

CITY OF CROWLEY
SPECIAL COUNCIL MEETING
JUNE 25th, 2020

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a special session at 6:00 p.m. Thursday the 25th, day of June 2020 at the special meeting place of said Mayor and Board of Aldermen, the City Hall Council Chambers, 426 North Avenue F, Crowley, Louisiana, after the giving and posting of prior notice of said meeting in the manner provided by law.

Mayor Tim Monceaux presided with the presence of the following Aldermen: Jeff Cavell, Clint Cradeur, Samuel J. Reggie, III, Kim Stringfellow, Lyle Fogleman, Jr., Steven Premeaux, Byron Wilridge, Sr. and Vernon Martin. Thompson Bradford Core was absent. Alderman Lyle Fogleman led the Pledge of Allegiance to the flag and Alderwoman Kim Stringfellow gave the invocation. The following call was read:

June 24, 2020

City of Crowley
Special Council Meeting Notice:

You are hereby notified that a Special Council Meeting of the Mayor and Board of Aldermen of the City of Crowley will be held on Thursday, June 25th, 2020 at 6:00 p.m. in the City Council Chambers at 426 North Ave. F, Crowley, LA.

The purpose of said meeting will be to:

1. Presentation and consideration of “Business Plan for the City of Crowley Baseball-Softball Complex Artificial Turf and Ballfield Lighting Project”.

S/Tim Monceaux, Mayor

-In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Erin S. Cradeur at (337) 788-4103, describing the assistance that is necessary.

- The Notice of Call was posted at City Hall on June 24, 2020 at 3:30 p.m.

- The call was circulated on June 24, 2020 at 3:30 p.m. and copies of the call were delivered to the following:

Jeff Cavell	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Brad Core	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Clint Cradeur	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Lyle Fogleman	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Vernon Martin	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Steven Premeaux	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Sammy Reggie	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Kim Stringfellow	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Byron Wilridge	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Jimmy Broussard	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Jody Viator	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
M'elise B. Trahan	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Glenn Deville	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Tony Duhon	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Erin Cradeur	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Albert John	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Gilbert Onezine	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Tim Cradeur	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Peter Kirsch	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Tom Regan	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail

Tim Mader	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Crowley Post Signal	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
KATC Channel 3	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
KLFY Channel 10	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Charles King	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Theresa Richard	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Margaret Young	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Crowley Main St.	June 25 th , 2020 at 3:30	o'clock p.m.	by e-mail
Erin Cradeur on June 22nd, 2020 at 10:30 o'clock a.m. by personal service			

PRESENTATION:

Recreation director, Peter Kirsch, presented the Business Plan for the City of Crowley Baseball-Softball Complex Artificial Turf and Ballfield Lighting Project. A lengthy discussion was held with a number of professionals and citizens speaking.

The following resolution was offered by Steven Premeaux and seconded by Alderman Vernon Martin and duly adopted.

A RESOLUTION AUTHORIZING THE CITY OF CROWLEY, LOUISIANA TO PROCEED WITH FINANCING ACQUISITION AND INSTALLATION OF MOVABLE ARTIFICIAL TURF AND VARIOUS OTHER MOVABLE ATHLETIC FACILITY IMPROVEMENTS; APPROVING THE CITY'S BUSINESS PLAN; APPROVING THE FORM AND AUTHORIZING EXECUTION OF A LEASE PURCHASE AGREEMENT WITH FIRST SECURITY FINANCE, INC.; AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH GEO SURFACES, INC.; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

WHEREAS, the City of Crowley, Louisiana, a political subdivision of the State of Louisiana (the "City" or the "Lessee"), after examining available data, has determined that there is substantial need and opportunity in the City to undertake financing of acquisition, installation and equipping of movable artificial turf and various other movable athletic facility improvements at Lessee's athletic facilities situated in the City (the "Equipment");

WHEREAS, the Lessee is authorized under the Constitution and laws of the State of Louisiana (the "State"), including particularly La. Rev. Stat. § 33:4712.7 (the "Authorizing Legislation"), to enter into financing agreements (including lease obligations) to finance acquisition and installation of movable Equipment;

WHEREAS, the Lessee requests the following stipulations be included in its business plan dated June 16, 2020, presented to the City Council by the City's engineer, Tim Mader of Mader Engineering, Inc., of Lafayette, Louisiana (the "Business Plan"), a copy of which is annexed as Exhibit A, for the proposed financing:

- 1) Confirmation that no down payment will be required;
- 2) Confirmation that there will be no origination fees charged;
- 3) Designation of the date of the first payment, preferably September 2022;
- 4) A principal and interest payment schedule for inclusion in the Business Plan;
- 5) Designation of the payment frequency; and
- 6) Prepayment terms; and

WHEREAS, in keeping with the Business Plan presented to the City Council, it finds that it is in the best interests of the Lessee to finance acquisition, installation and equipping of the movable Equipment by entering into an Equipment Lease Purchase Agreement (the "Lease Agreement"), with First Security Finance, Inc., as lessor (the "Lessor"), in an amount not to exceed \$5,200,000, for a term not exceeding thirteen and one-half (13.5) years, at an interest rate not exceeding 3.75%, a copy of which is annexed as Exhibit B;

WHEREAS, it is the desire of the City Council, based upon the facts recited withing the Business Plan dated June 16, 2020, submitted on this date to the City Council by the City's engineer, Tim Mader, that the Mayor be authorized to execute and deliver to Geo Surfaces, Inc., the construction contract (the "*Construction Contract*"), a copy of which is annexed as Exhibit C; and

WHEREAS, in order to provide for payment of and security for the financed movable Equipment, the Lease Agreement shall provide for a pledge and dedication to the Lessor of City funds which the City may annually appropriate, said funds may arise from income, revenue, fees, receipts or charges of any nature from any source due to the City ("*Annually Appropriated Funds*"), thereby obligating the City to pay the Lessor under the terms of the Lease Agreement principal and interest on the amount financed for the City's acquisition of the movable Equipment,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, in special session convened, that:

SECTION 1. The statements of fact expressly contained within the preamble to this Resolution have been specifically reviewed by the City Council and are found to be factually true and correct, and are made resolutions of the City.

SECTION 2. The City Council hereby authorizes and approves the proposed Business Plan as submitted to the City as Exhibit A, and which may include such additions, omissions and changes as may be approved by the City Attorney and Bond Counsel to the City.

SECTION 3. Under the authority of the Authorizing Legislation the Mayor of the City is hereby authorized to do any and all things necessary to effect the execution and delivery of the Lease Agreement with Lessor, substantially in the form of Exhibit B, with such additions, omissions and changes as may be approved by the City Attorney and Bond Counsel to the City; provided, that, the principal amount financed pursuant to the Lease Agreement shall not exceed \$5,200,000 and the stated interest rate shall not exceed 3.75% per annum, for a term not exceeding thirteen and one-half (13.5) years. Interest shall begin accruing on the Commencement Date (as defined in the Lease Agreement). The City affirmatively approves the Lease Agreement which contains both a non-appropriations clause, as well as it does not contain an anti-substitution provision.

SECTION 4. The City Council hereby authorizes and approves the Mayor's execution and delivery of the Construction Contract with Geo Surfaces, Inc., in substantially the form submitted to the City as Exhibit C and may include such additions, omissions and changes as may be approved by the City Attorney and Bond Counsel to the City.

SECTION 5. The City Council hereby authorizes and directs the Mayor to do any and all things necessary for the performance of all other acts of whatever nature necessary to effect and carry out the authority conferred by this Resolution. The Mayor of the Lessee is hereby authorized and directed, for and on behalf of Lessee, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

SECTION 6. The City hereby finds and determines that a real necessity exists for employment of special bond counsel in connection with the Lease Agreement and Equipment financing, and accordingly Joseph A. Delafield, A Professional Corporation ("*Bond Counsel*") of Lake Charles, Louisiana, is hereby employed to do and perform comprehensive legal and coordinate professional work with respect to the Lease Agreement and Equipment financing. Said Bond Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and shall counsel and advise the Mayor, Mayor Pro-Tem and City Council on the Lease Agreement and Equipment financing. The fee of Bond Counsel is contingent upon execution and delivery of the Lease Agreement, and shall be in accordance with the Attorney General's then current Bond Counsel Fee Schedule and other guidelines, as negotiated, for comprehensive legal and coordinate professional work applied to the actual aggregate principal amount of the executed Lease Agreement, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the Lease Agreement and Equipment financing, said fee to be subject to the Attorney General's written approval of said employment.

SECTION 7. The provisions of this Resolution are hereby declared to be severable and, if any such provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Resolution.

SECTION 8. All resolutions, ordinances or orders in conflict herewith, be to the extent of such conflict, and they are hereby repealed.

SECTION 9. This Resolution shall take effect and be enforced from and after its adoption.

THUS DONE, SIGNED AND ADOPTED in special session duly convened on the 25th day of June, 2020, in Crowley, Acadia Parish, Louisiana.

TIM MONCEAUX, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

There being no further business to come before the Council upon motion duly made by Alderman Jeff Cavell and seconded by Alderman Vernon Martin the meeting was adjourned at 7:52 p.m.

Presented rough draft to Mayor on June 29th, 2020 at 10:00 a.m.

Presented for Mayor's signature on June 29th, 2020 at 10:00 a.m.

Mayor signed & returned to City Clerk on June 29th, 2020 at 11:00 a.m.

Publish in newspaper on July 13th, 2020