

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
MAY 6, 2014

The City Council of the City of Bossier City, State of Louisiana, met in regular session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, May 6, 2014, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Timothy Larkin

Roll Call as follows:

Present: Honorable Jeffery Darby, President; Honorable Councilors, David Montgomery, Jr., Timothy Larkin, Scott Irwin, Don Williams, Jeff Free and Thomas Harvey

All Present

Also Present: Mayor Lorenz Walker, City Attorney Jimmy Hall, City Clerk, Phyllis McGraw and acting Deputy Clerk Jennifer Emert

By: Mr. Williams

Motion to approve the minutes of the April 15, 2014, Regular Meeting and dispense with the reading.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to amend the agenda to postpone items #1 and #2 under new business until the June 3, 2014 meeting. (Demolitions)

Seconded by: Mr. Irwin

No Comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve agenda as amended.

Seconded by Mr. Free

No Comment

Vote in favor of motion is unanimous

Recognition of Guests:

None

Committee Reports:

none

Old Business:

The following Ordinance offered and adopted:

ORDINANCE # 36 OF 2014

**AN ORDINANCE TO AMEND SECTION 114-4 OF THE
CODE OF ORDINANCES OF BOSSIER CITY,
LOUISIANA BY AMENDING SEWER RATES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF BOSSIER
CITY, LOUISIANA IN SESSION CONVENED:**

SECTION 1:

SECTION 114-4 of Code of Ordinances of Bossier City,
Louisiana is hereby amended to read as follows:

**THERE IS HEREBY LEVIED A SEWER CHARGE AS
FOLLOWS:**

(a) Sewer Service Charge:

(1) <u>Flat Rate Charge:</u>	<u>Inside City</u>	<u>Outside City</u>
Residential	\$31.65 per month/unit	\$47.47 per month/unit
Commercial-Industrial	\$62.58 per month/unit	\$93.87 per month/unit
Housing Authority	\$62.58	

(2) Sewer User Charge

Residential	\$ 2.49 per thousand	\$3.73 per thousand
Industrial/Commercial	\$ 2.82 per thousand	\$4.23 per thousand
Housing Authority	\$3.73 per thousand	

\$7.69 per 100 lbs. of suspended solids in excess of 250 mg/L.

\$5.71 per 100 lbs. of suspended solids in excess of 250 mg/L.

(3) All septic tank haulers dumping sewerage or sludge at the Red River

Sewer

Treatment Plant will be charged \$32.00 per load up to 1000 gallons plus

\$2.50/100 gallons in excess of 1000 gallons.

NOTE: Sewer User Charge for residential users inside City will be computed at \$2.49 or outside \$3.73 per 1000 gallons based on 80% of the potable water used.

The commercial and industrial Sewer User Charge is determined to be 100% of the water consumption per month in thousands of gallons, unless at the burden of the user the actual contribution to the sewer system is shown by measurement to be less. The computation of BODs and suspended solid excess are calculated in accordance with Ordinance 126 of 1979.

BE IT FURTHER ORDAINED that this ordinance shall take effect with the billing received in May, 2014, and be in force from and after its approval as required by law.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Don Williams, and second by Mr. David Montgomery, Jr., and adopted on the 6th day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: Mr. Larkin

ABSENT: none

ABSTAIN: none

Jeffery D. Darby
PRESIDENT

Phyllis McGraw
CITY CLERK

Ordinance No. 37 Of 2014

AN ORDINANCE AUTHORIZING THE SALE OF A CERTAIN TRACT OF LAND LOCATED ON SWAN LAKE DRIVE CONSISTING OF .477 ACRES TO CROSS BAYOU PROPERTIES, LLC FOR THE APPRAISED VALUE PURSUANT TO LOUISIANA R. S. 33:4712.2

WHEREAS, the City of Bossier City owns property located on Swan Lake Road in Bossier City, Louisiana, and the legal description is as follows:

PROPERTY DESCRIPTION:

A certain tract of land containing .0477 acres, more or less, located in Section 23, Township 18 North, Range 13 West, and being a portion of Lots 1-5 and 7-11 of Meadowview Park Subdivision, Unit No. 1 as recorded in Conveyance Book 275, Page 349 of the Records of Bossier Parish, Louisiana and being more particularly described as follows:

A certain tract of land containing 0.477 acres, more or less, being located in Section 23, Township 18 North, Range 13 West, Bossier Parish, Louisiana and being a portion of Lots 1 through 5, Birdwell-Teague Subdivision, Unit No. 1 as recorded in Conveyance Book 275, Page 349 of the records of Bossier Parish, Louisiana and being a portion of Meadowview Drive abandoned by Ordinance No. 39 of 2013 and being more particularly described as follows:

Commencing at set 1/2" iron pipe at the southeast corner of said Lot 1 for the POINT OF BEGINNING and being on the north right-of-way of US Highway 80; thence proceed along said right-of-way of US Highway 80 South 70° 00' 45" West a distance of 41.53 feet to a set 1/2" iron pipe at the East right-of-way of relocated Swan Lake Road established by Bossier City Project No. 38-07; thence proceed along said right-of-way North 60° 38' 11" West a distance of 26.05 feet to a set 1/2" iron pipe; thence proceed North 11° 16' 27" West a distance of 105.83 feet to a set punch in concrete; thence proceed along a curve to the right, said curve having a radius of 625.00 feet (chord bearing North 00° 33' 49" West a distance of 232.31 feet) arc distance of 233.67 feet to a set 1/2" iron pipe at the intersection with the centerline of abandoned Meadowview Drive; thence leaving said relocated Swan Lake Road and along the centerline of said abandoned Meadowview Drive proceed South 20° 01' 24" East a distance of 343.47 feet to a set 1/2" iron pipe at the north right-of-way of US Highway 80; thence proceed along said right-of-way South 70° 00' 45" West a distance of 35.00 feet to the POINT OF BEGINNING, all as further shown on map of survey by Coyle Engineering Co. Inc. dated January 29, 2014.

WHEREAS, the referenced property has been appraised by Robert L. Russell, MAI and the market value of the subject property as of January 31, 2014 is Forty-six Thousand dollars and no cents (\$46,000.00); and

WHEREAS, Cross Bayou Properties, LLC proposes to use the property to provide an expansion of their existing and future business expansion capabilities for this adjacent location, thereby creating additional employment opportunities; and

WHEREAS, Cross Bayou Properties, LLC shall be responsible for all closing, appraisal and recording fees required to complete the transfer of property; and

NOW THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana in regular session convened, that the City of Bossier City, after due notice intends to transfer said property pursuant to the provisions of La. R. S. 33:4717.2 in consideration of the economic benefit created as a result of the said transfer; and

BE IT FURTHER ORDAINED, that this ordinance will be on file in the office of the Bossier City Council Clerk for public inspection and it constitutes the entirety of the contract between the City of Bossier City and Cross Bayou Properties, LLC; and

BE IT FURTHER ORDAINED, that any and all objections to said transaction shall be filed in the office of the Bossier City Council Clerk prior to the adoption of the ordinance and/or by appearing at the Bossier City Council meeting at which this ordinance will be considered for adoption;

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Don Williams and seconded by Mr. Thomas Harvey and adopted on 6th day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

Bossier City, Louisiana

May 6, 2014

The City Council of the City of Bossier City, Louisiana met in regular public session at 3:00 o'clock p.m. on Tuesday, May 6, 2014, at the regular meeting place of said City Council in the Council Chambers located at 620 Benton Road, Bossier City, Louisiana, pursuant to the provisions of written notice given to each and every member thereof and duly posted in the manner required by law.

Jeffery Darby, Council President, called the meeting to order and on roll call, the following members were present:

Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

ABSENT: none

The following ordinance having been introduced at a meeting held on April 15, 2014, notice of its introduction having been published in the official journal and a public hearing having been held thereon on May 6, 2014, was offered for final adoption by Mr. Scott Irwin and seconded by Mr. Don Williams, was adopted by the following vote:

YEAS: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

SECOND SUPPLEMENTAL BOND ORDINANCE

NO. 38 OF 2014

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING ISSUANCE OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2014, OF THE CITY OF BOSSIER CITY, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON JULY 6, 2010; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Bossier City, State of Louisiana (the "City") now owns and operates a wastewater treatment system and water utility (the "System" or "Utility System") as a revenue producing public utility; and

WHEREAS, the City currently has the following outstanding notes, bonds, or other obligations (collectively, the “Outstanding Parity Bonds”) payable from a pledge and dedication of the income and revenues of the System:

\$120,855,000 of Utilities Revenue Bonds, Series 2008, dated February 4, 2009, maturing on October 1 of the years 2014 to 2038, inclusive, bearing interest at the rates of 4.00% to 5.50% per annum (the “2008 Bonds”), being the outstanding bonds of an issue of One Hundred Twenty-Five Million (\$125,000,000), issued pursuant to the provisions of Chapter 13 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, by virtue of an ordinance adopted by the City Council on December 2, 2008, payable from a pledge and dedication of the income and revenues of the Utility System;

\$ _____ of Utilities Revenue Bonds, Series 2010, dated November 10, 2010, maturing on October 1 of the years 2014 to 2031, inclusive, bearing interest at the rate of 0.45%, plus a DEQ Administrative Fee of 0.50% per annum (the “2010 New Money Bonds”), being the outstanding bonds of an issue of not exceeding Twenty-Two Million Dollars (\$22,000,000), issued pursuant to the provisions of Part XIII, Chapter 4, Subtitle II, Title 39 of the Louisiana Revised Statutes of 1950, as amended, by virtue of General Bond Ordinance No. 67 of 2010, adopted by the City Council on July 6, 2010, and First Supplemental Bond Ordinance No. 89 of 2010, adopted by the City Council on September 21, 2010; and

\$12,040,000 Utilities Revenue Refunding Bonds, Series 2010, dated December 15, 2010, maturing October 1 of the years 2014 to 2022, inclusive, bearing interest at the rate of 2.53% per annum (the “2010 Refunding Bonds”), being the outstanding bonds of an issue of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000), issued pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, by virtue of Ordinance No. 101 of 2010 adopted by the City Council on October 5, 2010, payable from a pledge and dedication of the income and revenues of the Utility System; and

\$3,938,000 Utilities Revenue Refunding Bonds, Series 2012, dated July 16, 2012, maturing October 1 of the years 2014 to 2019, inclusive, bearing interest at the rate of 2.09% per annum (the “2012 Refunding Bonds”), being the outstanding bonds of an issue of Four Million Six Hundred Forty-Five Thousand Dollars (\$4,645,000), issued pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, by virtue of Ordinance No. 48 of 2012 adopted by the City Council on July 3, 2012, payable from a pledge and dedication of the income and revenues of the Utility System;

WHEREAS, pursuant to Part XIII of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:1011, *et seq.*), and other constitutional and statutory authority, it is now the desire of this City Council to provide for issuance of revenue Bonds of the City, for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the wastewater portion of the System, and paying the costs of issuance thereof; and

WHEREAS, on July 6, 2010, this City Council (the “Governing Authority”) adopted General Bond Ordinance No. 67 of 2010 entitled: “A GENERAL BOND ORDINANCE

AUTHORIZING ISSUANCE FROM TIME TO TIME OF WASTEWATER REVENUE BONDS OF THE CITY OF BOSSIER CITY, STATE OF LOUISIANA; PRESCRIBING THE FORM AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH” (the “General Bond Ordinance”), which authorized issuance of bonds from time to time for the aforesaid purposes; and

WHEREAS, on September 21, 2010, this Governing Authority adopted First Supplemental Bond Ordinance No. 89 of 2010 entitled: “A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING TWENTY-TWO MILLION DOLLARS (\$22,000,000) OF UTILITIES REVENUE BONDS, SERIES 2010, OF THE CITY OF BOSSIER CITY, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON JULY 6, 2010; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH” (the “First Supplemental Bond Ordinance”); and

WHEREAS, it is now the desire of this Governing Authority to authorize issuance of not exceeding Ten Million Dollars (\$10,000,000) of additional bonds to be designated as “Taxable Utilities Revenue Bonds, Series 2014” of the City, for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the System, and paying costs of issuance, and to sell said bonds to the Clean Water State Revolving Fund;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOSSIER CITY, STATE OF LOUISIANA, in regular session convened, that:

SECTION 1. Definitions. In addition to words and terms elsewhere defined in the General Bond Ordinance, as may be amended, supplemented and modified herein, and this Second Supplemental Bond Ordinance, the following words and terms as used in this Second Supplemental Bond Ordinance shall have the following meanings, unless some other meaning is plainly intended:

“*Administrative Fee*” means, with respect to the Series 2014 Bonds and any other Bonds purchased by the Department from the State Loan Fund, the annual fee equal to one-half of one percent (0.5%) per annum of the outstanding principal amount of such Bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.

“*Department*” means the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof with respect to the State Loan Fund.

“*Loan Agreement*” means the Loan and Pledge Agreement to be entered into by and between the Department and the City, prior to the delivery of the Series 2014 Bonds, which will contain certain additional agreements relating to the Bonds being purchased by the Department from the State Loan Fund, which Loan Agreement shall be in substantially the form attached hereto as Exhibit B, as it may be supplemented, modified or amended from time to time in accordance with the terms thereof.

“*Paying Agent*” with respect to the Series 2014 Bonds means the chief financial officer of the City, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

“*Second Supplemental Ordinance*” means this ordinance authorizing issuance of the Series 2014 Bonds.

“*Series 2014 Bonds*” means the City’s Taxable Utilities Revenue Bonds, Series 2014, authorized to be issued by this Second Supplemental Ordinance and particularly by Section 2 hereof.

“*State Loan Fund*” means the Clean Water State Revolving Fund established by the State of Louisiana, pursuant to Chapter 14, Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 30:2301, *et seq.*) in the custody of the Department, which

is to be used for the purpose of providing financial assistance for the improvement of public wastewater systems in the State.

In lieu of the definition in Section 1.01 of the General Bond Ordinance, "System" means the City's revenue-producing public utility consisting of the combined water and sewer utility systems lying within and without the boundaries of the City; the System shall include specifically all properties of every nature owned by the Issuer and used or useful in the operation of the System, as said plants now exist and as the same may be improved, extended or supplemented from any source while any of the Bonds remain outstanding, including all real estate, personal and intangible properties, contracts, franchises, leases and choses in action, and including specifically all properties now or hereafter operated by the City under lease or agreement with any other individual, partnership or corporation, public or private, as a part of the System, whether lying within or without the boundaries of the City.

SECTION 2. Authorization of Series 2014 Bonds. (a) In compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not exceeding Ten Million Dollars (\$10,000,000) for, on behalf of and in the name of the City, for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the wastewater portion of the System, as further set forth in Exhibit B hereto, and paying costs of issuance thereof, and to represent the indebtedness, this Governing Authority does hereby authorize the issuance of not exceeding Ten Million Dollars (\$10,000,000) of Taxable Utilities Revenue Bonds, Series 2014, of the City. The Bonds shall be dated the Delivery Date thereof, and the exact principal amount of the Bonds, not to exceed Ten Million Dollars (\$10,000,000), as stated above, shall be determined by the Executive Officers at the time of delivery of the Bonds. In the event that delivery of the Series 2014 Bonds takes place after December 31, 2014, such bonds may carry such other appropriate series designation as may be determined by the Executive Officers.

(b) The Series 2014 Bonds shall be Fixed Rate Bonds and the Interest Payment Dates shall be April 1 and October 1 of each year, commencing the first such Interest Payment Date after the Delivery Date of the Series 2014 Bonds. The Series 2014 Bonds shall bear interest at the rate of forty-five hundredths percent (0.45%) per annum, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months and payable on each Interest Payment Date, or such lower rate as may be in effect for loans from the State Loan Fund at the time of delivery. In addition to interest at the rate set forth above, at any time that the Department owns the Series 2014 Bonds the City will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any Series 2014 Bonds or the Department has pledged or assigned any Series 2014 Bonds in connection with its State Loan Fund and (ii) the Administrative Fee payable by the City to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Series 2014 Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability. Interest and Administrative Fee on the Series 2014 Bonds on any Interest Payment Date shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore to the City and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

(c) [RESERVED]

(d) The Series 2014 Bonds shall mature in twenty (20) installments of principal, payable annually on each October 1, and each annual installment shall be the applicable percentage shown in the following tables, rounded to the nearest One Thousand Dollars (\$1,000), of the outstanding principal amount of the Series 2014 Bonds on the day before the applicable Principal Payment Date:

Date	Percentage	Date	Percentage
<u>(Oct. 1)</u>	<u>of Principal</u>	<u>(Oct. 1)</u>	<u>of Principal</u>
2015	4.564%	2025	9.580%
2016	4.827%	2026	10.696%
2017	5.120%	2027	12.090%
2018	5.448%	2028	13.884%
2019	5.817%	2029	16.275%
2020	6.235%	2030	19.624%
2021	6.712%	2031	24.647%
2022	7.264%	2032	33.019%
2023	7.907%	2033	49.764%
2024	8.667%	2034	100.000%

In the event the Completion Date of the Project being financed with the Series 2014 Bonds is on or after October 1, 2015, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the October 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Delivery Date.

(e) The principal and interest on the Series 2014 Bonds shall be payable by check mailed to the registered owner of the Series 2014 Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final installment of principal on the Series 2014 Bonds shall be made only upon presentation and surrender of the Series 2014 Bonds to the Paying Agent.

(f) The principal installments of the Series 2014 Bonds are subject to prepayment at the option of the City at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Series 2014 Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(d) above.

(g) The Series 2014 Bonds shall be issued in the form of a single fully registered Bond, initially numbered R-1, and shall be in substantially the form attached hereto as Exhibit A.

(h) The chief financial officer of the City shall be the initial Paying Agent for the Series 2014 Bonds.

(i) The Series 2014 Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Paying Agent, the Series 2014 Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the City of the agreed purchase price. Pursuant to the Act and La. R.S. 39:1426(B), the City has determined

to sell the Series 2014 Bonds at a private sale without the necessity of publishing any notice of sale.

(j) No proceeds of the Series 2014 Bonds shall be deposited into the Reserve Fund, however upon the delivery of the Series 2014 Bonds the City shall establish the “Series 2014 Account” in the Reserve Fund and shall cause the Reserve Fund Requirement to be deposited to said account within five (5) years after the Delivery Date. For purposes of funding the Series 2014 Account in the Reserve Fund, the Reserve Fund Requirement shall be an amount equal to one-half of this highest amount of principal, interest and Administrative Fee, if any, due on the Series 2014 Bonds in any future Bond Year. No changes are required at this time with respect to the Contingencies Fund established in the General Bond Ordinance.

(k) The parity requirements of the ordinances authorizing issuance of the Outstanding Parity Bonds, as well as the parity requirements set forth in Article VI of the General Bond Ordinance, will have been met prior to the Delivery Date of the Series 2014 Bonds, and shall be certified by an independent firm of certified public accountants and by the City, prior to delivery of the Series 2014 Bonds, unless waived by the owners of the Outstanding Parity Bonds.

(l) The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this Second Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the Series 2014 Bonds to be prepared and/or printed, to issue, execute and seal the Series 2014 Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the Series 2014 Bonds, the Executive Officers and the Director of Finance of the City are each authorized, empowered and directed to execute on behalf of the City such additional documents, certificates and instruments as they may deem necessary, upon the advice of Bond counsel, to effect the transactions contemplated by this Ordinance. The signatures of said on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

(m) [RESERVED]

(n) It is recognized that the City will not be required to comply with the continuing disclosure requirements described in the Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because

- (i) the Series 2014 Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and
- (ii) the Series 2014 Bonds are being sold only to the Department (i.e., no more than thirty-five persons), which has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the Series 2014 Bonds and is not purchasing the Series 2014 Bonds for more than one account or with a view to distributing the Series 2014 Bonds.

(o) [RESERVED]

(p) The “Scheduled Completion Date” for the Series 2014 Bonds Project will be specified by the Mayor upon delivery of the Series 2014 Bonds.

(q) There will be no Credit Facility with respect to the Series 2014 Bonds.

(r) The Loan Agreement, in substantially the form attached hereto as Exhibit B, is hereby approved, and the Executive Officers are authorized to execute and deliver the aforesaid documents on behalf of the City, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the Series 2014 Bonds. The Executive Officers are further authorized to execute and deliver any commitment agreement, supplemental loan agreement or cooperative endeavor agreement as may be necessary in connection with the purchase of the Series 2014 Bonds by the Department.

(s) SO LONG AS ANY OF THE OUTSTANDING PARITY BONDS ARE OUTSTANDING, THE TERMS AND PROVISIONS OF THE GENERAL BOND ORDINANCE AND THIS SECOND SUPPLEMENTAL BOND ORDINANCE SHALL BE SUPPLEMENTAL AND IN ADDITION TO ANY REQUIREMENTS OF THE OUTSTANDING PARITY BOND ORDINANCES, AND TO THE EXTENT THERE IS ANY CONFLICT OR INCONSISTENCY, THE PROVISIONS OF THE OUTSTANDING PARITY BOND ORDINANCES SHALL SUPERSEDE ANY CORRESPONDING PROVISIONS HEREOF.

SECTION 3. Davis-Bacon Wage Rate Requirement. The City agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the Project that is funded in whole or in part with the Series 2014 Bonds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the City as determined by the Secretary of the United States Department of Labor (“DOL”) in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The City will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with the Series 2014 Bonds will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to “force account” work where the City may perform construction work using its own employees rather than any contractor or subcontractor.

SECTION 4. Parties Interested Herein. Nothing in this Second Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the City, the Paying Agent and the Owners of the Series 2014 Bonds any right, remedy or claim under or by reason of this Second Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this Second Supplemental Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent and the Owners of the Series 2014 Bonds.

SECTION 5. No Recourse on the Series 2014 Bonds. No recourse shall be had for the payment of the principal of or interest on the Series 2014 Bonds or for any claim based thereon or on this Second Supplemental Ordinance against any member of the Governing Authority or officer of the City or any person executing the Series 2014 Bonds.

SECTION 6. Successors and Assigns. Whenever in this Second Supplemental Ordinance the City is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Second Supplemental Ordinance contained

by or on behalf of the City shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

SECTION 7. Severability. In case any one or more of the provisions of this Second Supplemental Ordinance or of the Series 2014 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Second Supplemental Ordinance or of the Series 2014 Bonds, but this Second Supplemental Ordinance and the Series 2014 Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Second Supplemental Ordinance which validates or makes legal any provision of this Second Supplemental Ordinance or the Series 2014 Bonds which would not otherwise be valid or legal shall be deemed to apply to this Second Supplemental Ordinance and to the Series 2014 Bonds.

SECTION 8. Publication; Peremption. This Second Supplemental Ordinance shall be published one time in the official journal of the City, or if there is none, in a newspaper having general circulation in the City. It shall not be necessary to publish the exhibits to this Second Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty (30) days after the date of such publication any persons in interest may contest the legality of this Second Supplemental Ordinance and any provisions herein made for the security and payment of the Series 2014 Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this Second Supplemental Ordinance and the provisions hereof or of the Series 2014 Bonds authorized hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the Series 2014 Bonds authorized pursuant to this Second Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the Series 2014 Bonds or to provide for payment thereof, and the legality thereof, and all of the provisions of this Second Supplemental Ordinance and such Series 2014 Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

SECTION 9. Effective Date. This Second Supplemental Bond Ordinance shall become effective ten (10) days from the date of publication in the City's official journal.

This Ordinance adopted and passed on this 6th day of May, 2014.

JEFFERY DARBY

PRESIDENT

PHYLLIS McGRAW

CLERK OF THE COUNCIL

New Business:

The following ordinance offered and adopted:

ORDINANCE NO. 39 OF 2014

AN ORDINANCE TO LIMIT VEHICLE ACCESS INTO STONEBRIDGE
SUBDIVISION, BOSSIER CITY, LA.

WHEREAS, The Bossier City Council adopted Ordinance No. 56 of 1999 and No. 45 of 2006, which allows developers to place security gates at the entrances to subdivisions in Bossier City;

WHEREAS, Ordinance No. 56 of 1999 and No. 45 of 2006 specifies the requirements to be met in placing a security gate across a publicly dedicated street, such as acquiring Planning Commission Approval, notification of various City departments hours of closure, insurance coverage, etc.;

NOW THEREFORE, BE IT ORDAINED that a security gate is hereby approved for Stonebridge Subdivision, after meeting all the requirements in Ordinance No. 56 of 1999 and No. 45 of 2006.

Motion was made by Mr. Don Williams and seconded by Mr. Jeff Free to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 6th day of May, 2014.

YEAS: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSTAIN: none

ABSENT: none

JEFFERY D. DARBY, PRESIDENT

PHYLLIS MCGRAW, CITY CLERK

C-27-14

By: Mr. Harvey

Motion to introduce an Ordinance to appropriated \$500,000 from the 2010 Sewer Bond Issue Capital Projects Fund to supplement the already appropriated \$1,000,000 to be used to construct the Boardwalk Lift Station.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance requiring the Fund Balance of the General Fund of the City of Bossier City to be maintained at not less than 15% of budgeted expenses for the upcoming year's budget.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

By: Mr. Free

Motion to Introduce an Ordinance declaring two Exmark mowers assigned to the Recreation Department surplus to the needs of the City and donating one mower to the Bossier Parish Police Jury and one to the Haughton Dixie League Organization.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance appropriated \$500,000 dollars from the Water Capital Contingency Fund to facilitate the completion of the South Inland Raw Water Pump Station.

Seconded by Mr. Irwin

No Comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION NO. 26 OF 2014

A RESOLUTION AUTHORIZING THE HIRING OF A LABORER I TO FILL A VACANT POSITION IN PUBLIC WORKS

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, a Laborer I position in the Street Sweeping & Grass Cutting division is vacant and filling this position will allow operations to continue.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to hire a Laborer I.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams and second by Mr. Jeffery Darby, and adopted on the 6th day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

Resolution No. 27 Of 2014

A RESOLUTION AUTHORIZING THE HIRING OF A TAX ADMINISTRATOR TO REPLACE THE CURRENT TAX ADMINISTRATOR THAT WILL BE RETIRING.

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring, promotion and salary freeze requiring Bossier City Council approval for the hiring, promotion and salary increases of any personnel;

WHEREAS, the current Tax Administrator will be retiring on June 30, 2014 and advertising and interviews need to be conducted to find a qualified replacement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to hire or promote a person to fill the position of Tax Administrator and fill any vacancies created within the Sales Tax Division as a result of this vacancy subject to the currently adopted operating budget constraints.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Jeffery Darby, and adopted on the 6th, day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 28 OF 2014

A RESOLUTION TO HIRE OR PROMOTE ONE UTILITY WORKER I TO REPLACE VACANT POSITION IN PUBLIC UTILITIES.

WHEREAS, the City Council of the City of Bossier City authorizes the hiring or promotion of one Utility Worker I to replace vacant position in Public Utilities.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, in regular session convened, does hereby authorize the hiring or promotion of one Utility Worker I to replace vacant position in Public Utilities.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. Scott Irwin and seconded by Mr. Don Williams, and adopted on the 6th day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, Council President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 29 OF 2014

A RESOLUTION AUTHORIZING THE HIRING OF A POLICE COMMUNICATIONS OFFICER POSITION TO REPLACE A RESIGNATION FROM THE DEPARTMENT

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, a vacancy now exists in the Police Department, and filling this position will allow operations to continue;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to hire one Police Communications Officer to replace a resignation from the Department.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and second by Mr. Thomas Harvey, and adopted on the 6th day of May, 2014, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

Hearing of appeal for Taylor Walker, 1701 Leslie Street., Bossier City, LA., for violation of City Ordinances Section 14 - Vicious and Dangerous Dog.

Mr. Gary Neathery, Public Works Director, Jennifer Westerfield, Animal Control and Kay LaBorde, Animal Control explained events that took place concerning Dog and reasoning for bypassing dangerous dog status and going for Vicious Dog status. Ms. Taylor Walker, 1701 Leslie Street., Bossier City, La. And owner of the dog requested lenancy from the Council and asked that she have the opportunity to try to rehabilitate the dog. Council worried about public safety and liability if the dog got out and attacked someone else.

By: Mr. Williams

Motion to uphold the Animal Control's decision.

Seconded by: Mr. Irwin

No Comment

Vote in favor of motion is unanimous.

There being no further business to come before this meeting, meeting adjourned at 4:05 PM by Mr. Darby

Respectfully submitted:

**Phyllis McGraw
City Clerk**

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