

May 12, 2008

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, on May 12, 2008, at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1  
MIKE KOONCE, Council Representative of District 2  
CHRIS DUNCAN, Council Representative of District 3  
NANCY TOWER, Council Representative of District 4  
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Rev. Clarence Lambert, Living Waters Church, followed by the reciting of the Pledge of Allegiance led by Mrs. Ellender.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Duncan seconded by Mr. Koonce that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Mayor LeLeux added #3A and #20. Motion was made by Mr. Duncan seconded by Mrs. Tower that the agenda be amended. Motion carried.

Motion was then made by Mr. Duncan seconded by Mr. Koonce that item #14 be removed from the agenda. Motion carried.

Motion was then made by Mrs. Tower seconded by Mr. Duncan that the agenda stand as changed. Motion carried.

The first item on the agenda a presentation to Volunteer of the Month of May. Mayor LeLeux presented a certificate to Glenda Richard.

The next item on the agenda a presentation to “Dare to be Different” for the Month of May. Mayor LeLeux presented certificates to the following students: Our Lady’s School, Kara Hebert; LeBlanc Middle, Leah Perkins; W.W. Lewis Middle, Lakyn Spell; Maplewood Middle, Katie Galbreath; Sulphur High School 9<sup>th</sup> Grade Campus, Paige Pritchett; Sulphur High School, Wesley Gentry.

The next item on the agenda a presentation to Teachers of the Month for May. Mayor LeLeux presented certificates to the following teachers: Henning Elementary, Tracie Sims; Maplewood Middle, Karan Bruce; Sulphur High School, 9<sup>th</sup> Grade Campus, Adam Caldwell; Sulphur High School, Bridgette Culpepper.

The next item on the agenda a proclamation to Mary Newton. Mayor LeLeux stated that Mary Newton won her second consecutive outdoor state championship in the 800-meter run at the Class 5A state track meet held at LSU Bernie Moore track stadium on May 3, 2008. She is also the three-time defending state champion in the indoor 800-meter run, winning this year’s 800-meter state title with a time of 2 minutes 15.41 seconds, which is the third-best-all-time in Class 5A and the seventh best time ever out of all five classes in the State of Louisiana. Mayor LeLeux also stated that Mary will be attending Southern University in Baton Rouge.

The next item on the agenda a discussion concerning FEMA trailers in the City of Sulphur. Mr. Duncan stated that it has been 2 ½ years since Hurricane Rita and he feels that people have had plenty of time to get back into their homes. He doesn’t want to kick people out of their FEMA trailers but he feels that if people need an extension on their trailers they need to come to the Council meetings when they are notified by the City through certified mail. They need to bring all paperwork if they are getting Road Home

money. They will take each address case by case. He feels that 6-month extensions shouldn't be granted if they don't come to the Council meetings and explain what is taking them so long to get out of the FEMA trailer.

The next item on the agenda a resolution authorizing the extension of a six month temporary permit which allows for temporary placement of travel trailers and/or mobile homes on residential property for living purposes during reconstruction of damages caused by Hurricane Rita for the following addresses:

205 North Crocker – Motion was made by Mrs. Ellender seconded by Mrs. Tower that this address be granted a 6 month extension. Motion carried.

751 South Crocker – Motion was made by Mr. Koonce seconded by Mr. Duncan that this address be granted an extension until the August City Council meeting. Motion carried.

1404 Beth – Motion was made by Mrs. Tower seconded by Mrs. Ellender that this address be granted a 6 month extension. Motion carried.

939 Alice – Motion was made by Mr. Duncan seconded by Mr. Koonce that this address be granted an extension until the August City Council meeting. Motion carried.

827 Elm – Motion was made by Mr. Duncan seconded by Mrs. Tower that this address not receive an extension due to the trailer being located in a mixed residential district and can stay there upon the Inspection Department checking to make sure the setbacks are followed. Motion carried.

112.1 Vine – Motion was made by Mr. Duncan seconded by Mr. Koonce that this address be granted no extension. Motion carried.

The next item on the agenda is Rule to Show Cause on the condition of the following addresses:

930 Ivy Street – Motion was made by Mrs. Ellender seconded by Mr. Duncan that this owner has complied and this address needs to be removed from the agenda. Motion carried.

543 North Claiborne – Mrs. VanderHey stated that the owner has contracted Thomas Clophus to have this home demolished. Motion was made by Mrs. Ellender seconded by Mr. Duncan that action taken for this address is Rule to Show Cause. Motion carried.

808 Mathew – Mrs. VanderHey stated that this address has been on the agenda before. The owner is an elderly woman that needs help with repairs. The program, Rebuilding Together, is supposed to help her with her repairs. Motion was made by Mr. Koonce seconded by Mrs. Ellender that this address be granted a 6 month extension. Motion carried.

12 Poinsetta – Mrs. VanderHey stated that this address is still in litigation and she has received a letter from their attorney stating they are having a mediation hearing. Motion was then made by Mrs. Ellender seconded by Mr. Duncan that this address be granted an extension until the July City Council meeting. Motion carried.

119 Hazel – Mrs. VanderHey stated that the owner has torn down the two sheds and cleaned up the place. The owner is in very poor health and had to leave for health issues. Motion was made by Mr. Duncan seconded by Mrs. Tower that this address be granted an extension until the August City Council meeting. Motion carried.

The next item on the agenda a public hearing on ordinance abolishing Chapter 3, Section 25 of the Code of Ordinances of the City of Sulphur – Same – Action thereon;

probationary period (alcoholic beverages). Motion was made by Mr. Koonce seconded by Mrs. Tower that the following ordinance be adopted to-wit:

ORDINANCE NO. 849, M-C SERIES

ORDINANCE ABOLISHING CHAPTER 3, SECTION 25 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – SAME – ACTION THEREON; PROBATIONARY PERIOD.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby abolish Chapter 3, Section 25 of the Code of Ordinances of the City of Sulphur as follows:

**Sec. 3-25. Same – Action thereon; probationary period.**

Upon receipt of an application for a permit required under this division, the collector shall stamp the day, month and year received thereon. The collector may issue the permit immediately after proper investigation but for a period of thirty-five (35) days after receipt of the application, the permittee shall operate on a probationary basis subject to final action on opposition to, or withholding of, the permit as hereinafter provided.

This ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance authorizing issuance of paving certificates for the paving of Driftwood, Augustine, Acadienne, Chestnut and Gabriel Streets. Jay Delafield, Bonding Attorney, addressed the Council and stated that he had received two bids for the paving certificates and would open them at this time.

One bid was from Cameron State Bank with an interest rate of 4.65% at 10 years maturity. The other bid was from JP Morgan Chase Bank with an interest rate of 3.84% at 10 years maturity. He recommended the bid from JP Morgan Chase Bank be accepted. Motion was then made by Mrs. Tower seconded by Mr. Duncan that the following ordinance be adopted to-wit:

ORDINANCE NO. 850, M-C SERIES

AN ORDINANCE AUTHORIZING ISSUANCE, EXECUTION, NEGOTIATION, SALE AND DELIVERY OF \$259,683.18 CITY OF SULPHUR, LOUISIANA PAVING CERTIFICATES (CHESTNUT, ACADIENNE, GABRIEL, AUGUSTINE AND DRIFTWOOD PROJECTS) SERIES 2008, PRESCRIBING THE FORM AND FIXING THE DETAILS THEREOF; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID PAVING CERTIFICATES IN PRINCIPAL AND INTEREST; AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, on the 10<sup>th</sup> day of March, 2008, the City Council, governing authority of the City of Sulphur, Louisiana (the "City"), in compliance with the pertinent provisions of Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and all laws pertaining to the same subject matter, adopted Local Assessment Ordinance No. 834, M-C Series, which Ordinance was published, and was filed for record on March 24, 2008, bearing Clerk's File No. 2865107, recorded in Mortgage Book 3518, page 334, Records of Calcasieu Parish, Louisiana, all in the manner provided for by law, said Ordinance levying a local or special assessment in the total amount of THREE HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED AND NO/100 (\$324,300.00) DOLLARS to cover the cost of constructing paying improvements along the following street situated in the City of Sulphur, Louisiana, to-wit:

**CHESTNUT STREET**, in its entirety, for a total amount of \$106,000.00;  
**ACADIENNE STREET** in its entirety, for a total amount of \$57,900.00;  
**GABRIEL STREET** in its entirety, for a total amount of \$56,700.00;

**AUGUSTINE STREET** in its entirety, for a total amount of \$56,400.00;  
and

**DRIFTWOOD DRIVE** in its entirety, for a total amount of \$47,300.00;

WHEREAS, pursuant to the pertinent provisions of the Act, the City may issue, execute, negotiate, sell and deliver negotiable interest bearing registered certificates of the City in an amount not exceeding the total amount of the installments or deferred payments as provided for in the Act; and

WHEREAS, the balance due and owing of the total project cost is **TWO HUNDRED FIFTY-NINE THOUSAND SIX HUNDRED EIGHTY-THREE AND 18/100 (\$259,683.18) DOLLARS**; and

WHEREAS, the City obtained approval from the Louisiana State Bond Commission on February 21, 2008, for issuance, sale and delivery of not to exceed **THREE HUNDRED TWENTY-FOUR THOUSAND AND NO/100 (\$324,000.00) DOLLARS** of interest bearing Paving Certificates of the City, to provide funds for improvements to the street as set forth above, to be payable from and secured by the irrevocable pledge and dedication of the funds to be derived from the levying and collection of a local or special assessment on each lot or parcel of real estate fronting on the streets to be improved, in the proportion that its front footage bears to the total front footage to be assessed; and

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

SECTION 1. All proceedings had by the City Council with respect to Local Assessment Ordinance No. 834, M-C Series, of the City of Sulphur, Louisiana, referred to in the preamble hereto, have been examined, investigated, and are hereby determined to be complete, regular and legal; that the said Local Assessment Ordinance No. 834, M-C Series has been duly published and filed for record on March 24, 2008, bearing Clerk's File No. 2865107, recorded in Mortgage Book 3518, page 334, Records

of Calcasieu Parish, Louisiana; and that the amount remaining due under Local or Special Assessment Ordinance No. 834, M-C Series of the City of Sulphur, Louisiana, in the sum of **THREE HUNDRED TWENTY-FOUR THOUSAND AND NO/100 (\$324,000.00) DOLLARS**, has been found and determined and is hereby certified to be correct and in conformity with the provisions of law.

SECTION 2. In compliance with and by virtue of the authority of Article VI, Section 36 of the Constitution of the State of Louisiana for the year 1974, and Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws on the same subject matter, there is hereby authorized and directed the issuance of negotiable interest bearing registered paving certificates of the City of Sulphur, State of Louisiana, in the principal sum of **TWO HUNDRED FIFTY-NINE THOUSAND SIX HUNDRED EIGHTY-THREE AND 18/100 (\$259,683.18) DOLLARS**, to represent the installment or deferred payments to cover the unpaid cost of constructing paving improvements along those portions of those streets within the limits of the City of Sulphur, Louisiana, set out in Local Assessment Ordinance No. 834, M-C Series of the City of Sulphur, Louisiana, adopted on March 10, 2008. Said paving Certificates shall be dated June 1, 2008, shall bear interest at a rate not to exceed eight (8%) percent per annum from their date until paid, said interest to be payable annually on the 1st day of June each year commencing 2009. Said paving Certificates shall be numbered consecutively from R-01 upward, in initial denominations of one Certificate for each maturity, with transfers in denominations of at least \$1,000 each, said paving Certificates to mature annually and become due and payable as follows, to-wit:

<u>CERTIFICATE NO.</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE (June 1)</u>	<u>PRINCIPAL AMOUNT</u>
R-01	3.84%	2009	\$ 25,968.00
R-02	3.84%	2010	25,968.00
R-03	3.84%	2011	25,968.00
R-04	3.84%	2012	25,968.00
R-05	3.84%	2013	25,968.00
R-06	3.84%	2014	25,968.00
R-07	3.84%	2015	25,968.00
R-08	3.84%	2016	25,968.00

R-09	3.84%	2017	25,968.00
R-10	3.84%	2018	25,971.18
			<u>\$259,683.18</u>

SECTION 3. The principal of and interest on said paving Certificates shall be payable in lawful money of the United States of America on their respective dates of payment to the registered owner of each Certificate upon presentation thereof at a bank to be designated by the purchaser of the Certificates, or its successor, as paying agent/registrar (the "Paying Agent/Registrar"). Interest on any Certificate is payable by check mailed to the person in whose name such Certificate is registered, at his address as it appears on the registration books maintained by or on behalf of the Issuer by the Paying Agent/Registrar, or its successor, at the close of business on the fifteenth (15<sup>th</sup>) calendar day of the month next preceding each interest payment date ("Record Date"), irrespective of any transfer or exchange of such Certificate subsequent to such Record Date and prior to such interest payment date.

SECTION 4. The Certificates herein authorized shall be in substantially the following form, to-wit:

(FACE OF CERTIFICATE)

**UNITED STATES OF AMERICA** **STATE** **OF**  
**LOUISIANA**  
**CITY OF SULPHUR, LOUISIANA**  
**REGISTERED**  
**REGISTERED**

**NO. R-\_\_\_\_\_** **\$**

**PAVING CERTIFICATE, SERIES 2008**  
**OF THE**  
**CITY OF SULPHUR, LOUISIANA**  
**(CHESTNUT, ACADIENNE, GABRIEL,**  
**AUGUSTINE AND DRIFTWOOD PROJECTS)**

**DATED DATE:** **INTEREST RATE:** **MATURITY DATE:**  
**CUSIP NO.**  
June 1, 2008

The City Council, governing authority of the City of Sulphur, Louisiana (the "City") for value received, hereby acknowledges itself indebted and promises to pay to

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT:**

or registered assigns, on the maturity date set forth above, the principal amount set forth above, together with interest thereon from the date hereof, said interest payable annually on June 1 in each year beginning June 1, 2009, at the interest rate per annum set forth above until said principal sum is paid, unless this Certificate has been previously called for redemption and payment shall have been duly made or provided for. The principal of this Certificate upon maturity or redemption is payable in lawful money of the United States of America at the principal office of the City of Sulphur, Louisiana, located at 500 N. Huntington Street, Sulphur, Louisiana (the Paying Agent/Registrar), or successor thereto, upon presentation and surrender hereof. Interest on this Certificate is payable by check mailed on each Interest Payment Date by the Paying Agent/Registrar to the registered owner (determined as of the 15<sup>th</sup> calendar day of the month next preceding said interest payment date at the address, as shown on the books of the Paying Agent/Registrar.

**THIS CERTIFICATE SHALL BE SUBJECT TO REDEMPTION PRIOR TO MATURITY AT THE OPTION OF THE CITY ON ANY INTEREST PAYMENT DATE AT A PRICE OF 103% OF THE PRINCIPAL VALUE THEREOF, AND ACCRUED INTEREST TO THE DATE FIXED FOR REDEMPTION.**

REFERENCE IS MADE TO FURTHER PROVISIONS OF THIS CERTIFICATE SET FORTH ON THE REVERSE HEREOF, WHICH SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN.

This Certificate shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Certificate Ordinance (defined hereinafter) until the certificate of registration hereon shall have been signed by the Paying Agent/Registrar.

IN WITNESS WHEREOF, the City of Sulphur, Louisiana, through its governing authority, the City Council of the City, has caused this Paving Certificate to be executed in its name by the facsimile signatures of the duly authorized Mayor and the Clerk of the Council, and the seal of the City to be impressed or imprinted hereon, and this Certificate to be dated June 1, 2008.

CITY OF SULPHUR  
CALCASIEU PARISH, LOUISIANA

/s/ Arlene Blanchard  
CLERK OF THE COUNCIL

/s/ Ron LeLeux  
MAYOR

[S E A L]

(Lower Left)

PAYING AGENT/REGISTRAR'S  
CERTIFICATE OF REGISTRATION

This Certificate is one of the Certificates  
referred to in the within mentioned Certificate  
Ordinance.

City of Sulphur, Louisiana  
as Paying Agent/Registrar

By:  
Date of Authentication:

(REVERSE OF CERTIFICATE)

ADDITIONAL PROVISIONS

This Certificate is one of an issue, the Certificates of which are all of like date, tenor and effect, except as to the number, principal amount, maturity and rate of interest, aggregating in principal the sum of **TWO HUNDRED FIFTY-NINE THOUSAND SIX HUNDRED EIGHTY-THREE AND 18/100 (\$259,683.18) DOLLARS**, said Paving Certificates to mature annually, issued pursuant to Ordinance No. 850, M-C Series, adopted on May 12, 2008 (the "Certificate Ordinance"), by the City Council, the governing authority of the City, to represent the installments or deferred payments to cover the unpaid costs of the construction of street paving improvements on the following streets within the City, to-wit:

**CHESTNUT STREET**, in its entirety;  
**ACADIENNE STREET** in its entirety;  
**GABRIEL STREET** in its entirety;  
**AUGUSTINE STREET** in its entirety;  
**DRIFTWOOD DRIVE** in its entirety;

as provided for in Local Assessment Ordinance No. 834, M-C Series, adopted on March 10, 2008, by the City Council, the governing authority of the City, under and by virtue of Article VI, Section 36 of the Constitution of the State of Louisiana for the year 1974, and Subpart A, Part I, Chapter 7 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and all other laws on the same subject matter, and pursuant to proceedings regularly and legally taken by the governing authority of the City.

This Certificate and the issue of which it forms a part are secured by and payable in principal and interest from the irrevocable pledge and dedication of the funds to be derived from the levying and collection of a special assessment on each lot or parcel of real estate abutting the streets set out in Local Assessment Ordinance No. 834, M-C Series, in the proportion that its front footage bears to the total front footage to be assessed, pursuant to Local Assessment Ordinance No. 834, M-C Series, and which local or special assessments are payable in annual installments or deferred payments as provided by law.

At the option of the City, Certificates of this issue shall be subject to redemption prior to their stated maturity on any interest payment date at a price of 103% of the principal value thereof and accrued interest to the date fixed for redemption. Notice of call for redemption of any Certificate shall be given not less than thirty (30) days prior to the redemption date by means of registered or certified mail by notice deposited in the United States Mail addressed to the Paying Agent/Registrar and to the registered owner of each Certificate to be redeemed at his address as shown on the registration books of the Paying Agent/Registrar.

The Paying Agent/Registrar for this issue is the City of Sulphur, Louisiana. This Certificate shall pass by delivery on the books of the City to be kept for the purpose at the principal corporate trust office of the Paying Agent/Registrar and such registration is noted hereon. After such registration no transfer shall be valid unless made on said books at said office by the registered owner in person or by his duly authorized attorney and similarly noted hereon. This Certificate may not be discharged from registration by like transfer to bearer. The City and the Registrar may treat the registered owner as the absolute owner hereof for all purposes, whether or not this Certificate shall be overdue and shall not be bound by any notice to the contrary.

IT IS CERTIFIED that this Certificate is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate and the issue of which it forms a part, necessary to have the same constitute legal, binding and valid obligations of the City, have existed, have happened and have been performed in due time, form and manner, as required by law, and the indebtedness of the City, including this Certificate, does not exceed any limitation prescribed by the Constitution and Statutes of the State of Louisiana.

#### A S S I G N M E N T

FOR VALUE RECEIVED, \_\_\_\_\_ the undersigned, hereby sells, assigns and transfers unto the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney or agent to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

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

SECTION 5. The Paving Certificates herein authorized shall be signed by the original or facsimile signatures of the Mayor of the City, and the Clerk of the Council of the City, for and on behalf of, in the name of and under the seal of the City, said seal to be impressed or imprinted on each Certificate, and that said officers be, and they are hereby authorized, empowered and directed to execute the paving Certificates as herein provided. Should any officer whose facsimile signature appears on the Certificates cease to be such officer before delivery of the Certificates to the purchaser, such facsimile signature shall nevertheless be valid and sufficient for all purposes.

SECTION 6. The City Council, having examined and determined the regularity of all proceedings had in connection with the issuance of the Certificates herein authorized, and having examined and verified the correctness thereof, each of the Paving Certificates shall contain the following recital, to-wit:

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

SECTION 7. The Paving Certificates herein authorized shall be secured by and payable in principal and interest solely from the funds to be derived from the collection of the unpaid local or special assessments levied by Local Assessment Ordinance No. 834, M-C Series, adopted on March 10, 2008, on each lot or parcel of real estate abutting on the streets improved, which funds derived from the collection of the unpaid local or special assessments together with any interest thereon, shall be and they

are irrevocable pledged and dedicated to the principal of and the interest on said Paving Certificates and shall not be drawn upon for any purpose other than to pay said principal and interest.

SECTION 8. The Mayor and the Clerk of the Council, the governing authority of the City, be and they are hereby empowered, authorized and directed to have the Paving Certificates printed, to execute same as hereinabove provided, to deliver the Certificates to the purchaser thereof and to collect the purchase price of said Paving Certificates, the funds derived therefrom to be expended solely in payment of the cost of the improvements constructed on the streets hereinabove set out and designated for no other purpose whatsoever.

SECTION 9. The Certificates of this issue are subject to redemption prior to maturity at the option of the City at a price of 103% of the principal value thereof and accrued interest to the date fixed for redemption, provided further that notice of redemption is to be given by registered or certified mail to the owner of record on the books of the Paying Agent/Registrar, not less than thirty (30) days prior to the redemption date, and by sending said notice by registered or certified mail to the place of payment of the Certificates. All such Certificates thus called for redemption and for the retirement of which funds are duly provided will cease to bear interest on such redemption date.

SECTION 10. No Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Certificate Ordinance unless and until a certificate of registration on such Certificate substantially in the form hereinabove set forth shall have been duly executed by the Registrar, and such executed certificate of the Registrar upon any such Certificate shall be conclusive evidence that such Certificate has been authenticated and delivered under this Certificate Ordinance. The Registrar's certificate of authentication on any Certificate shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Registrar, but it shall not be

necessary that the same officer or signatory sign the certificate of authentication on all of the Certificates issued hereunder.

SECTION 11. Upon the adoption of this Ordinance, the City shall execute the Certificates and deliver them to the Registrar, and the Registrar shall authenticate the Certificates and deliver them to the purchasers thereof, as directed by the City, and in accordance with this Ordinance.

SECTION 12. The Mayor and the Clerk of the City Council of the City, be and they are hereby empowered, authorized and directed to issue and deliver vouchers drawn against the funds derived from the assessments paid in cash and the funds derived from the sale of the Paving Certificates in accordance with, and in the respective amounts set out in the report of the consulting engineer and accepted by the City, in full payment of all costs incurred in connection with the issuance, sale and delivery of the Paving Certificates herein authorized.

SECTION 13. (a) The Registrar shall maintain the books of the City for the registration of ownership of each Certificate as provided in this Ordinance. The Registrar shall accept a Certificate for registration of ownership only if ownership thereof is to be registered in the name of an individual, a corporation, a partnership or a trust, and only upon receipt of the name and address of each owner, the social security number of each individual, the tax identification number of each corporation, partnership or trust and the social security numbers of the settlor and beneficiary of each trust.

(b) Certificates may be transferred upon the registration books upon delivery of the Certificates to the Registrar, accompanied by a written instrument of transfer in form and with guaranty of signature satisfactory to the City and the Registrar, duly executed by the owner of the Certificates to be transferred or his or her attorney-in-fact or legal representative, containing written instructions as to the details of the transfer of such Certificates, along with the social security number or federal employer identification number of such transferee and, if such transferee is a trust, the name and

social security number of the settlor and beneficiary of the proposed transferee. In the event that a Certificate is to be registered in the name of a nominee, the requisite information shall be provided for the principal rather than such nominee. No transfer of any Certificate shall be effective until entered on the registration books.

(c) In all cases of transfer of a Certificate, the Registrar shall enter the transfer of ownership in the registration books and shall authenticate and deliver in the name of the transferee or transferees a new fully registered Certificate or Certificates of authorized denominations of the same maturity and interest rate for the aggregate principal amount which the registered owner is entitled to receive at the earliest practicable time in accordance with the provisions of this Ordinance. The Registrar shall charge the City for every such transfer of a Certificate an amount sufficient to reimburse them for their reasonable fees and any tax or other governmental charge required to be paid with respect to such transfer, and shall require that such amount be paid before any such new Certificate shall be delivered.

(d) The City and the Registrar shall not be required to issue or transfer any Certificates during a period beginning on the Record Date, and ending at the close of business on the ensuing interest payment date, or any date of selection of Certificates to be redeemed and ending at the close of business on the interest payment date or day on which the applicable notice of redemption is given or to register the transfer of or exchange of any Certificates so selected for redemption in whole or in part.

(e) New Certificates delivered upon any transfer shall be valid special limited obligations of the City, evidencing the same debt as the Certificates surrendered, shall be secured by this Ordinance and shall be entitled to all of the security and benefits hereof to the same extent as the Certificates surrendered.

(f) The City and the Paying Agent/Registrar may deem and treat the registered owner of any Certificate as the absolute owner thereof for all purposes,

whether or not such Certificate shall be overdue, and any notice to the contrary shall not be binding upon the City or the Paying Agent/Registrar.

SECTION 14. Whenever any outstanding Certificate shall be delivered to the Registrar for cancellation pursuant to this Ordinance, and upon payment of the principal amount and interest represented thereby or for transfer pursuant to the provisions hereof, such Certificate shall be canceled and destroyed by the Registrar and counterparts of a certificate of destruction evidencing such destruction shall be furnished by the Registrar to the City.

SECTION 15. Neither the purchaser of the Certificates nor the holder of any of them shall in any way be responsible for the application of the proceeds of said Certificates by the City or any of its officers.

SECTION 16. The City covenants to duly and punctually pay or cause to be paid (but solely from the sources provided in this Certificate Ordinance) the principal of and interest on every Certificate, at the dates and places and in the manner stated herein and in the Certificates.

SECTION 17. The City covenants that it is duly authorized under all applicable laws to authorize and issue the Certificates and to adopt this Certificate Ordinance. The Certificates and the provisions of the Certificate Ordinance are and will be the valid and legally enforceable special obligations of the City in accordance with their terms and the terms of the Certificate Ordinance, subject to bankruptcy, insolvency and other laws affecting creditors' rights generally.

SECTION 18. The following events shall constitute events of default ("Events of Default"):

- (1) if default shall be made in the due and punctual payment of principal of any Certificate when due as the same shall be come due and payable, whether at maturity or upon call for redemption, or otherwise; or

(2) if default shall be made in the due and punctual payment of any installment of interest on any Certificate when and as such interest installment shall become due and payable; or

(3) if default shall be made by the City in the performance or observance of any other of the covenants, agreements or conditions on its part in the Certificate Ordinance, any supplemental ordinance or in the Certificates contained, and such default shall continue for a period of forty-five (45) days after written notice thereof to the City by the Paying Agent/Registrar or by the owners of not less than 25% of the outstanding Certificates; or

(4) if the City shall file a petition or otherwise seek relief under any Federal or state bankruptcy law or similar law;

then, upon the occurrence and the continuance of any Event of Default the owners of the Certificates, or the Paying Agent/Registrar on their behalf, shall be entitled to exercise all rights and powers authorized under the provisions of law.

SECTION 19. After the Certificates herein authorized have been issued, this Ordinance shall constitute an irrevocable contract between the City and the holder or holders of the Certificates, and this Ordinance shall be and remain irrevocable until the Certificates and the interest accruing thereon shall have been fully paid, satisfied and discharged, as herein provided.

SECTION 20. The Mayor and Clerk of the Council of the City, be and they are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Ordinance, to cause the necessary blank Certificates to be printed, to issue, execute, sign and seal the Certificates herein authorized in the manner herein authorized, and to effect delivery thereof as hereinafter provided.

SECTION 21. The provisions of this Ordinance shall constitute a contract between the City, or its successor in law, and the holder or holders from time to time of the Certificates herein authorized, and the provisions of such contract shall be enforceable by appropriate proceedings to be taken by the holder or holders either by law

or in equity. No material modification or amendment of this Ordinance, or any ordinance or enactment amendatory hereof or supplemental hereto, may be made without the consent in writing of the holders of three-fourths of the aggregate principal amount of the Certificates then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of such Certificates, or a reduction in the rate of interest thereon, or in the amount of the principal obligation thereof, or affecting the unconditional promise of the City to pay the principal of and interest on the Certificates as the same shall come due from the funds pledged and dedicated to the payment thereof by this Ordinance.

SECTION 22. In case any one or more of the provisions of this Ordinance or the Certificates issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Ordinance or of the Certificates, but this Ordinance and the Certificates shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this Ordinance or the Certificates which validated or makes legal any provisions of this Ordinance or the Certificates which would not otherwise be valid or legal, shall be deemed to apply to this Ordinance and to the Certificates.

SECTION 23. This Ordinance shall be published once in the *Southwest Daily News*, the official journal of the City of Sulphur, Louisiana. The Certificates herein authorized shall be incontestable in the hands of *bona fide* purchasers thereof for value, and no contest or proceeding shall be begun in any court by any person for any cause whatsoever, after the expiration of thirty (30) days from the date this Ordinance is published, after which time, its validity, legality and ranking, shall be conclusively presumed.

SECTION 24. All ordinances, resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Ordinance shall become effective immediately upon its adoption.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance amending Chapter 24 of the Code of Ordinances of the City of Sulphur to provide for Section 42 – Letter of No Objection. Motion was made by Mr. Duncan seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE 851, M-C SERIES

ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR SECTION 42 – LETTER OF NO OBJECTION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 24 of the Code of Ordinances of the City of Sulphur to provide for Section 42 to read as follows:

**Sec. 24-42. Letter of No Objection**

Prior to the commencement of any construction, site improvements, or landscape alterations for any development, meeting the criteria described herein, the owner of the site shall submit to Gravity Drainage District No. 5 of Ward 4, Calcasieu Parish (hereinafter “District”) all drainage and grading plans associated with site construction for their review and approval. The owner shall then provide to the City a letter of no objection from the District.

The Letter of No Objection shall be required on any site which:

- a. is located in a residential or mixed residential Land Use area and is in excess of 20,000 square feet, or
- b. is located outside of residential and mixed residential Land Use area, regardless of size, or
- c. includes modifications that impact District maintained drainage facilities, or
- d. includes proposed improvements which will impact runoff to or from adjacent properties.

This ordinance shall become effective upon the Mayor’s signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance abolishing Chapter 18, Section 22 (n) of the Code of Ordinances of the City of Sulphur. Motion was made by Mr. Duncan seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 852, M-C SERIES

ORDINANCE ABOLISHING CHAPTER 18, SECTION 22 (n) OF THE CODE OF ORDINANCE OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 18, Section 22 (n) of the Code of Ordinances of the City of Sulphur be abolished:

**Sec. 18-22. Drainage.**

- (n) Prior to the commencement of any construction, site improvements, or landscape alterations for any development, the Developer shall submit all drainage plans to Gravity Drainage District 5 of Ward 4 for approval.

This ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance declaring certain surplus property and authorizing donation of said property to Town of Iowa Police Department (lap top computers). Motion was made by Mr. Duncan seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 853, M-C SERIES

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE TRANSFER THEREOF.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, and in accordance with LA. R.S. 33:4712, that the following described surplus movable property of the City of Sulphur, not needed for public purposes, after having been duly advertised be declared surplus:

Five (5) Laptops:

Panasonic CF-73, Serial Number 4KKSA68879

Panasonic CF-73, Serial Number 4KKSA69288

Panasonic CF-73, Serial Number 4KKSA69298

Panasonic CF-73, Serial Number 4KKSA69315  
Panasonic CF-73, Serial Number 4KKSA69332

BE IT FURTHER ORDAINED that ownership of the afore-mentioned surplus laptops be donated to the Town of Iowa Police Department.

BE IT FURTHER ORDAINED that Mayor Ron LeLeux is hereby authorized to sign all documents in connection therewith.

BE IT ALSO FURTHER ORDAINED that this ordinance shall become effective immediately upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance providing for the approval of a Cooperative Endeavor Agreement with Allstar Pontiac GMC. Mayor LeLeux stated that the maximum rebate would be \$136,000 and the total cost of the expansion is estimated at \$1.7 million. Motion was made by Mr. Koonce seconded by Mr. Duncan that the following ordinance be adopted to-wit:

ORDINANCE NO. 854, M-C SERIES

AN ORDINANCE providing for the approval of a Cooperative Endeavor Agreement and authorizing issuance, execution, negotiation, sale and delivery of a certificate of indebtedness, note or other evidence of indebtedness of the City of Sulphur, State of Louisiana; prescribing the form, terms and conditions of said Agreement and indebtedness; designating the date, amount,

time and place of payment of said certificate of indebtedness; providing for the payment thereof in principal; and providing for any other matters in connection therewith.

WHEREAS, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (in particular, Sections 9022, 9033.1, 9033.2, 9034, 9034.1, 9035.1, 9036 and 9037 thereof) (the “Cooperative Economic Development Law”), and other constitutional and statutory authority supplemental thereto, authorizes the City of Sulphur, State of Louisiana (the “City”) to engage in cooperative endeavors with private associations, corporations or individuals for the purpose of economic development; and

WHEREAS, the Cooperative Economic Development Law clearly authorizes the participation by the City in economic development activities, including the expenditure of public funds under certain circumstances; and

WHEREAS, the City desires to enter into that certain Cooperative Endeavor Agreement (the “Agreement”) by and between the City, and All Star Pontiac-GMC Truck, Inc. (“All Star”), dated as of May 1, 2008, a copy of which is attached hereto as Exhibit A, pursuant to which the City will agree to pay to All Star, that portion of the City’s 1% sales and use tax approved by the City’s electorate on July 17, 2004 for general governmental purposes, and re-authorized for economic development purposes on July 21, 2007, derived from sales tax collections attributable to the new All Star’s Showroom, clerical and dealership, and associated newly constructed and renovated buildings (All Star’s Showroom) for each twelve-month period beginning the first day of the calendar month next succeeding the calendar month in which the All Star’s Showroom is open to the public for business (“Sales Tax Increment Date”), for a term not longer than ten years from the Sales Tax Increment Date, up to a maximum of \$136,000; and

WHEREAS, the City now desires to authorize such certificates of indebtedness (the “Certificates”) on the Sales Tax Increment Date, in the manner authorized and provided by the Cooperative Economic Development Law, as hereinafter provided, and as required by the Agreement, for the purpose of evidencing the obligation incurred by the City under the Agreement;

NOW, THEREFORE, BE IT ORDAINED by the CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, in regular public session convened, that:

**SECTION 1:** All of the above and foregoing is hereby made a part of this ordinance as if incorporated herein.

## **ARTICLE I DEFINITIONS**

As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

“Act” means Sections 9022, 9033.1, 9033.2, 9034, 9034.1, 9035.1, 9036 and 9037 of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended .

“Agreement” means the Cooperative Endeavor Agreement by and among the City, and All Star Pontiac-GMC Truck, Inc., dated as of May 1, 2008, authorized to be entered into pursuant to this Ordinance, a copy of which is attached hereto as Exhibit A and is incorporated herein by reference thereto as if contained in the body of this Ordinance in its entirety.

“All Star” means All Star Pontiac-GMC Truck, Inc., a Louisiana corporation with its principal place of business established in Sulphur, Calcasieu Parish, Louisiana.

“All Star’s Showroom” means collectively (i) a 9,900 square foot showroom and clerical offices; (ii) a 6,960 square foot renovation to existing dealership for service and parts; and (iii) a 4,240 square foot additional shop bay area, as well as hard surfacing 35,000 square feet of parking area, all to be located within the City, as presently or hereafter constituted.

“Authorized Officer” means, with respect to the City, the duly elected Mayor of the City or such other officer of the City designated as such by the Mayor.

“Business Day” means a day which is not (a) a Saturday or Sunday or (b) a legal holiday or a day on which banking institutions are authorized by law to close in the state in which the principal office of the Paying Agent is located.

“Certificate” means any certificate of indebtedness, note or other evidence of indebtedness to be issued by the City authorized by this Ordinance, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any certificate previously issued.

“Certificate Owner” or “Owner” or any similar term, when used with reference to a Certificate or Certificates, means the registered owner of any outstanding Certificate or Certificates.

“City” means the City of Sulphur, State of Louisiana.

“City’s 100% Sales Tax Increment” means an amount equal to one hundred percent (100%) of the Sales Tax Increment derived by the City from All Star’s Showroom.

“Governing Authority” means the Mayor and City Council of the City, or successors thereto acting under the Charter of the City.

“Maturity Date” means the date of the tenth annual principal installment under the Certificates.

“Ordinance” means this Ordinance.

“Owner” or “Owners” when used with respect to any Certificate means the person in whose name such certificate is registered in the registration books of the Paying Agent.

“Paying Agent” means the Director of Finance of the City, acting ex-officio as paying agent/registrar until a successor Paying Agent shall have been appointed pursuant to the applicable provisions of this Ordinance and thereafter “Paying Agent” shall mean such successor Paying Agent.

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

“Principal Payment Date” shall mean the dates on which each annual installment of principal on the Certificates is owed, as determined pursuant to the Agreement.

“Project” shall mean the construction and acquisition of the All Star’s Showroom, all as more particularly described in the Agreement.

“Record Date” means, with respect to a Principal Payment Date, the close of business on the fifteenth (15<sup>th</sup>) day of the calendar month next preceding a Principal Payment Date, whether or not such day is a Business Day.

“Sales Tax” means the City’s 1.0 percent sales and use tax approved by the City’s electorate on July 17, 2004 for general governmental purposes, and re-authorized for economic development purposes on July 21, 2007; and all renewals, extensions or rededications of said tax, levied and collected at some time during all or any part of the term of this Agreement within the boundaries of the City.

“Sales Tax Increment” shall have the same meaning given such term in the Agreement.

“Sales Tax Increment Date” means the first day of the calendar month next succeeding the calendar month in which the All Star’s Showroom is open to the public for business.

“State” means the State of Louisiana.

Capitalized terms used in this Ordinance and not otherwise defined shall have the meaning ascribed thereto in the Agreement.

## **ARTICLE II THE AGREEMENT AND THE CERTIFICATES**

SECTION 2.1. Authorization of the Agreement. The terms and provisions of the Agreement are hereby approved in all respects, including specifically the obligation set forth therein of the City to pay on each Principal Payment Date to All Star, that portion of the City’s 1% sales and use tax approved by the City’s electorate on July 17, 2004 for general governmental purposes, and re-authorized for economic development purposes on July 21, 2007, derived from sales tax collections attributable to the new All Star’s Showroom (“Sales Tax Increment”) for up to a ten year period beginning on the Sales Tax Increment Date, up to a maximum amount not to exceed \$136,000. The Mayor and the Director of Finance of the City are hereby authorized to execute the Agreement in substantially the form attached hereto as Exhibit A for, on behalf of and for the use and benefit of the City.

SECTION 2.2. Authorization of the Certificates. Pursuant to the Act and other constitutional and statutory authority supplemental thereto, and as required by the Agreement, there is hereby authorized the incurring of indebtedness and the issuance of the City’s Certificates on the Sales Tax Increment Date for the purpose of paying all amounts owed by the City under the Agreement, up to a maximum amount not to exceed \$136,000.

SECTION 2.3. Obligation of Certificates. (a) The Certificates shall be special and limited obligations of the City and are payable in principal as set forth therein solely from the Sales Tax Increment. **THE CERTIFICATES SHALL NOT CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE GENERAL CREDIT OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OF**

INDEBTEDNESS, SHALL BE PAYABLE IN AN AMOUNT EQUAL TO THE CITY'S SALES TAX INCREMENT FOR UP TO A Ten YEAR PERIOD BEGINNING ON THE SALES TAX INCREMENT DATE AS PROVIDED IN THE AGREEMENT AND SHALL CONTAIN RECITALS TO THAT EFFECT. NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, OTHER THAN THE CITY, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF THE CERTIFICATES AND THE CERTIFICATES SHALL NOT BE DEEMED TO CONSTITUTE A DEBT OR LIABILITY OF THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF, OTHER THAN THE CITY.

(b) Pledge and Dedication. The Governing Authority does hereby agrees to pay principal on the Certificates during the ten year period following the issuance of the Certificates in an amount in each Fiscal Year equal to the City's Sales Tax Increment, if any.

(c) Interest. The Certificates are payable without interest. In the event that any person for any reason attributes any interest component to the City's obligation owed hereunder and under the Agreement, such event shall not in any way increase the obligation owed by the City.

SECTION 2.4. Issuance and Delivery of the Certificates. The City does hereby authorize issuance and delivery of the Certificates to All Star in accordance with the provisions of the Agreement on the Sales Tax Increment Date.

SECTION 2.5. Form: Denomination: Numbers: Dating. The Certificates shall be substantially in the form set forth in Exhibit B hereto, with such appropriate variations, omissions and insertions as are permitted by this Ordinance. The Certificates shall be issued in fully registered form, without coupons, and shall be issued initially as one fully registered certificate in the full principal amount of \$136,000. Each Certificate issued under this Ordinance shall be numbered from R-1 upward; provided, however, that any temporary Certificates may be numbered as directed by the Paying Agent. The Certificates shall be payable only from the Sales Tax Increment as set forth therein and in the Agreement. No transfer or exchange of the Certificates shall be made except upon surrender of the Certificates by the registered owner thereof to the Paying Agent as provided in Section 2.8 hereof.

SECTION 2.6. Date of Certificates: Maturity. The Certificates shall be dated their date of issuance and registration, which shall occur on the first day of the calendar month next succeeding the calendar month in which the All Star Office is open to the public for business (the "Sales Tax Increment Date"). Principal of the Certificates shall be payable in not more than ten annual installments, each a Principal Payment Date, the first of which shall be on the 1<sup>st</sup> day of the twelfth month following the Sales Tax Increment Date.

SECTION 2.7. Payment of Principal. The principal of the Certificates is payable in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts. The principal of the Certificates shall be payable as set forth in the Certificates. The final payment of principal shall be payable against presentation and surrender of each Certificate at the principal office of the Paying Agent. If a Principal Payment Date is not a Business Day, principal shall be payable on the immediately succeeding Business Day to the Registered Owner of such Certificate on the Record Date immediately preceding such Principal Payment Date regardless of any transfer of such Certificates subsequent to such Record Date. Principal on each Certificate shall be paid by check or draft mailed by the Paying Agent to the Registered Owner of such Certificate who is entitled to receive such payment at the address of such Owner as shown on the Certificate Register.

SECTION 2.8. Transfer, Registration and Assignment of Certificates. The Certificates may be transferred, registered and assigned only on the registration books of the Paying Agent, and such registration shall be at the expense of the City. A Certificate may be assigned by the execution of an assignment form on the Certificate or by other instruments of transfer and assignment acceptable to the Paying Agent. Upon receipt of the foregoing, the Paying Agent shall issue a new Certificate in a Principal Amount equal to the then unpaid portion of the original principal amount of the City's Certificate to the last assignee (the new registered Owner) in exchange for such transferred and assigned Certificates. Such new Certificate or Certificates must be in a minimum principal denomination of \$100,000. Neither the City nor the Paying Agent shall be required to issue, register, transfer or exchange any Certificate during a period beginning at the close of business on the 15<sup>th</sup> day of the month next preceding a Principal Payment Date and ending at the close of business on the Principal Payment Date.

SECTION 2.9. Certificates Mutilated, Destroyed, Stolen or Lost. In case any Certificate shall become mutilated or be improperly canceled, or be destroyed, stolen or lost, the City may, in its discretion, adopt an ordinance and thereby authorize the issuance and delivery of a new Certificate in exchange for and substitution for such mutilated or improperly canceled Certificate, or in lieu of and substitution for the Certificate destroyed, stolen or lost, upon the Owner (i) furnishing the City and the Paying Agent proof of his ownership thereof and proof of such mutilation, improper cancellation, destruction, theft or loss satisfactory to the City and the Paying Agent, (ii) giving to the City and the Paying Agent an indemnity bond in favor of the City and the Paying Agent in such amount as the City may require, (iii) compliance with such other reasonable regulations and conditions as the City may prescribe and (iv) paying such expenses as the City and the Paying Agent may incur. All Certificates so surrendered shall be delivered to the Paying Agent for cancellation pursuant to Section 2.10 hereof. Any such duplicate Certificate issued pursuant to this Paragraph shall constitute an original, additional, contractual obligation on the part of the City, whether or not the lost, stolen or destroyed Certificate be at any time found by anyone. Such duplicate Certificate shall be in all

respects identical with those replaced except as to the number thereof and that it shall bear on its face the following additional clause:

“This certificate is issued to replace a lost, canceled or destroyed certificate under the authority of R.S. 39:971 through 39:974.”

Such duplicate Certificate may be signed by the facsimile signatures of the same officers who signed the original Certificates, provided, however, that in the event the officers who executed the original Certificates are no longer in office, then the new Certificates may be signed by the officers then in office. Such duplicate Certificates 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 Certificates issued hereunder, the obligations of the City upon the duplicate Certificates being identical to its obligations upon the original Certificates and the rights of the Owner of the duplicate Certificates being the same as those conferred by the original Certificates.

SECTION 2.10. Cancellation of Certificates. Whenever any Certificate shall be delivered to the Paying Agent for cancellation pursuant to this Ordinance, upon payment of the principal amount represented thereby, or for replacement pursuant to Section 2.8, such Certificate shall be promptly cancelled and cremated or otherwise destroyed by the Paying Agent and a certificate of destruction evidencing such cremation or other destruction shall be furnished by the Paying Agent to the City.

SECTION 2.11. Execution. The Certificates shall be executed in the name and on behalf of the City by the manual or facsimile signature of the City’s Authorized Officer. In case the officer who shall have signed or sealed any of the Certificates shall cease to be such officer before the Certificates so signed and sealed shall have been actually delivered, such Certificates may, nevertheless, be delivered as herein provided, and may be issued as if the person who signed or sealed such Certificates had not ceased to hold such office. Said officer shall; by the execution of the Certificates, adopt as and for his own proper signature the facsimile signature appearing on the Certificates or any legal opinion certificate thereon, and the City 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 Certificate, notwithstanding that at the date of such Certificate such person may not have held such office or that at the time when such Certificate shall be delivered such person may have ceased to hold such office.

SECTION 2.12. Registration by Paving Agent. No Certificate shall be valid or obligatory for any purpose or entitled to any security or benefit under the Ordinance unless and until a certificate of registration on such Certificate substantially in the form set forth in Exhibit B hereto shall have been duly executed on behalf of the Paying Agent by a duly authorized signatory, and such executed certificate of the Paying Agent upon

any such Certificate shall be conclusive evidence that such Certificate has been executed, registered and delivered under the Ordinance.

### **ARTICLE III PAYING AGENT**

SECTION 3.1. Designation of Paying Agent. The City designates the Director of Finance of the City as Paying Agent (the “Paying Agent”) with respect to the Certificates issued pursuant to this Ordinance.

SECTION 3.2. Appointment of Successor Paying Agent. In case the Paying Agent hereunder shall be removed or be dissolved, taken under the control of any public officer or officers or of a receiver appointed by a court, or otherwise become incapable of acting hereunder, a successor may be appointed by the City.

### **ARTICLE IV COVENANTS OF THE CITY**

SECTION 4.1. General. While any of the Certificates are outstanding, the City shall do and perform or cause to be done and performed all acts and things required to be done or performed by or on behalf of the City under the provisions of this Ordinance and pursuant to the provisions of the Agreement attached hereto as Exhibit A. The City warrants that upon the date of execution and delivery of this Ordinance, all conditions, acts and things required by law, this Ordinance and the Agreement to exist, to have happened and to have been performed precedent to and in the execution and delivery of the Agreement and the Certificates do exist, have happened and have been performed and the execution of the Agreement and the execution and delivery of the Certificates shall comply in all respects with the applicable laws of the State.

SECTION 4.2. Sales Tax Increment. The City shall be required to deposit into the General Fund of the City in each Fiscal Year while any of the Certificates shall remain outstanding an amount equal to the City’s Sales Tax Increment and the same shall accrue, and shall make principal payments equal to the Sales Tax Increment on each Principal Payment Date in accordance with the Agreement and the Certificates.

SECTION 4.3. Sales Taxes. The City shall levy and collect its Sales Tax to the extent authorized by the voters, as provided by law, until either the date on which the Principal Amount of the Certificates is paid by the City or the Maturity Date of the Certificates, whichever occurs first.

**ARTICLE V  
MISCELLANEOUS**

SECTION 5.1. Publication and Filing Ordinance. A copy of this Ordinance shall be published immediately after its adoption in one (1) issue of the official journal of the City, and a certified copy shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of Calcasieu, Louisiana.

SECTION 5.2. Parties Interested Herein. Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any Person, other than the City, the Paying Agent and the owners of the Certificates, any right, remedy or claim under or by reason of the Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this 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 Certificates.

SECTION 5.3. Successors and Assigns. Whenever in the Ordinance the City is named or referred to, it shall be deemed to include its respective successors and assigns and all the covenants and agreements in this Ordinance contained by or on behalf of the City shall bind and inure to the benefit of its respective successors and assigns whether so expressed or not.

SECTION 5.4. Severability. In case anyone or more of the provisions of this Ordinance or the Certificates 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 Ordinance or of the Certificates, but this Ordinance and the Certificates 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 Ordinance which validates or makes legal any provision of this Ordinance or the Certificates, which would not otherwise be valid or legal shall be deemed to apply to this Ordinance and the Certificates.

SECTION 5.5. Records. Prior to the full payment of principal due with respect to the Certificates, the Paying Agent shall keep complete and accurate records of all moneys received and disbursed under this Ordinance and the Agreement, which records shall be available for inspection by the City and by any Certificate Owner, or the agent of any of them, at any time during regular business hours.

SECTION 5.6. Notices. All notices under this Ordinance by any party to the others shall be in writing (unless otherwise specified herein) and shall be sufficiently given and served upon the other parties if delivered by hand directly to the offices named now or sent by United States registered mail, return receipt requested postage prepaid and addressed as follows:

City: Mayor Ron LeLeux  
City of Sulphur  
P. O. Box 1309  
Sulphur, Louisiana 70664

Paying Agent: Director of Finance  
City of Sulphur  
P. O. Box 1309  
Sulphur, Louisiana 70664

or to such other address or addresses as any such party shall have designated to the others by notice given in accordance with the provisions of this Section 5.6.

SECTION 5.7. Governing Law. This Ordinance shall be construed and governed in accordance with the laws of the State.

SECTION 5.8. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5.9. Authorization of the City. The Mayor, Director of Finance and such other officers of the City are hereby empowered, authorized and directed, as required by the Agreement, to do any and all things necessary and incidental to carry out the provisions of this Ordinance, to cause the necessary Certificates to be printed or lithographed, to issue, execute, sign and seal the Certificates, to seek and obtain the consent and approval of the Louisiana State Bond Commission for the issuance of the Certificates, and any and all other documents and to effect delivery thereof as provided herein and in the Agreement. Issuance of the Certificates shall be contingent upon the approval of same by the Louisiana State Bond Commission.

SECTION 5.10. Representation of Indebtedness. The Agreement and the Certificates shall constitute legal, binding and valid obligations of the City, and its successors, and shall be the only representation of the indebtedness herein authorized and created.

SECTION 5.11. Contract. The provisions of this Ordinance shall constitute a contract between the City, or its successor in law, and the Owner or Owners from time to time of the Certificates and the provisions of such contract shall be enforceable by appropriate proceedings to be taken by such Owner or Owners, either at law or in equity. No material modification or amendment of this Ordinance, or any ordinance or resolution or enactment amendatory hereof or supplemental hereto, may be made without the consent in writing of at least seventy-five percent (75%) of the Owners of the Certificates then outstanding.

SECTION 5.12. Special Counsel. It is recognized, found and determined that a real public necessity exists for employment of Bond Counsel in connection with issuance

of the Certificates and accordingly, Joseph A. Delafield, A Professional Corporation, of Lake Charles, Louisiana, is hereby employed as Bond Counsel to the City to do and perform comprehensive, legal and coordinate professional work with respect to issuance and sale of the Certificates. Bond Counsel shall (i) prepare and submit to the City for adoption all proceedings incidental to authorization, issuance, sale and delivery of the Certificates; (ii) counsel and advise the City with respect to issuance and sale of the Certificates; and (iii) furnish their opinion covering legality of issuance thereof. The fee for the work to be performed by Bond Counsel is contingent upon the issuance, sale and delivery of the Certificates, and shall be an aggregate amount less than the Attorney General's then current Bond Counsel Fee Schedule and other guidelines, as negotiated, for comprehensive legal and coordinate professional work in the issuance of revenue bonds applied to the actual aggregate principal amount issued, sold, delivered and paid for at the time such Bonds are delivered, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with issuance of the Certificates, said fee to be subject to the Attorney General's written approval of said employment and fee to be paid with Certificate proceeds.

SECTION 5.13. Swap Policy. By virtue of the City's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.," adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

This ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a public hearing on ordinance amending the 2007-2008 Budget (Exhibit A of General Fund Budget adopted November 12, 2007). Mrs.



**GENERAL FUND BUDGET  
STATEMENT OF REVENUES, EXPENDITURES AND TRANSFERS**

	<b>ACTUAL FY 2005- 2006</b>	<b>BUDGET FY 2006- 2007</b>	<b>PROPOSED FY 2007- 2008</b>
<b>Beginning Fund Balance</b>	<b>11,372,141</b>	<b>12,824,139</b>	<b>10,066,254</b>
<b>I. REVENUES:</b>			
Ad Valorem Tax	1,192,546	1,170,000	1,180,000
Franchise Revenue	1,524,271	1,337,700	1,520,000
License, Permits & Fees	850,607	742,500	777,000
Intergovernmental	620,438	435,000	443,000
Fines & Forfeitures	229,010	204,000	204,000
Int. on Investments	490,777	400,000	650,000
Utility Revenue	1,039,622	1,015,000	1,020,000
Other Revenue	629,811	394,000	357,500
<b>SUBTOTAL</b>	<b>6,577,082</b>	<b>5,698,200</b>	<b>6,151,500</b>
<b>TRANSFERS:</b>			
Sales Tax Transfer	7,222,213	6,509,840	7,389,840
	0		
<b>TOTAL REV. &amp; TRANS.</b>	<b>13,799,295</b>	<b>12,208,040</b>	<b>13,541,340</b>
<b>II. EXPENDITURES:</b>			
Administration	1,651,314	2,020,372	2,144,223
Fire	3,433,751	3,673,672	3,676,279
Police Dept.	3,664,082	3,973,293	4,241,257
Streets	2,745,737	2,950,388	2,795,930
Inspection	143,618	233,974	398,684
Animal Control	177,467	186,365	204,122
Shop	231,328	241,861	273,876
<b>Total Expenditures:</b>	<b>12,047,297</b>	<b>13,279,925</b>	<b>13,734,371</b>
<b>TRANSFERS:</b>			
Capital Projects	300,000	1,686,000	1,929,840

<b>TOTAL EXP. &amp; TRANS.</b>	<b>12,347,297</b>	<b>14,965,925</b>	<b>15,664,211</b>
Rev. over/under Exp.	1,451,998	(2,757,885)	(2,122,871)
<b>Ending Fund Balance</b>	<b>12,824,139</b>	<b>10,066,254</b>	<b>7,943,383</b>

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda an introduction of ordinance suspending the issuance of permits to erect billboards within the city limits of Sulphur. Mr. Duncan stated that the City has contracted a City Planner to review the Land Use Ordinance and make suggested changes. He also stated that he would like to see the issuance of permits for billboards suspended until the review is done because the city is saturated with billboards and it makes the city look cluttered. Many of the billboards are empty. After discussion concerning the definition of “billboard” and “on-premise, off-premise”, motion was then made by Mr. Duncan seconded by Mrs. Tower that the following ordinance be introduced and this will give the Council 30 days to address their concerns:

**ORDINANCE SUSPENDING ARTICLE IV, PART II, SECTION 9 (8) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR FOR THE ISSUANCE OF PERMITS TO ERECT BILLBOARDS WITHIN THE CITY LIMITS OF SULPHUR.**

Motion was then made by Mr. Duncan seconded by Mrs. Tower that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE SUSPENDING ARTICLE IV, PART II, SECTION 9 (8) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR FOR THE ISSUANCE OF PERMITS TO ERECT BILLBOARDS WITHIN THE CITY LIMITS OF SULPHUR.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9<sup>th</sup> day of June, 2008, at City Hall in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

STUART MOSS, Chairman

Motion carried.

The next item on the agenda a resolution awarding low bid received for aluminized steep pipe and bituminous coated corrugated steel pipe. Motion was made by Mr. Duncan seconded by Mrs. Ellender that the following resolution be adopted to-wit:

**RESOLUTION NO. 2081, M-C SERIES**

Resolution awarding bids for aluminized steel pipe and bituminous coated corrugated steel pipe.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for the aluminized steel pipe and bituminous

coated corrugated steel pipe were opened and read aloud in an open and public bid session on May 6, 2008, at 10:00 a.m., and the bids were as follows:

**TABULATION FOR BITUMINOUS COATED CORRUGATED STEEL PIPE  
MAY 6, 2008**

**COASTAL CULVERT:**

**ROUND PIPE**

<u>SIZE</u>	<u>GAUGE</u>	<u>CORRUGATION</u>	<u>PRICE PER FOOT</u>	<u>BANDS EACH</u>
12"	16	2-2/3" x 1/2"	\$ 10.79	\$ 16.19
15"	16	2-2/3" x 1/2"	\$ 13.83	\$ 20.75
18"	16	2-2/3" x 1/2"	\$ 16.81	\$ 25.21
24"	14	2-2/3" x 1/2"	\$ 25.91	\$ 38.87
30"	14	2-2/3" x 1/2"	\$ 31.97	\$ 47.96
36"	14	2-2/3" x 1/2"	\$ 38.22	\$ 57.33
42"	14	2-2/3" x 1/2"	\$ 44.36	\$ 66.54

**CORRUGATED METAL CATCH BASINS**

	<u>EACH</u>
24" Basin with (2) 18" stubs-including (2) 18" dimple bands	\$550.00
24" Basin with (2) 15" stubs-including (2) 15" dimple bands	\$515.00
24" Basin with (2) 12" stubs-including (2) 12" dimple bands	\$480.00

**SADDLE TEES**

	<u>EACH</u>
12" Saddle Tee 16 gauge for 15" Pipe	\$ 128.00
15" Saddle Tee 16 gauge for 18" Pipe	\$ 173.00
15" Saddle Tee 16 gauge for 24" Pipe	\$ 182.00
15" Saddle Tee 16 gauge for 30" Pipe	\$ 210.00
15" Saddle Tee 16 gauge for 36" Pipe	\$ 215.00
15" Saddle Tee 16 gauge for 42" Pipe	\$ 220.00

**ARCHED PIPE**

	<u>PRICE PER FOOT</u>	<u>BANDS EACH</u>
17 x 13 – 16 Gauge	\$ 14.83	\$ 22.25
21 x 15 – 16 Gauge	\$ 17.88	\$ 26.82
24 x 18 – 16 Gauge	\$ 20.77	\$ 31.15
28 x 20 – 14 Gauge	\$ 27.40	\$ 41.10
35 x 24 – 14 Gauge	\$ 33.70	\$ 50.55

**SADDLE TEES FOR ARCHED PIPE**

	<u>EACH</u>
12" Saddle Tee 16 gauge for 15" Arch Pipe	\$ 128.00
15" Saddle Tee 16 gauge for 18" Arch Pipe	\$ 173.00
15" Saddle Tee 16 gauge for 24" Arch Pipe	\$ 182.00
15" Saddle Tee 16 gauge for 30" Arch Pipe	\$ 210.00
15" Saddle Tee 16 gauge for 36" Arch Pipe	\$ 215.00
15" Saddle Tee 16 gauge for 42" Arch Pipe	\$ 220.00

**CORRUGATED METAL**

	<u>EACH</u>
ALT2 Corr. Metal Pipe 16 gauge 30"	\$ 27.23
ALT2 Corr. Metal Pipe 16 gauge 24"	\$ 21.97
ALT2 Corr. Metal Pipe 16 gauge 18"	\$ 16.81
ALT2 Corr. Metal Pipe 16 gauge 15"	\$ 13.83
ALT2 Corr. Metal Pipe 16 gauge 12"	\$ 10.79

**FITTINGS**

	<u>EACH</u>
24" PVC Adaptor	\$ 325.00
18" PVC Adaptor	\$ 70.00
15" PVC Adaptor	\$ 50.00
12" PVC Adaptor	\$ 45.00

**METAL GRATING**

	<u>EACH RISER</u>	<u>EACH GRATE</u>
24" Risers on 24" CMP	\$ 245.00	\$ 150.00
24" Risers on 30" CMP	\$ 245.00	\$ 150.00
24" Risers on 36" CMP	\$ 245.00	\$ 150.00

\*\*\*\*AWARDED BIDDER-COASTAL CULVERT

**TABULATION FOR ALUMINIZED STEEL PIPE  
MAY 6, 2008**

**COASTAL CULVERT:**

**ROUND PIPE**

<u>SIZE</u>	<u>GAUGE</u>	<u>CORRUGATION</u>	<u>PRICE PER FOOT</u>	<u>BANDS EACH</u>
12"	16	2-2/3" x 1/2"	\$ 10.79	\$ 16.19
15"	16	2-2/3" x 1/2"	\$ 13.83	\$ 20.75
18"	16	2-2/3" x 1/2"	\$ 16.81	\$ 25.21
24"	14	2-2/3" x 1/2"	\$ 25.91	\$ 38.87
30"	14	2-2/3" x 1/2"	\$ 31.97	\$ 47.96
36"	14	2-2/3" x 1/2"	\$ 38.22	\$ 57.33
42"	14	2-2/3" x 1/2"	\$ 44.36	\$ 66.54

**CORRUGATED METAL CATCH BASINS**

	<u>EACH</u>
24" Basin with (2) 18" stubs-including (2) 18" dimple bands	\$550.00
24" Basin with (2) 15" stubs-including (2) 15" dimple bands	\$515.00
24" Basin with (2) 12" stubs-including (2) 12" dimple bands	\$480.00
24" Basin with (2) 24" stubs-including (2) 24" dimple bands	\$575.00

**SADDLE TEES**

	<u>EACH</u>
12" Saddle Tee 16 gauge for 15" Pipe	\$ 128.00
15" Saddle Tee 16 gauge for 18" Pipe	\$ 173.00
15" Saddle Tee 16 gauge for 24" Pipe	\$ 182.00
15" Saddle Tee 16 gauge for 30" Pipe	\$ 210.00
15" Saddle Tee 16 gauge for 36" Pipe	\$ 215.00
15" Saddle Tee 16 gauge for 42" Pipe	\$ 220.00

**ARCHED PIPE**

	<u>PRICE PER FOOT</u>	<u>BANDS EACH</u>
17 x 13 – 16 Gauge	\$ 14.83	\$ 22.25
21 x 15 – 16 Gauge	\$ 17.88	\$ 26.82
24 x 18 – 16 Gauge	\$ 20.77	\$ 31.15
28 x 20 – 14 Gauge	\$ 27.40	\$ 41.10
35 x 24 – 14 Gauge	\$ 33.70	\$ 50.55

**SADDLE TEES FOR ARCHED PIPE**

	<u>EACH</u>
12" Saddle Tee 16 gauge for 15" Arch Pipe	\$ 128.00
15" Saddle Tee 16 gauge for 18" Arch Pipe	\$ 173.00

15" Saddle Tee 16 gauge for 24" Arch Pipe	\$ 182.00
15" Saddle Tee 16 gauge for 30" Arch Pipe	\$ 210.00
15" Saddle Tee 16 gauge for 36" Arch Pipe	\$ 215.00
15" Saddle Tee 16 gauge for 42" Arch Pipe	\$ 220.00

**CORRUGATED METAL**

	<u><b>EACH</b></u>
ALT2 Corr. Metal Pipe 16 gauge 30"	\$ 27.23
ALT2 Corr. Metal Pipe 16 gauge 24"	\$ 21.97
ALT2 Corr. Metal Pipe 16 gauge 18"	\$ 16.81
ALT2 Corr. Metal Pipe 16 gauge 15"	\$ 13.83
ALT2 Corr. Metal Pipe 16 gauge 12"	\$ 10.79

**FITTINGS**

	<u><b>EACH</b></u>
24" PVC Adaptor	\$ 325.00
18" PVC Adaptor	\$ 70.00
15" PVC Adaptor	\$ 50.00
12" PVC Adaptor	\$ 45.00

**METAL GRATING**

	<u><b>EACH RISER</b></u>	<u><b>EACH GRATE</b></u>
24" Risers on 24" CMP	\$ 245.00	\$ 150.00
24" Risers on 30" CMP	\$ 245.00	\$ 150.00
24" Risers on 36" CMP	\$ 245.00	\$ 150.00

**\*\*\*\*AWARDED BIDDER-COASTAL CULVERT**

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a resolution awarding low bid received for reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets. Mayor LeLeux stated that no bids were received. Motion was made by Mrs. Tower seconded by Mr. Duncan that the following resolution be adopted to-wit:

RESOLUTION NO. 2082, M-C SERIES

Resolution awarding low bid received for the reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for the reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets were scheduled to be opened on Monday, May 12 at 10:00 a.m. and no bids were received.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a resolution authorizing the advertisement of bids for 6 month supply of pipe and fittings, diesel, chemicals, limestone and asphalt mix. Motion was made by Mr. Koonce seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2083, M-C SERIES

Resolution authorizing advertisement for bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement for bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City, said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department.

BE IT FURTHER RESOLVED that the advertisement of bids will be in "The Southwest Daily News, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

**NOTICE TO BIDDERS**

Separate and sealed bids for the advertisement of bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City will be received by the Clerk of the Council until 10:00 a.m. on the 29th day of May, 2008, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 9<sup>th</sup> day of June, 2008, at 5:30 p.m. proceed to award the bid to the lowest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law.

CITY OF SULPHUR, LOUISIANA

BY \_\_\_\_\_

STUART MOSS, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on the 9<sup>th</sup> day of June, 2008, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a resolution authorizing Mayor Ron LeLeux to provide funding in the amount of \$2,000 to the West Calcasieu Airport Managing Board in accordance with the Joint Services Agreement with said board. Mr. Duncan stated that this money will be used in the pilots lounge for the pilots to rest prior to their next flight. Motion was made by Mr. Duncan seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2084, M-C SERIES

Resolution authorizing Mayor Ron LeLeux to provide funding in the amount of \$2,000 to the West Calcasieu Airport Managing Board in accordance with the Joint Services Agreement with said board.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Ron LeLeux to provide funding in the amount of \$2,000 to the West Calcasieu Airport Managing Board in accordance with the Joint Services Agreement with said board.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss  
NAYS: None  
ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a discussion concerning Auditor for the City of Sulphur and Resolution approving same. Mr. Clyde stated that in this year's Financial Report the City had a write-up concerning employing extra personnel. Steve DeRouen, with Broussard & Company, addressed this issue with Mr. Clyde a few months earlier and told Mr. Clyde that Broussard & Company could stop handling the audits for the City

and would handle all the internal reports that was addressed in the Financial Report. Mr. Clyde also stated the Mr. DeRouen had suggested hiring J. Aaron Cooper, CPA, to handle the audits. This would be much cheaper for the City than to hire extra personnel for the City. Motion was made by Mr. Duncan seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2085, M-C SERIES

Resolution authorizing J. Aaron Cooper, CPA, to perform the audit for fiscal year ending June 30, 2008.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize J. Aaron Cooper, CPA, to perform the audit for fiscal year ending June 30, 2008.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda a resolution authorizing the advertisement of bids for reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets.

Motion was made by Mrs. Ellender seconded by Mr. Duncan that the following resolution be adopted to-wit:

RESOLUTION NO. 2086, M-C SERIES

Resolution authorizing the re-advertisement of bids for reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the re-advertisement of bids

for reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates, Inc.

BE IT FURTHER RESOLVED that the advertisement of bids will be in "The Southwest Daily News, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

**NOTICE TO BIDDERS**

Separate and sealed bids for reconstruction of bridges located on West Lincoln, West Lyons and Phillips Streets will be received by the Clerk of the Council until 10:00 a.m. on the 9th day of June, 2008, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and shall be awarded at a regular meeting on the 9th day of June, 2008 at 5:30 p.m.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mr. Duncan, Mrs. Tower, Mr. Moss  
NAYS: None  
ABSENT: None

And the said resolution was declared duly adopted on this 12<sup>th</sup> day of May, 2008.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

There being no other business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
STUART MOSS, Chairman

5/12/08  
7:00 P.M.