

NOTICE OF INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on September 26, 2019, and laid over for publication of notice:

L.P. ORDINANCE NO. 19-30

An ordinance authorizing the Parish of Livingston, State of Louisiana to proceed with a not to exceed \$17,000,000 financing through the Louisiana Local Government Environmental Facilities and Community Development Authority; authorizing and ratifying the Parish of Livingston, State of Louisiana's request of the Louisiana Local Government Environmental Facilities and Community Development Authority to issue its Taxable Revenue Refunding Bonds; authorizing the borrowing by the Parish of Livingston, State of Louisiana of the proceeds from the sale thereof; approving and ratifying within certain parameters the terms of the sale of the bonds; authorizing the form and execution of the Loan Agreement; authorizing the form of and execution of an agreement for the purchase of the bonds and ancillary financing documents; and otherwise providing with respect thereto.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of the Parish of Livingston, State of Louisiana will meet on Thursday, October 10, 2019, at 6:30 p.m., at the Council Chambers in the Governmental Building, 20355 Government Blvd., Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

/s/ Sandy C. Teal

Sandy C. Teal, Council Clerk

/s/ Shane Mack

Shane Mack, Council Chairman

(As per rules of the Parish Council, copies of the proposed ordinance shall be made available for public inspection at the office of the Livingston Parish Council.)

The following ordinance which was previously introduced in written form at a regular meeting of the Parish Council of the Parish of Livingston, State of Louisiana on September 26, 2019, a Notice of Public Hearing having been published in the official journal and which public hearing was held in accordance with said public notice, was offered by Jeff Averett and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 19-30

An ordinance authorizing the Parish of Livingston, State of Louisiana to proceed with a not to exceed \$17,000,000 financing through the Louisiana Local Government Environmental Facilities and Community Development Authority; authorizing and ratifying the Parish of Livingston, State of Louisiana's request of the Louisiana Local Government Environmental Facilities and Community Development Authority to issue its Taxable Revenue Refunding Bonds; authorizing the borrowing by the Parish of Livingston, State of Louisiana of the proceeds from the sale thereof; approving and ratifying within certain parameters the terms of the sale of the bonds; authorizing the form and execution of the Loan Agreement; authorizing the form of and execution of an agreement for the purchase of the bonds and ancillary financing documents; and otherwise providing with respect thereto.

WHEREAS, it is the purpose of the Louisiana Local Government Environmental Facilities and Community Development Authority (the "*Authority*") to encourage public infrastructure and public works of all types, and to assist political subdivisions in constructing public works and in financing and refinancing the construction of public infrastructure and public works; and

WHEREAS, the Parish of Livingston, State of Louisiana (the "*Parish*") is a participating political subdivision of the Authority in accordance with Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of La. R.S. 33:4548.1 through 33:4548.16, inclusive, is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the "*Act*"); and

WHEREAS, the Authority has previously issued its \$17,865,000 Revenue Bonds (Livingston Parish Courthouse Project), Series 2011 (the "*Series 2011 Bonds*"), the proceeds of which were loaned to the Parish for the construction, acquisition, equipping and furnishing a building to serve as the Livingston Parish Courthouse; and

WHEREAS, the Parish Council of the Parish of Livingston, State of Louisiana, acting as governing authority of the Parish (the "*Parish Council*") has determined that it is in the Parish's best interest to request the Authority, established pursuant to the Act, and Chapters 14 and 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:1441-1456, inclusive) (the "*Refunding Act*") to authorize, sell and issue the Authority's not to exceed \$17,000,000 Taxable Revenue Refunding Bonds (Livingston Parish Courthouse Project), in one or more series (the "*Bonds*"), the proceeds of which will be loaned by the Authority to the Parish (the "*Loan*") pursuant to the provisions of a Loan Agreement by and between the Authority and the Parish (the "*Loan Agreement*"), which Loan proceeds will be used by the Parish to: (i) refund all or a portion of the outstanding Series 2011 Bonds; (ii) fund a reserve fund, if necessary; and (iii) pay the costs of issuance of the Bonds, including the cost of bond insurance premium; and

NOW THEREFORE, BE IT ORDAINED by the Parish Council, as the governing authority of the Parish, that:

SECTION 1. The Parish hereby requests the Authority to authorize and issue the Authority's Taxable Revenue Refunding Bonds (Livingston Parish Courthouse Project), in one or more series (the "*Bonds*") in an aggregate principal amount not to exceed \$17,000,000, the proceeds of which shall be loaned to the Parish pursuant to the Loan Agreement and will be used by the Parish to: (i) refund all or a portion of the outstanding Series 2011 Bonds; (ii) fund a reserve fund, if necessary; and (iii) pay the costs of issuance of the Bonds, including the cost of bond insurance premium.

SECTION 2. The Bonds shall be issued and sold by the Authority only as fully registered bonds in the denominations of \$5,000 or any integral multiple thereof. The Bonds shall mature not later than September 1, 2041 and shall bear interest at a rate not to exceed five percent (5.00%) per annum.

SECTION 3. The selection of Crews & Associates, Inc. (the "*Purchaser*") by the Authority as purchaser of the Bonds is hereby acknowledged and approved by the Parish Council, provided that the Purchaser's proposal does not exceed the parameters set forth in Section 2 above, and the Parish President and the Chairman of the Parish Council are hereby authorized to execute the Bond Purchase Agreement described in Section 4 hereof in order to evidence such approval.

SECTION 4. The form and terms of a Loan Agreement, a Bond Purchase Agreement and all other ancillary documents, including but not limited to any amendments to the Cooperative Endeavor Agreement dated as of September 1, 2011 by and among the Parish and the Twenty-First Judicial District Court (the "*CEA*"), are hereby authorized and approved in the forms approved by bond counsel to the Authority. The Loan Agreement shall obligate the Parish to pay to the Authority amounts necessary from revenues generated by filing charges and recordation fees imposed by Act No. 20 of the 2011 Regular Session of the Louisiana Legislature (the "*Pledged Revenues*") and if such Pledged Revenues are insufficient, from Lawfully Available Funds of the Parish, to allow the Authority to make principal and interest payments on the Bonds and to secure the payment thereof. The execution and delivery of a Preliminary Official Statement and an Official Statement, in the forms approved by counsel to the Parish and bond counsel to the Authority, is hereby ratified and approved.

SECTION 5. The Parish President, the Chairman of the Parish Council and the Council Clerk are hereby authorized to execute and deliver the Loan Agreement, the Bond Purchase Agreement, the CEA and any and all other ancillary documents related thereto and necessary for the consummation of the transaction as contemplated by the Loan Agreement and/or the Bond Purchase Agreement.

SECTION 6. The Parish President, the Chairman of the Parish Council and the Council Clerk are hereby authorized and directed to take all further action necessary or reasonably required to effect the loan from the Authority evidenced by the Loan Agreement and are specifically authorized to approve any changes to the Loan Agreement and all other ancillary documents approved by counsel to the Parish and bond counsel to the Authority, such approval to be conclusively evidenced by its execution thereof.

SECTION 7. The Authority is hereby requested to take all actions necessary to issue and sell the Bonds.

SECTION 8. The Parish President, the Chairman of the Parish Council and the Council Clerk are hereby authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Ordinance, effect the refunding of all or a portion of the Series 2011 Bonds and to assist the Authority in carrying out its functions in connection with the financing.

[Remainder of this page intentionally left blank]

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

YEAS: MR. GIRLINGHOUSE, MR. ARD, MR. KEEN, MR. WASCOM,
MR. TALBERT, MR. AVERETT, MR. HARRIS

NAYS: NONE

ABSENT: MR. MACK, MR. LOBELL

ABSTAIN: NONE

WHEREUPON, this Ordinance was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 10th day of October 2019.

Shane Mack, Council Chairman

ATTEST:

Sandy C. Teal, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ . M.

APPROVED BY PRESIDENT _____

Layton Ricks Date

VETOED BY PRESIDENT _____

Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ . M.

STATE OF LOUISIANA
PARISH OF LIVINGSTON

I, the undersigned Clerk of the Parish Council of the Parish of Livingston, State of Louisiana (the "*Parish Council*") do hereby certify that the foregoing constitutes a true and correct copy of an Ordinance adopted by the Parish Council on October 10, 2019, authorizing the Parish of Livingston, State of Louisiana to proceed with a not to exceed \$17,000,000 financing through the Louisiana Local Government Environmental Facilities and Community Development Authority; authorizing and ratifying the Parish of Livingston, State of Louisiana's request of the Louisiana Local Government Environmental Facilities and Community Development Authority to issue its Taxable Revenue Refunding Bonds; authorizing the borrowing by the Parish of Livingston, State of Louisiana of the proceeds from the sale thereof; approving and ratifying within certain parameters the terms of the sale of the bonds; authorizing the form and execution of the Loan Agreement; authorizing the form of and execution of an agreement for the purchase of the bonds and ancillary financing documents; and otherwise providing with respect thereto.

I further certify that this Ordinance has not been amended or rescinded.

IN WITNESS WHEREOF, I have subscribed my official signature as Clerk of the Parish Council of the Parish of Livingston, State of Louisiana, acting as governing authority of the Parish of Livingston, State of Louisiana on this, the 10th day of October 2019.

Sandy C. Teal, Council Clerk