public Improvement Sales Tax Revenue Refunding Bonds, Series 2016 (collectively, the "Outstanding Parity Bonds"); and

**WHEREAS**, it is the intention of the Issuer that the Bonds authorized herein be secured by and payable from the revenues of the Tax on a parity with the Outstanding Parity Bonds; and

**WHEREAS**, this Governing Authority adopted Ordinance No. 24-801 on August 13, 2024 (the "Prior Ordinance"), providing for the issuance and sale of not exceeding \$7,500,000 of Public Improvement Sales Tax Revenue Bonds, Series 2024; and

**WHEREAS**, pursuant to the terms of the Prior Ordinance, the Mayor has agreed to the sale of the Bonds and has executed the Bond Purchase Agreement as authorized by the Prior Ordinance; and

**WHEREAS**, a copy of the executed Bond Purchase Agreement is attached hereto as **Exhibit B**; and

**WHEREAS**, this Governing Authority hereby confirms that the terms of the Bonds are within the parameters permitted by the Prior Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Broussard, State of Louisiana, acting as the governing authority of the Issuer, that:

**ARTICLE I  
DEFINITIONS AND INTERPRETATION**

SECTION 1.1. Recitals. All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

SECTION 1.2. Definitions. The following terms shall have the following meanings unless the context otherwise requires:

"**Act**" shall mean Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

"**Additional Parity Bonds**" shall mean any additional *pari passu* bonds which may hereafter be issued pursuant to Section 8.1 hereof on a parity with the Bonds and the Outstanding Parity Bonds.

"**Bond**" or "**Bonds**" shall mean the Issuer's Public Improvement Sales Tax Revenue Bonds, Series 2024 issued pursuant to this Bond Ordinance, whether initially delivered or issued in exchange for, upon transfer of, or *in lieu* of any previously issued Bond.

"**Bond Counsel**" shall mean Foley & Judell, L.L.P., or another attorney or firm of attorneys whose experience in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized.

"**Bond Insurer**" means, with respect to the Bonds, Build America Mutual Assurance Company, or any successor thereto.

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

"**Bond Purchase Agreement**" shall mean the agreement for the purchase and sale of the Bonds by and between the Issuer and the Purchaser, attached hereto as Exhibit B.

"**Bond Year**" shall mean the one-year period ending on the principal payment date of the Bonds, which is May 1.

"**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.

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

"**Costs of Issuance**" shall mean all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of the 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, if paid by the Issuer, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Bonds, costs and expenses of refunding, premiums for the insurance of the payment of



the Bonds, if any, and any other cost, charge or fee paid or payable by the Issuer in connection with the original issuance of Bonds.

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

**"Executive Officers"** shall mean, collectively, the Mayor and City Clerk of the Issuer.

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

**"Governing Authority"** shall mean the City Council of the Issuer, or its successor in function.

**"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.

**"Insurance Policy"** means the municipal bond insurance policy issued by the Bond Insurer guaranteeing the scheduled payment of principal and interest on the Bonds when due as provided therein.

**"Interest Payment Date"** shall mean May 1 and November 1 of each year, commencing May 1, 2025.

**"Issuer"** shall mean the City of Broussard, State of Louisiana.

**"Net Revenues of the Tax"** shall mean the avails or proceeds of the Tax received by the Issuer, subject only to the payment of the reasonable and necessary costs and expenses of collection and administration of the Tax.

**"Outstanding"**, when used with reference to the Bonds, shall mean, as of any date, all Bonds theretofore issued under this Bond Ordinance, except:

(a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds for the payment or redemption of which sufficient Defeasance Obligations have been deposited with the Paying Agent or an escrow agent in trust for the Owners of such Bonds with the effect specified in Section 11.1 hereof, 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, to the satisfaction of the Paying Agent, or waived;

(c) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and

(d) Bonds alleged to have been mutilated, destroyed, lost, or stolen which have been paid as provided in this Bond Ordinance or by law.

**"Outstanding Parity Bonds"** shall have the meaning given such term in the preambles hereto.

**"Owner"** shall mean the Person reflected as registered owner of any of the Bonds on the registration books maintained by the Paying Agent.

**"Parity Bond Ordinances"** shall mean, collectively, (i) Ordinance No. 11-383, adopted May 24, 2011, authorizing the issuance of the Sales Tax Revenue Bonds, Series 2012; (ii) Ordinance No. 15-477, adopted June 23, 2015, authorizing the issuance of the Public Improvement Sales Tax Revenue Refunding Bonds, Series 2015; and (iii) Ordinance No. 16-497, adopted March 22, 2016, authorizing the issuance of the Public Improvement Sales Tax Revenue Refunding Bonds, Series 2016.

**"Paying Agent"** shall mean Hancock Whitney Bank, in Baton Rouge, Louisiana, as paying agent and registrar hereunder, until a successor Paying Agent shall have become such pursuant to the applicable provisions of this Bond Ordinance, and thereafter "Paying Agent" shall mean such successor Paying Agent.

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

**"Purchaser"** shall mean Stifel, Nicolaus & Company, Incorporated, of Baton Rouge, Louisiana.

**"Qualified Investments"** shall mean those investments which are legally permitted for political subdivisions such as the Issuer pursuant to Louisiana law, including but not limited to those provided in Section 33:2955 of the Louisiana Revised Statutes of 1950, as amended.

**"Record Date"** shall mean, with respect to an Interest Payment Date, the fifteenth day of the calendar month next preceding such Interest Payment Date, whether or not such day is a Business Day.

**"Reserve Account"** shall mean, as applicable, the Series 2024 Bonds Reserve Account or the applicable Reserve Account designated in the ordinance(s) authorizing the issuance of any future Reserve Secured Bonds.

**"Reserve Account Alternative Investment"** shall mean a surety bond or insurance policy issued by an insurance company or an irrevocable letter of credit issued by a bank to be deposited in the Reserve Fund. For purposes of this Bond Ordinance, the Reserve Fund Insurance Policy constitutes a Reserve Account Alternative Investment.

**"Reserve Fund Insurance Policy"** shall mean the Municipal Bond Debt Service Reserve Insurance Policy, and any endorsement thereto, issued by the Reserve Insurer, under which claims may be made in order to provide moneys in the Series 2024 Bonds Reserve Account available for the purposes thereof.

**"Reserve Fund Requirement"** shall mean with respect to the Bonds, as of any date, the lesser of (i) 10% of the proceeds of the Bonds, (ii) the highest combined principal and interest requirements for any succeeding Bond Year on the Bonds, or (iii) 125% of the average aggregate amount of principal installments and interest becoming due in any Bond Year on the Bonds. With respect to any Additional Parity Bonds, **"Reserve Fund Requirement"** shall mean the amount, if any, set forth in the applicable ordinance authorizing the issuance of such Additional Parity Bonds.

**"Reserve Insurer"** shall mean, with respect to the Bonds, Build America Mutual Assurance Company, or any successor thereto.

**"Reserve Secured Bonds"** shall mean the Bonds and any future issue of Additional Parity Bonds secured by the Reserve Fund.

**"Sales Tax Ordinance"** shall mean adopted by the governing authority of the Issuer on December 10, 1991, as amended, providing for the levy and collection of the Tax.

**"Series 2024 Bonds Reserve Account"** shall mean the Reserve Account established and maintained pursuant to Section 4.3 of this Bond Ordinance.

**"State"** shall mean the State of Louisiana.

**"Tax"** shall mean the one percent (1%) sales and use tax now being levied and collected by the Issuer pursuant to elections held on November 16, 1991, and May 2, 1998.

SECTION 1.3. 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 known under any subsequently adopted charter.

## **ARTICLE II AUTHORIZATION AND ISSUANCE OF BONDS**

SECTION 2.1. Authorization of Bonds. Pursuant to the provisions of the Act, there is hereby authorized the issuance of Seven Million Five Hundred Thousand Dollars (\$7,500,000) principal amount of Bonds of the Issuer to be designated "Public Improvement Sales Tax Revenue Bonds, Series 2024, of the City of Broussard, State of Louisiana."

The Bonds issued under this Bond Ordinance shall be issued for the purpose of (i) constructing and improving waterworks facilities, fire protection facilities, police protection facilities, sewers, sewerage disposal works, public streets, bridges, and drainage facilities, including the acquisition of equipment therefor, and (ii) paying the costs of issuance of the Bonds, including the costs of a municipal bond insurance policy and a reserve fund insurance policy. The Bonds shall be in substantially the form set forth in **Exhibit A** hereto, with such necessary or appropriate variations, omissions and insertions as are required or permitted by the Act and this Bond Ordinance.

SECTION 2.2. Bond Ordinance to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall own the same from time to time, the provisions of this Bond Ordinance shall be a part of the contract of the Issuer with the Owners of the Bonds and shall be deemed to be and shall constitute a contract between the Issuer and the Owners from time to time of the Bonds. The provisions, covenants and agreements herein set forth to be performed by or on behalf of the Issuer shall be for the equal benefit, protection and security of the Owners of any and all of the Bonds, each of which Bonds, regardless of the time or times of its issue or maturity, shall be of equal rank without preference, priority or distinction over any other thereof except as expressly provided in this Bond Ordinance.

SECTION 2.3. Obligation of Bonds. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the Net Revenues of the Tax. The Net Revenues of the Tax are hereby irrevocably and irrevocably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds, in principal, premium, if any, and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. All of the Net Revenues of the Tax shall be set aside in a separate fund, as hereinafter provided in Section 4.3 hereof, and, as long as said moneys are retained in said fund in accordance with the provisions of Section 4.3 hereof, shall be and remain pledged for the security and payment of the Bonds, the Outstanding Parity Bonds, and any Additional Parity Bonds issued

pursuant to Section 8.1 hereof, in principal, premium, if any, and interest and for all other payments provided for in this Bond Ordinance until such bonds shall have been fully paid and discharged.

The Bonds shall be and they are hereby issued on a parity with the Outstanding Parity Bonds. The Bonds shall also rank equally with and shall enjoy complete parity of lien with the Outstanding Parity Bonds on the Net Revenues of the Tax. The Issuer does hereby find, determine and declare that the Issuer has complied, or will comply prior to the delivery of the Bonds, with all of the terms and conditions set forth in the Parity Bond Ordinances with respect to authorizing the issuance of the Bonds on a parity with the Outstanding Parity Bonds.

SECTION 2.4. Denominations, Dates, Maturities and Interest. The Bonds shall be issued in fully registered form without coupons in the denominations of \$5,000 principal amount or any integral multiple thereof within a single maturity. The Bonds shall be numbered R-1 upwards, dated the date of delivery thereof, shall mature in the years and in the principal amounts and shall bear interest, in such principal amounts and at such rates of interest per annum as set forth in the Bond Purchase Agreement. The unpaid principal of the Bonds shall bear interest from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on each Interest Payment Date, commencing May 1, 2025.

The principal of the Bonds, upon maturity, shall be payable at the designated office of the Paying Agent, upon presentation and surrender thereof, and interest on the Bonds shall be payable by check mailed or wire transfer by the Paying Agent to the Owner (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.

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 2.5. Payment of Principal and Interest. The principal of the Bonds are payable in such coin or currency of the United States of America as at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of the Paying Agent, upon presentation and surrender thereof. Interest on the Bonds is payable by check mailed on or before the Interest Payment Date by the Paying Agent to each Owner (determined as of the close of business on the applicable Record Date) at the address of such Owner as it appears on the registration books of the Paying Agent maintained for such purpose. Except as otherwise provided in this Section, Bonds shall bear interest from date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, as the case may be, provided, however, that if and to the extent that the Issuer shall default in the payment of the interest on any Bonds due on any Interest Payment Date, then all such Bonds shall bear interest from the most recent Interest Payment Date to which interest has been paid on the Bonds, or if no interest has been paid on the Bonds, from their dated date. The Person in whose name any Bond is registered at the close of business on the Record Date with respect to an Interest Payment Date shall in all cases be entitled to receive the interest payable on such Interest Payment Date (unless such Bond has been called for redemption on a redemption date which is prior to such Interest Payment Date) notwithstanding the cancellation of such Bond upon any registration of transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date.

SECTION 2.6. Book Entry Registration of Bonds. The Bonds shall be initially issued in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), as registered owner of the Bonds,

and held in the custody of DTC. The Executive Officers of the Issuer or any other officer of the Issuer is authorized to execute and deliver a Blanket Letter of Representation to DTC on behalf of the Issuer with respect to the issuance of the Bonds in "book-entry only" format. The terms and provisions of said Letter of Representation shall govern in the event of any inconsistency between the provisions of this Bond Ordinance and said Letter of Representation. Initially, a single certificate will be issued and delivered to DTC for each maturity of the Bonds. The Beneficial Owners will not receive physical delivery of Bond certificates except as provided herein. Beneficial Owners are expected to receive a written confirmation of their purchase providing details of each Bond acquired. For so long as DTC shall continue to serve as securities depository for the Bonds as provided herein, all transfers of beneficial ownership interest will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds is to receive, hold or deliver any Bond certificate.

Notwithstanding anything to the contrary herein, while the Bonds are issued in book-entry-only form, the payment of principal of and interest on the Bonds may be payable by the Paying Agent by wire transfer to DTC in accordance with the Blanket Letter of Representation.

For every transfer and exchange of the Bonds, the Beneficial Owner (as defined in the Blanket Letter of Representation) may be charged a sum sufficient to cover such Beneficial Owner's allocable share of any tax, fee or other governmental charge that may be imposed in relation thereto.

Bond certificates are required to be delivered to and registered in the name of the Beneficial Owner under the following circumstances:

(a) DTC determines to discontinue providing its service with respect to the Bonds. Such a determination may be made at any time by giving 30 days' notice to the Issuer and the Paying Agent and discharging its responsibilities with respect thereto under applicable law; or

(b) The Issuer determines that continuation of the system of book-entry transfer through DTC (or a successor securities depository) is not in the best interests of the Issuer and/or the Beneficial Owners.

The Issuer and the Paying Agent will recognize DTC or its nominee as the Bondholder for all purposes, including notices and voting.

Neither the Issuer or the Paying Agent are responsible for the performance by DTC of any of its obligations, including, without limitation, the payment of moneys received by DTC, the forwarding of notices received by DTC or the giving of any consent or proxy in lieu of consent.

Whenever during the term of the Bonds the beneficial ownership thereof is determined by a book entry at DTC, the requirements of this Bond Ordinance of holding, delivering or transferring the Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

If at any time DTC ceases to hold the Bonds, all references herein to DTC shall be of no further force or effect.

### **ARTICLE III GENERAL TERMS AND PROVISIONS OF THE BONDS**

SECTION 3.1. Exchange of Bonds; Persons Treated as Owners. The Issuer shall cause books for the registration and for the registration of transfer of the Bonds as provided in this Bond Ordinance to be kept by the Paying Agent, and the Paying Agent is hereby constituted and appointed the registrar for the

Bonds. At reasonable times and under reasonable regulations established by the Paying Agent said list may be inspected and copied by the Issuer or by the Owners (or a designated representative thereof) of 15% of the outstanding principal amount of the Bonds. Upon surrender for registration of transfer of any Bond, the Paying Agent shall register and deliver in the name of the transferee or transferees one or more new fully registered Bonds of authorized denomination of the same maturity and like aggregate principal amount. At the option of the Owner, Bonds may be exchanged for other Bonds of authorized denominations of the same maturity and like aggregate principal amount, upon surrender of the Bonds to be exchanged at the principal corporate trust office of the Paying Agent. Whenever any Bonds are surrendered for exchange, the Paying Agent shall register and deliver in exchange therefor the Bond or Bonds which the Owner making the exchange shall be entitled to receive. All 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.

All Bonds delivered upon any registration of transfer or exchange of Bonds shall be valid obligations of the Issuer, evidencing the same debt and entitled to the same benefits under this Bond Ordinance as the Bonds surrendered. Prior to due presentment for registration of transfer of any Bond, the Issuer and the Paying Agent, and any agent of the Issuer or the Paying Agent may deem and treat the person in whose name any Bond is registered as the absolute owner thereof for all purposes, whether or not such Bond shall be overdue, and shall not be bound by any notice to the contrary.

No service charge to the Owners shall be made by the Paying Agent for any exchange or registration of transfer of Bonds. The Paying Agent may require payment by the Person requesting an exchange or registration of transfer of Bonds of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto. The Issuer and the Paying Agent shall not be required to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business on the 15th calendar day of the month next preceding an Interest Payment Date.

SECTION 3.2. Bonds Mutilated, Destroyed, Stolen or Lost. In case any Bond shall become mutilated or be improperly canceled, or be destroyed, stolen or lost, the Issuer may in its discretion adopt an ordinance and thereby authorize the issuance and delivery of a new Bond in exchange for and substitution for such mutilated or improperly canceled Bond, or *in lieu* of and substitution for the Bond destroyed, stolen or lost, upon the Owner (i) furnishing the Issuer and the Paying Agent proof of his ownership thereof and proof of such mutilation, improper cancellation, destruction, theft or loss satisfactory to the Issuer and the Paying Agent, (ii) giving to the Issuer and the Paying Agent an indemnity bond in favor of the Issuer and the Paying Agent in such amount as the Issuer may require, (iii) compliance with such other reasonable regulations and conditions as the Issuer may prescribe and (iv) paying such expenses as the Issuer and the Paying Agent may incur. All Bonds so surrendered shall be delivered to the Paying Agent for cancellation pursuant to Section 3.4 hereof. If any Bond shall have matured or be about to mature, instead of issuing a substitute Bond, the Issuer may pay the same, upon being indemnified as aforesaid, and if such Bond be lost, stolen or destroyed, without surrender thereof. Any such duplicate Bond issued pursuant to this Section shall constitute an original, additional, contractual obligation on the part of the Issuer, whether or not the lost, stolen or destroyed Bond is at any time found by anyone. Such duplicate Bond shall be in all respects identical with those replaced except that it shall bear on its face the following additional clause:

"This bond is issued to replace a lost, canceled or destroyed bond under the authority of the Act."

Such duplicate Bond may be signed by the facsimile signatures of the same officers who signed the original Bonds, provided, however, that in the event the officers who executed the original Bonds are no longer in office, then the new Bonds may be signed by the officers then in office. Such duplicate Bonds

shall be entitled to equal and proportionate benefits and rights as to lien and source and security for payment as provided herein with respect to all other Bonds hereunder, the obligations of the Issuer upon the duplicate Bonds being identical to its obligations upon the original Bonds and the rights of the Owner of the duplicate Bonds being the same as those conferred by the original Bonds.

SECTION 3.3. Preparation of Definitive Bonds, Temporary Bonds. Until the definitive Bonds are prepared, the Issuer may execute, in the same manner as is provided in Section 3.5, and deliver, *in lieu* of definitive Bonds, but subject to the same provisions, limitations and conditions as the definitive Bonds except as to the denominations, one or more temporary typewritten Bonds substantially of the tenor of the definitive Bonds *in lieu* of which such temporary Bond or Bonds are issued, in authorized denominations, and with such omissions, insertions and variations as may be appropriate to temporary Bonds.

SECTION 3.4. Cancellation of Bonds. All Bonds paid at maturity, together with all Bonds purchased by the Issuer, shall thereupon be promptly canceled by the Paying Agent. The Paying Agent shall thereupon promptly furnish to the Clerk of the Issuer an appropriate certificate of cancellation.

SECTION 3.5. Execution. The Bonds shall be executed in the name and on behalf of the Issuer by the manual or facsimile signatures of any of the Executive Officers, and the corporate seal of the Issuer (or a facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. In case any one or more of the officers who shall have signed or sealed any of the Bonds shall cease to be such officer before the Bonds so signed and sealed shall have been actually delivered, such Bonds may, nevertheless, be delivered as herein provided, and may be issued as if the person who signed or sealed such Bonds had not ceased to hold such office. Said officers shall, by the execution of the Bonds, adopt as and for their own proper signatures their respective facsimile signatures appearing on the Bonds 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.

SECTION 3.6. 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 Bonds substantially in the form set forth in Exhibit A hereto shall have been duly manually 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 3.7. Regularity of Proceedings. The Issuer, having investigated the regularity of the proceedings had in connection with the issuance of the Bonds, and having determined the same to be regular, each of the Bonds shall contain the following recital, 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."

#### **ARTICLE IV PAYMENT OF BONDS; DISPOSITION OF FUNDS**

SECTION 4.1. Deposit of Funds with Paying Agent. The Issuer covenants that it will deposit or cause to be deposited with the Paying Agent from the moneys derived from the Net Revenues of the Tax or other funds available for such purpose, in advance of each Interest Payment Date, funds fully sufficient to pay promptly the principal and interest so falling due on such date.

SECTION 4.2. Issuer Obligated to Collect Tax. In compliance with the laws of Louisiana, the Issuer through its Governing Authority, by proper resolutions and/or ordinances, is obligated to cause the Tax to continue to be levied and collected until all of the Bonds have been retired as to both principal and interest, and further shall not discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which the Bonds have been issued, nor in any way make any change which would diminish the amount of the revenues of the Tax to be received by the Issuer until all of the Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Governing Authority of the Issuer from altering, amending or repealing from time to time as may be necessary the Sales Tax Ordinance or any subsequent ordinance providing with respect to the Tax, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Net Revenues of the Tax. The Sales Tax Ordinance pursuant to which the Tax is being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Tax and to apply the Net Revenues of the Tax in accordance with the provisions of this Bond Ordinance, shall be irrevocable until the Bonds and the Outstanding Parity Bonds have been paid in full as to both principal and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon.

The Owner of any of the Bonds may, either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties required to be performed as a result of issuing the Bonds, and may similarly enforce the provisions of any resolution or ordinance imposing the Tax and ordinance and proceedings authorizing the issuance of the Bonds.

SECTION 4.3. Funds and Accounts. In order that the principal of and the interest on the Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer further covenants as follows:

That, in compliance with the Sales Tax Ordinance, all of the avails or proceeds of the Tax shall continue to be deposited daily as the same may be collected in a separate and special fund heretofore established and designated as the "1992 Sales Tax Fund" (hereinafter called the "Sales Tax Fund"), and shall be maintained and administered in the following order of priority and for the purposes set out below. The Sales Tax Fund shall constitute a dedicated fund of the Issuer, from which appropriations and expenditures by the Issuer shall be made solely for the purposes designated in the propositions authorizing the levy of the Tax, including the payment of the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds.

Out of the funds on deposit in the Sales Tax Fund, the Issuer shall first pay all reasonable and necessary expenses of collection and administration of the Tax. After payment of such expenses, the remaining balance of the Tax proceeds shall be used in the following order of priority and for the following express purposes:

(a) The establishment and maintenance of the "Public Improvement Sales Tax Bond Sinking Fund" (hereinafter called the "Sinking Fund") for the Bonds and any Additional Parity Bonds, and the maintenance of the sinking funds heretofore established by the Parity Bond Ordinances for as long as the Outstanding Parity Bonds are outstanding, sufficient in amount to pay promptly and fully the principal of and the interest on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued in the manner provided by this Bond Ordinance, as they severally become due and payable, by transferring from the Sales Tax Fund to the Sinking Fund, monthly in advance, on or before the 20<sup>th</sup> day of each month of each year in addition to the amounts required by the Parity Bond Ordinances, a fractional amount of the interest on the Bonds falling due on the next Interest Payment Date and a fractional amount of the principal of the Bonds



falling due on the next principal payment date, whether by maturity or mandatory call, such fractions being equal to the number 1 divided by the number of months preceding such Interest Payment Date or principal payment date, as the case may be, since the last interest or principal payment date, as the case may be, so that by making equal monthly payments, the Issuer will always provide the necessary sums required to be on hand on each interest and principal payment date, together with such additional proportionate sum as may be required so that sufficient moneys will be available in the Sinking Fund and the sinking funds established by the Parity Bond Ordinances to pay said principal and interest as the same respectively become due. The fiscal agent shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least 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.

(b) The establishment and maintenance of the "Public Improvement Sales Tax Bond Reserve Fund" (hereinafter called the "Reserve Fund") with the regularly designated fiscal agent of the Issuer and which will be used to satisfy the Reserve Fund Requirement with respect to the Bonds and each series of Reserve Secured Bonds. The Reserve Fund will be segregated into one or more accounts as may be established in this Bond Ordinance and in any ordinance authorizing the issuance of Reserve Secured Bonds in the future. The Issuer shall maintain the respective reserve funds established pursuant to the Parity Bond Ordinances for as long as any Outstanding Parity Bonds remain outstanding.

There is hereby established and shall be maintained the "Series 2024 Bonds Reserve Account" as a separate account in the Reserve Fund, which shall secure the Bonds. The Series 2024 Bonds Reserve Account shall be funded in an amount equal to the Reserve Fund Requirement by the Reserve Fund Insurance Policy issued by the Reserve Insurer. The Governing Authority hereby makes the findings required by Section 505 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, of the benefit from entering into the contract with the Reserve Insurer for the Reserve Fund Insurance Policy. The Executive Officers are hereby authorized and directed to execute the Reserve Fund Insurance Policy or such other related agreements for and on behalf of the Issuer, the signatures of said officers on such Reserve Fund Insurance Policy or other agreement to be conclusive evidence of the due exercise of the authority granted hereunder. The provisions contained in **Exhibit C** hereto are incorporated herein as if fully set forth herein.

Amounts on deposit in the Series 2024 Bonds Reserve Account may be used solely for the purpose of curing deficiencies in the Sinking Fund for the payment when due of the principal of and interest on the Bonds. Except as set forth in any Additional Parity Bond ordinances, amounts on deposit in other Reserve Accounts established in the future may be used solely for the purpose of curing deficiencies in the Sinking Fund for the payment when due of the principal of, premium, if any, and interest on the Reserve Secured Bonds for which such account may be created. If funds on deposit in any Reserve Account exceed the Reserve Fund Requirement for that Reserve Account, the excess cash shall be deposited into the Sales Tax Fund and used as set forth herein.

Each Reserve Account may be funded, in whole or in part, with cash, Qualified Investments, one or more Reserve Account Alternative Investments, or a combination thereof. Any Reserve Account Alternative Investment must provide for payment on any interest or principal payment date (provided adequate notice is given) on which a deficiency exists (or is expected to exist) in moneys held hereunder for payment of the principal of or premium or interest due on the Reserve Secured Bonds secured by such Reserve Account on such date.

If a disbursement is made from a Reserve Account, including a draw on a Reserve Account Alternative Investment as provided above, the Issuer shall be obligated to reinstate such Reserve

Account(s) to the applicable Reserve Fund Requirement(s) from the first revenues available pursuant to this Section after making the deposits required into the Sinking Fund. For purposes of this Section, amounts necessary to satisfy such reimbursement obligations of the Issuer to the provider of a Reserve Account Alternative Investment shall be deemed to be required deposits to the applicable Reserve Account and shall be applied to satisfy the obligations to the provider. If draws are made from more than one Reserve Account, the Issuer shall make payments required by this paragraph on a pro rata basis.

All moneys remaining in the Sales Tax Fund on the 20th day of each month in excess of all reasonable and necessary expenses of collection and administration of the Tax and after making the required payments into the Sinking Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made (including any amounts owed a provider of a Reserve Account Alternative Investment), shall be considered as surplus. Such surplus may be used by the Issuer for any of the purposes for which the imposition of the Tax is authorized or for the purpose of retiring bonds payable from the Tax in advance of their maturities, either by purchase of bonds then outstanding at prices not greater than the redemption prices of said bonds or by retiring such bonds at the prices and in the manner set forth in the ordinances issuing such bonds.

SECTION 4.4. Investment of Funds. All or any part of the moneys in the Sales Tax Fund, the Sinking Fund or the Reserve Fund shall at the written request of the Governing Authority be invested in Qualified Investments maturing in five (5) years or less, in which event all income derived from such investments shall be added to the Sales Tax Fund, with the exception that any interest earnings from invested funds of the Reserve Fund shall be retained in the applicable Reserve Account until an amount equal to the Reserve Fund Requirement is on deposit therein, and such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the Sales Tax Fund has been created.

SECTION 4.5. Funds to Constitute Trust Funds. The Sales Tax Fund, the Sinking Fund and the Reserve Fund provided for in Section 4.3 hereof shall all be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Owners of Bonds issued pursuant to this Bond Ordinance are hereby granted a lien on 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.

SECTION 4.6. Method of Valuation and Frequency of Valuation. In computing the amount in any fund provided for in Section 4.3, investments shall be valued at the lower of the cost or the market price, exclusive of accrued interest. With respect to all funds and accounts (except the Reserve Fund), valuation shall occur annually. The Reserve Fund shall be valued semiannually, except in the event of a withdrawal from the Reserve Fund, whereupon it shall be valued immediately after such withdrawal.

## **ARTICLE V REDEMPTION OF BONDS**

SECTION 5.1. Optional Redemption of Bonds. The Bonds maturing May 1, 2035, and thereafter are callable for redemption by the Issuer in full or in part at any time on or after May 1, 2034, at the principal amount thereof and accrued interest to the date fixed for redemption.

In the event a Bond to be redeemed is of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any multiple thereof) may be redeemed. Official notice of such call of any of the Bonds for redemption will be given by means of (i) first class mail, postage prepaid, by notice deposited in the United States mails not less than twenty (20) days prior to the redemption date or (ii) electronic transmission not

later than twenty (20) days prior to the redemption date addressed to the registered owner of each bond to be redeemed at his address as shown on the registration books of the Paying Agent.

SECTION 5.2. Mandatory Redemption of Bonds. The Term Bond maturing on May 1, 2036, shall be subject to mandatory sinking fund redemption on May 1 in the years and in the principal amounts set forth below, plus accrued interest thereon:

<b>Year</b> <b><u>(May 1)</u></b>	<b>Principal</b> <b><u>Amount</u></b>
2035	\$375,000
2036*	390,000

\* *Final Maturity.*

The Term Bond maturing on May 1, 2039, shall be subject to mandatory sinking fund redemption on May 1 in the years and in the principal amounts set forth below, plus accrued interest thereon:

<b>Year</b> <b><u>(May 1)</u></b>	<b>Principal</b> <b><u>Amount</u></b>
2037	\$410,000
2038	435,000
2039*	455,000

\* *Final Maturity.*

The Term Bond maturing on May 1, 2044, shall be subject to mandatory sinking fund redemption on May 1 in the years and in the principal amounts set forth below, plus accrued interest thereon:

<b>Year</b> <b><u>(May 1)</u></b>	<b>Principal</b> <b><u>Amount</u></b>
2040	\$475,000
2041	500,000
2042	525,000
2043	550,000
2044*	580,000

\* *Final Maturity.*

## **ARTICLE VI**

### **PARTICULAR COVENANTS**

SECTION 6.1. Records and Accounts Relating to Tax. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the avails or proceeds of the Tax, including specifically but without limitation, all reasonable and necessary costs and expenses of collection.

Not later than six (6) months after the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by the Legislative Auditor of the State of Louisiana (or his successor) or by a recognized independent firm of certified public accountants showing the receipts of and disbursements made for the account of the Sales Tax Fund. Such audit shall be available for inspection upon request by the Owners of any of the Bonds. The Issuer further agrees that the Paying Agent and the Owners of any of the Bonds shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Tax.

SECTION 6.2. Arbitrage. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of the Bonds proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds".

The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 6.3. Continuing Disclosure. The City Clerk of the Issuer is hereby empowered and directed to execute an appropriate Continuing Disclosure Certificate (substantially in the form set forth in the official statement issued in connection with the issuance and sale of the Bonds) pursuant to S.E.C. Rule 15c2-12(b)(5).

SECTION 6.4. Bonds are "Bank-Qualified". The Bonds are designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

## **ARTICLE VII AMENDMENTS TO BOND ORDINANCE**

SECTION 7.1. Amendments to Bond Ordinance. No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of the Bonds or the redemption provisions thereof, or a reduction in the rate of interest thereon, or the promise of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the Net Revenues of the Tax, or reduce the percentage of owners required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of the Bonds. Any rating agency rating the Bonds must receive notice of each amendment and a copy thereof at least 15 days in advance of its execution or adoption.

## **ARTICLE VIII ADDITIONAL PARITY BONDS**

SECTION 8.1. Issuance of Additional Parity Bonds. The Bonds shall enjoy complete parity of lien on the Net Revenues of the Tax despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax having priority over or parity with the Bonds and the Outstanding Parity Bonds, except that Additional Parity Bonds may hereafter be issued on a parity with the Bonds and the Outstanding Parity Bonds under the following conditions:

(a) The Bonds or any part thereof, including interest thereon, may be refunded in accordance with the terms hereof, and the refunding bonds so issued shall enjoy complete equality of lien with the

portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues that may have been enjoyed by the Bonds refunded, provided, however, that if only a portion of Bonds 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 pay the Bonds refunded thereby, then such Bonds may not be refunded without the consent of the Owners of the unrefunded portion of the Bonds issued hereunder (provided such consent shall not be required if such refunding bonds meet the requirements set forth in (b) below).

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

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

(ii) The payments to be made into the various funds provided for in Section 4.3 hereof must be current;

(iii) The existence of the facts required by paragraphs (i) and (ii) above must be determined and certified to by the Chief Financial Officer or other Executive Officer of the Issuer; and

(iv) For as long as any Outstanding Parity Bonds remain outstanding, the Issuer shall comply with the corresponding parity requirements of the Parity Bond Ordinances.

## **ARTICLE IX REMEDIES ON DEFAULT**

SECTION 9.1. Events of Default. If one or more of the following events (in this Bond Ordinance called "Events of Default") shall happen, that is to say,

- (i) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise (in determining whether an interest payment default has occurred, no effects shall be given to payments made under any municipal bond insurance policy); or
- (ii) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable (in determining whether an interest payment default has occurred, no effect shall be given to payments made under any municipal bond insurance policy); or
- (iii) if default shall be made by the Issuer in the performance or observance of any other of the covenants, agreements or conditions on its part in the Bond Ordinance, any supplemental ordinance or in the Bonds, and such default shall continue for a period of forty-five (45)

days after written notice thereof to the Issuer by the Insurer, if any, or the Owners of not less than 25% of the Outstanding Bonds; or

- (iv) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law;

then, upon the happening and continuance of any Event of Default, the Reserve Insurer, if any, and the Owners of the Bonds shall be entitled to exercise all rights and powers for which provision is made under State law; provided, however, that the exercise of remedies at the direction of the Owners is subject to the prior written consent of the Insurer, if any, and the Reserve Insurer, if any, acting alone, shall have the exclusive right to direct any action or remedy to be undertaken so long as it is not then in default of its payment obligations under any applicable municipal bond insurance policy. Under no circumstances may the principal or interest of any of the Bonds be accelerated. The Issuer shall notify the Reserve Insurer, if any, immediately upon the occurrence of any Event of Default. No Event of Default shall be waived without the consent of the Reserve Insurer, if any. All remedies shall be cumulative with respect to the Paying Agent, the Owners and the Reserve Insurer, if any; if any remedial action is discontinued or abandoned, the Paying Agent, the Owners and the Reserve Insurer, if any, shall be restored to their former positions.

The Paying Agent or Issuer shall provide the Reserve Insurer with immediate notice of any payment default, and notice of any other default known to the Paying Agent within thirty (30) days of the Paying Agent's or Issuer's knowledge thereof.

## **ARTICLE X CONCERNING FIDUCIARIES**

SECTION 10.1. Paying Agent: Appointment and Acceptance of Duties. The Issuer will at all times maintain a Paying Agent having the necessary qualifications for the performance of the duties described in this Bond Ordinance. The designation of Hancock Whitney Bank as the initial Paying Agent is hereby confirmed and approved. The Paying Agent shall signify its acceptance of the duties and obligations imposed on it by the Bond Ordinance by executing and delivering an acceptance of its rights, duties and obligations as Paying Agent set forth herein in form and substance satisfactory to the Issuer. The Executive Officers are hereby authorized, empowered and directed to execute a Paying Agent Agreement with the Paying Agent, in such form and containing such provisions as such Executive Officers may determine, upon the advice of bond counsel, to be necessary or appropriate in the circumstances. The Governing Authority reserves the right to appoint a successor Paying Agent by (a) filing with the Person then performing such function a certified copy of an ordinance or ordinance giving notice of the termination of the agreement and appointing a successor and (b) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a trust company or bank 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.

SECTION 10.2. Successor Paying Agent. Any successor Paying Agent shall (i) be a trust company or bank in good standing, located in or incorporated under the laws of the State, duly authorized to exercise trust powers and subject to examination by federal or state authority and (ii) have a reported capital and surplus totaling not less than \$50,000,000.

**ARTICLE XI  
APPLICATION OF BOND PROCEEDS**

SECTION 11.1. Preparation of Bonds. The Executive 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 Bonds to be printed, to issue, execute and seal the Bonds, and to effect delivery thereof as hereinafter provided.

SECTION 11.2. Application of Bond Proceeds. The proceeds derived from the sale of the Bonds shall be deposited by the Issuer with its fiscal agent bank or banks in a special fund entitled "City of Broussard, Series 2024 - Construction Fund" to be used only for the purpose for which the Bonds are issued, including paying any and all costs of issuance incurred in connection with the issuance of the Bonds.

**ARTICLE XII  
SALE OF BONDS**

SECTION 12.1. Sale of Bonds. The sale of the Bonds has met the parameters set forth in the Prior Ordinance, and accordingly the issuance and delivery of the Bonds are hereby approved, the terms of the Bonds contained in the Bond Purchase Agreement is incorporated herein, and the Bond Purchase Agreement is hereby recognized and accepted as executed and attached as **Exhibit B** hereto.

SECTION 12.2. Preliminary Official Statement. The Issuer hereby approves the form and content of the Preliminary Official Statement dated as of September 19, 2024, pertaining to the Bonds, which has been submitted to the Issuer, and hereby ratifies their prior use by the Purchaser in connection with the sale of the Bonds. The Issuer further approves the form and content of the final Official Statement and hereby authorizes and directs the execution by the Executive Officers and delivery of such final Official Statement to the Purchaser for use in connection with the public offering of the Bonds.

SECTION 12.3. Bond Insurance. The scheduled payment of principal of and interest on the Bonds when due will be guaranteed by the Insurance Policy issued by the Bond Insurer, and the provisions contained in **Exhibit D** hereto are hereby adopted and incorporated herein as if fully set forth herein. This Governing Authority hereby makes the findings required by Section 505 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, of the benefit from entering into the contract with the Bond Insurer for the Insurance Policy. The Executive Officers are hereby authorized and directed to execute the Insurance Policy or such other related agreements for and on behalf of the Issuer, the signatures of said officers on such Insurance Policy or other agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

**ARTICLE XIII  
MISCELLANEOUS**

SECTION 13.1. Defeasance. (a) If the Issuer shall pay or cause to be paid to the Owners of all Bonds then outstanding, the principal and interest to become due thereon, at the times and in the manner stipulated therein and in the Bond Ordinance, then the covenants, agreements and other obligations of the Issuer to the Owners shall be discharged and satisfied. In such event, the Paying Agent shall, upon the request of the Issuer, execute and deliver to the Issuer all such instruments as may be desirable to evidence such discharge and satisfaction and the Paying Agent shall pay over or deliver to the Issuer all moneys, securities and funds held by them pursuant to the Bond Ordinance which are not required for the payment or redemption of the Outstanding Parity Bonds or the Bonds not theretofore surrendered for such payment or redemption.

(b) Bonds or interest installments for the payment of which money shall have been set aside and held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 13.2. Evidence of Signatures of Owners and Ownership of Bonds. Any request, consent, 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 Bonds shall be sufficient for any purpose of the Bond Ordinance (except as otherwise herein 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:

(a) 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 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;

(b) the ownership of Bonds and the amount, numbers and other identification, and date of owning the same shall be proved by the registration books of the Paying Agent; and

(c) any request or consent by the Owner of any 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 13.3. Moneys Held for Particular Bonds. The amounts held by the Paying Agent for the payment due on any date with respect to particular Bonds 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 Bonds entitled thereto.

SECTION 13.4. Parties Interested Herein. Nothing in the 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 Bonds any right, remedy or claim under or by reason of the Bond Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in the 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 Bonds.

SECTION 13.5. No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or interest on the Bonds 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 Bonds.

SECTION 13.6. Successors and Assigns. Whenever in this Bond Ordinance the Issuer is named or referred to, 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 13.7. Subrogation. In the event the Bonds herein authorized to be issued, or any of them, should ever be held invalid by any court of competent jurisdiction, the Owner or Owners thereof shall be subrogated to all the rights and remedies against the Issuer had and possessed by the owner or owners of the Bonds.

SECTION 13.8. Severability. In case any one or more of the provisions of the Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of the Bond Ordinance or of the Bonds, but the Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of the Bond Ordinance which validates or makes legal any provision of the Bond Ordinance or the Bonds which would not otherwise be valid or legal shall be deemed to apply to the Bond Ordinance and to the Bonds.

SECTION 13.9. Publication of Bond Ordinance. This Bond Ordinance shall be published one (1) time in the official journal of the Issuer; however, it shall not be necessary to publish any exhibits hereto if the same are available for public inspection and such fact is stated in the publication.

SECTION 13.10. Execution of Documents. In connection with the issuance and sale of the Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such documents, certificates and instruments as they may deem necessary, upon the advice of Bond Counsel, to effect the transactions contemplated by this Bond Ordinance, the signatures of the Executive Officers on such documents, certificates and instruments to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 13.11. Post-Issuance Compliance. The Executive Officers and/or their designees are directed to establish, continue and/or amend, as applicable, written procedures to assist the Issuer in complying with various State and Federal statutes, rules and regulations applicable to the Bonds and are further authorized to take any and all actions as may be required by said written procedures to ensure continued compliance with such statutes, rules and regulations throughout the term of the Bonds.

SECTION 13.12. Repealer. All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 13.13. Effective Date. This ordinance shall become effective immediately.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

The foregoing having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINING:

ABSENT:

And the ordinance was declared adopted on this, the 7<sup>th</sup> day of October, 2024.

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/s/ Tina Emert  
City Clerk

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/s/ Ray Bourque  
Mayor