The following ordinance having been introduced at a meeting held on June 16, 2020, notice of its introduction having been published in the official journal and a public hearing having been held thereon on this date, was offered for final adoption by Bailey and seconded by Duke:

**ORDINANCE NO. 2020-007**

An ordinance authorizing the issuance of not exceeding Eight Hundred Forty-Five Thousand Dollars ($845,000) of Taxable Sales Tax Bonds (DEQ), Series 2020, of the Town of Olla, State of Louisiana; prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; awarding said Bonds to the purchaser thereof; authorizing the execution of a Loan and Pledge Agreement and other loan documents with the Louisiana Department of Environmental Quality (the "Department"); providing for the delivery of the Bonds to the Department; and providing for other matters in connection therewith.

**WHEREAS,** the United States of America, pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of establishing a water pollution control revolving fund for providing assistance (i) for construction of treatment works (as defined in Section 1292 of the Federal Act) which are publicly owned, (ii) for implementing a management program under Section 1329 of the Federal Act, and (iii) for developing and implementing a conservation and management plan under Section 1330 of the Federal Act; and

**WHEREAS,** the State of Louisiana (the "State"), pursuant to Subtitle II, Chapter 14 of Title 30 of the Louisiana Revised Statues of 1950, as amended, specifically La. R.S. 30:2301, *et seq.* (the "State Act"), has established a Clean Water State Revolving Fund (the "State Revolving Fund") in the custody of the Louisiana Department of Environmental Quality (the "Department") to be used for the purpose of providing financial assistance for the improvement of wastewater treatment facilities in the State, as more fully described in Section 2302 of the State Act, and has authorized the Department to administer the State Revolving Fund in accordance with applicable federal and state law; and

**WHEREAS,** the Town of Olla, State of Louisiana (the "Issuer"), has made application to the Department for a loan from the State Revolving Fund to finance the Project (as herein defined) and the Department has approved the Issuer's application for such loan; and

**WHEREAS,** the Issuer is now levying and collecting a one percent (1%) sales and use tax (the "Tax") pursuant to an election held on November 18, 1995 (the "Election"), at which Election the following proposition was approved by a majority of the qualified electors voting at the Election, viz:

1.

**PROPOSITION**

SUMMARY: 1% SALES AND USE TAX FOR CONSTRUCTING, ACQUIRING, EXTENDING, IMPROVING, OPERATING AND/OR MAINTAINING SEWERS AND SEWAGE DISPOSAL FACILITIES FOR THE TOWN, AND THE PAYMENT OF BOND OR OTHER DEBT OBLIGATIONS OF THE TOWN ISSUED FOR SUCH SEWER PURPOSES, AND CONSTRUCTING, ACQUIRING, IMPROVING AND/OR MAINTAINING PUBLIC ROADS AND STREETS IN THE TOWN, WITH THE PROCEEDS OF THE TAX TO BE SUBJECT TO THE FUNDING INTO BONDS.

Shall the Town of Olla, State of Louisiana (the "Town") under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, be authorized to levy and collect and adopt an ordinance providing for such levy and collection, a tax of one percent (1%) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in the Town, all as presently defined in La. R.S.

47:301 through 47:317, with the proceeds of the Tax (after paying the reasonable

and necessary expenses of collecting and administering the Tax), to be dedicated and used for constructing, acquiring, extending, improving, operating and/or maintaining sewers and sewerage disposal facilities for the Town, and the payment of Bonds or other debt obligations of the Town issued for such sewer purposes, and constructing, acquiring, improving and/or maintaining public roads and streets in the Town, and shall the Town further be authorized to fund the proceeds of the Tax into Bonds for any of the capital improvements set forth above, to the extent and in the manner permitted by the laws Louisiana, including Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended?

**WHEREAS,** pursuant to the authority of the Election, the Issuer adopted an ordinance on December 12, 1995 (the "Sales Tax Ordinance"), providing for the levy and collection of the Tax; and

**WHEREAS,** in accordance with the provisions of the Sales Tax Ordinance, the proceeds of the Tax received by the Issuer, after payment of the costs and expenses of collection and administration of the Tax (the "Net Revenues of the Tax") shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the Tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

**WHEREAS,** the Issuer now wishes to issue its Taxable Sales Tax Bonds (DEQ), Series

2020 (the "Bonds"), to be payable solely from and secured by an irrevocable pledge and dedication of the Net Revenues of the Tax, all in accordance with Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and

2.

statutory authority (La. R.S. 39:501, *et seq.,* and particularly La. R.S. 39:523) (the "Act"), for the purpose of paying the costs of acquiring and constructing improvements and replacements to the sewerage system of the Issuer (the "Project"); and

**WHEREAS,** the Act provides full authority to issue the Bonds without any reference to Sub Part F, Part ITI Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended; and

**WHEREAS,** other than the Bonds, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax herein pledged, except the Issuer's outstanding Sales Tax Refunding Bonds, Series 2011 (the "Outstanding Parity Bonds"); and

**WHEREAS,** under the terms and conditions of the ordinance adopted by the Issuer on February 8, 2011, authorizing the issuance of the Outstanding Parity Bonds (the "Outstanding Parity Bond Ordinance"), the Issuer has authority to issue additional bonds payable from the Net Revenues of the Tax on a complete parity with the Outstanding Parity Bonds under the terms and conditions provided therein; and

**WHEREAS,** the Issuer has determined that all the terms and conditions specified in the Outstanding Parity Bond Ordinance have been or will be complied with prior to the delivery of the Bonds, and it is the express desire and intention of the Issuer that the Bonds be issued on a complete parity with the Outstanding Parity Bonds; and

**WHEREAS,** the maturities of the Bonds have been arranged so that the total amount of principal and interest falling due in any fiscal year of the Issuer on the Bonds and the Outstanding Parity Bonds will never exceed 75% of the Net Revenues of the Tax estimated by this Governing Authority to be received by the Issuer in the fiscal year in which the Bonds are to be issued (which is hereby estimated to be at least $203,000 in fiscal year 2021); and

**WHEREAS,** the Louisiana State Bond Commission approved the issuance of the Bonds at its meeting of July 18, 2019; and

**WHEREAS,** the Issuer now wishes to fix the details necessary with respect to the issuance of the Bonds, and to provide for the authorization and issuance thereof, as hereinafter provided;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Board of Aldermen of the

Town of Olla, State of Louisiana, acting as the governing authority thereof, that:

SECTION **1. Definitions.** As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

*"Act"* means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (La. R.S. 39:501, *et seq.,* and particularly La. R.S. 39:523).

3.

*"Additional Parity Bonds"* means any bonds or other obligations of the Issuer on a parity with the Bonds and the Outstanding Parity Bonds pursuant to Section 14 hereof.

*"Administrative Fee"* means the annual fee equal to one-half of one percent (0.50%) per annum of the outstanding principal an1ount of the Bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi­ annual installments on each Interest Payment Date.

*"Bond"* or *"Bonds"* means the Taxable Sales Tax Bonds (DEQ), Series 2020, of the Issuer issued by this Bond Ordinance in the total aggregate principal amount of not exceeding Eight Hundred Forty-Five Thousand Dollars ($845,000), and any Bond of said issue, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any previously issued Bond.

*"Bond Ordinance"* means this ordinance authorizing the issuance of the Bonds.

*"Bond Register"* means the registration books of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

*"Bond Year"* means the one year period ending on August 1 of each year, the principal payment date for the Bonds.

*"Business Day"* means a day of the year on which banks located in the State of Louisiana are not required or authorized to remain closed and on which the New York Stock Exchange is not closed.

*"Completion Date"* means the earlier of (i) the date of the final disbursement of the purchase price of the Bonds to the Issuer, or (ii) the date the operation of the project that is being financed with the Bonds is initiated or capable of being initiated, as certified by an Authorized Officer in accordance with the Loan Agreement.

*"Date of Delivery"* means he first date on which any of the Bonds are delivered to the

Department in exchange for payment therefor.

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

*"Department"* means the Louisiana Department of Environmental Quality, an executive department and agency of the State of Louisiana, and any successor to the duties and functions thereof.

*"Election"* means the election held within the corporate boundaries of the Issuer on

November 18, 1995, which authorized the Tax.

*"Executive Officers"* means, collectively, the Mayor and the Clerk of the Issuer.

4.

*"Federal Act"* means the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code, and other statutory and regulatory authority amendatory or supplemental thereto.

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

*"Governing Authority"* means the Mayor and Board of Aldermen of the Town of Olla, State of Louisiana, or its successor in function.

*"Government Securities"* means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to the respective maturities of the Bonds and may be United States Treasury Obligations such as the State and Local Government Series and may be in book entry form.

*"Interest Payment Date"* means each February 1 and August 1 of each year the Bonds are outstanding, commencing the first February 1 or August 1 following the Date of Delivery.

*"Issuer"* means the Town of Olla, State of Louisiana.

*"Loan Agreement"* means the Loan and Pledge Agreement to be entered into by and between the Department and the Issuer prior to the delivery of the Bonds which will contain certain additional agreements relating to the Bonds and the project that is being financed with the Bonds, which Loan Agreement shall be in substantially the form attached as Exhibit A to this Bond Ordinance, as it may be supplemented or amended from time to time in accordance with the provisions thereof.

*"Net Revenues of the Tax"* means proceeds of the Tax received by the Issuer, after payment of the costs and expenses of collection and administration of the Tax.

*"Outstanding"* when used with respect to Bonds means, as of the date of determination, all Bonds theretofore issued and delivered under this Bond Ordinance, except:

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

(b) Bonds for whose payment or prepayment sufficient funds have been paid or deposited in trust for the Owners of such Bonds as provided herein;

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

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

5.

*"Outstanding Parity Bonds"* means the Issuer's outstanding Sales Tax Refunding Bonds, Series 2011.

*"Outstanding Parity Bond Ordinance"* means the ordinance adopted by the Governing

Authority on February 8, 2011, authorizing the issuance of the Outstanding Parity Bonds.

*"Owner"* or *"Owners"* when used with respect to any Bond means the Person in whose name such Bond is registered in the Bond Register.

*"Paying Agent"* means the Clerk of the Issuer, unless and until a successor Paying Agent shall have become such pursuant to the applicable provisions of this Bond Ordinance, and thereafter Paying Agent shall mean such successor Paying Agent.

*"Person"* 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"* means August 1 of each year, commencing as set forth in

Section 2 hereof.

*"Qualified Investments"* means the following, provided that the same are at the time legal for investment of the Issuer's funds and, if required by law, are secured at all times by collateral described in clause (a) below:

(a) Government Securities, including obligations of any of the federal agencies set forth in clause (b) below to the extent unconditionally guaranteed by the United States of America and any certificates or any other evidences of an ownership interest in obligations or in specified portions thereof (which may consist of specified portions of the interest thereon) of the character described in this clause (a);

(b) bonds, debentures or other evidences of indebtedness issued by the Private Export Funding Corporation, Federal Horne Loan Bank System, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association and Student Loan Marketing Association;

(c) certificates of deposit, whether negotiable or nonnegotiable, issued by any bank or trust company organized under the laws of the State or any national banking association having its principal office in the State which is a member of the Federal Deposit Insurance Corporation and which are secured at all times by collateral described in clause (a) above;

(d) certificates of deposit, savings accounts, deposit accounts or money market deposits of any bank or trust company organized under the laws of the State or any national banking association having its principal office in the State which are fully insured by the Federal Deposit Insurance Corporation; and

6.

(e) the Louisiana Asset Management Pool (LAMP).

*"Record Date"* for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such interest payment date, whether or not such day is a Business Day.

*"Reserve Fund Requirement"* means as of any date of calculation, a sum equal to one­

half of the maximum principal and interest requirements for any succeeding Bond Year on the

Bonds. The Reserve Fund Requirement of any issue(s) of Additional Parity Bonds shall be defined in the resolution(s) authorizing the issuance of such Additional Parity Bonds.

*"Sales Tax Ordinance"* means the ordinance adopted by the Governing Authority on December 12, 1995, as amended and supplemented, providing for the levy and collection of the Tax.

*"Tax"* means the one per cent (1%) sales and use tax being levied and collected by the

Issuer pursuant to the Election and the Sales Tax Ordinance.

*"2020 Reserve Account"* shall have the meaning given such term in Section 11 hereof.

*"2020 Reserve Fund Requirement"* means an amount equal to one-half (y;) of the highest combined principal and interest requirement on the Bonds in any succeeding Fiscal Year.

SECTION 2. Authorization of Bonds. In compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not exceeding Eight Hundred Forty-Five Thousand Dollars ($845,000) for, on behalf of and in the name of the Issuer, for the purpose of acquiring and constructing improvements and replacements to the sewerage system of the Issuer, and paying the costs of issuance thereof, and to represent the said indebtedness, the Issuer does hereby authorize the issuance of not exceeding Eight Hundred Forty-Five Thousand Dollars ($845,000) of its Taxable Sales Tax Bonds (DEQ), Series 2020. The Bonds shall be in the form of a single, fully registered Bond, numbered R-1, and shall be dated the Date of Delivery. The Executive Officers may approve a different series designation if the Bonds are delivered after the end of 2020 or if it is in their sole judgment preferable to do so.

The Bonds shall be entitled to principal forgiveness of fifty percent (50%) of the total amount of draws on the Bonds, as more fully described in the Loan Agreement.

The Bonds shall be issued in the form of a single fully registered Bond, numbered R-1, payable in principal in twenty (20) annual principal installments, payable on each August 1 as set forth below and each annual installment shall be the amounts as shown in the following table:

7.

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Principal Amount | Date | Principal Amount |
| (August 1) | Maturing | (August 1) | Maturing |

|  |  |  |  |
| --- | --- | --- | --- |
| 2021 | $ 2,000 | 2031 | $29,000 |
| 2022 | 8,000 | 2032 | 29,000 |
| 2023 | 8,000 | 2033 | 29,000 |
| 2024 | 8,000 | 2034 | 29,000 |
| 2025 | 8,000 | 2035 | 30,000 |
| 2026 | 8,000 | 2036 | 31,000 |
| 2027 | 8,000 | 2037 | 31,000 |
| 2028 | 20,000 | 2038 | 32,000 |
| 2029 | 20,000 | 2039 | 32,000 |
| 2030 | 28,000 | 2040 | 32,000 |

Should the Issuer not drawdown all of the principal of the Bond for the Project, then any adjustments to the payment of Principal shall be made in inverse order of Principal payment.

The unpaid principal of the Bonds shall bear interest from the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rate of forty-five hundredths percent (0.45%) per annum, said interest to be calculated on the basis of a

360-day year consisting of twelve thirty-day months and payable on each Interest Payment Date. Interest on the Bonds on any Interest Payment Date shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore to the Issuer and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

In addition to interest at the rate set forth above, at any time that the Department owns the Bonds the Issuer will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its State Revolving Fund and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability. The Administrative Fee shall be calculated in the same manner as interest on the Bonds.

The principal of the Bonds, upon maturity or prepayment, shall be payable by check mailed by the Paying Agent to the Owner (determined as of the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so that neither gain nor loss in interest shall result from such transfer, exchange or substitution. No Bond shall be entitled to any right or benefit under this Bond Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Bond Ordinance, executed by the Paying Agent by manual signature.

8.

SECTION 3. Prepayment of Bonds. The principal installments of the Bonds are subject to prepayment at the option of the Issuer at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date. Such prepayments will be in the inverse order of principal payments on the Bonds. Official notice of such call for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail or via accepted means of electronic communication not less than thirty (30) days prior to the prepayment date addressed to the Owner of each Bond to be prepaid at his address as shown on the registration records of the Paying Agent. In the event a portion of the Bonds is to be prepaid, such Bonds shall be surrendered to the Paying Agent, who shall note the date and amount of such prepayment in the space provided therefor on the Bonds.

SECTION 4. Registration. The Issuer shall cause the Bond Register to be kept at the principal office of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein. The Bonds may be transferred, registered and assigned only on the Bond Register, and such registration shall be at the expense of the Issuer. The Bonds may be assigned by the execution of an assignment form on the Bonds or by other instruments of transfer and assignment acceptable to the Paying Agent. A new Bond will be delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bond after receipt of the Bond to be transferred in proper form.

SECTION 5. Sale and Delivery of Bonds; Execution of Documents. The Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Paying Agent, the Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Issuer of the agreed first advance of the purchase price of the Bonds. It is understood that the purchase price of the Bonds will be paid by the Department to the Issuer in installments, in the manner and under the terms and conditions set forth in the Loan Agreement.

SECTION 6. Form of Bonds. The Bonds and the endorsements to appear thereon shall be in substantially the following forms, respectively, to wit:

(FORM OF BOND)

INTEREST ON THIS BOND WILL BE INCLUDED IN GROSS INCOME FORFEDERALINCOMETAXPURPOSESANDISNOT EXEMPT FROM FEDERAL INCOME TAXATION

UNITED STATES OF AMERICA STATE OF LOUISIANA PARISH OF LASALLE

TAXABLE SALES TAX BOND (DEQ), SERIES 2020

OF THE

TOWN OF OLLA, STATE OF LOUISIANA

9.

Bond

Number

Bond

Date

Interest

Rate

Principal

Amount

R-1 , 2020 0.45% $845,000

FOR VALUE RECEIVED, the Town of Olla, State of Louisiana (the

"Issuer"), promises to pay, but solely from the source and as hereinafter provided, to:

REGISTERED OWNER: Department of Environmental Quality (the "Department") Attn: Financial Services Division, Accounts Receivable

P.O. Box 4311

Baton Rouge, Louisiana 70821-4311

or registered assigns noted on the registration record attached hereto the Principal Amount set forth above, to the extent advanced, in annual installments as set forth below.

The Issuer shall pay such principal amounts together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for. This Bond shall bear interest, payable semi-annually on February 1 and August 1 of each year, commencing August 1, 2021 (each, an "Interest Payment Date"), at the Interest Rate shown above, said interest to be calculated on the basis of a

360-day year consisting of twelve 30-day months. Interest on the Bonds on any Interest Payment

Date shall be payable only on the aggregate outstanding amount of the purchase price which shall have been paid theretofore, as noted on Schedule A hereto, and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

If the Department is the registered owner of this Bond, the Issuer will additionally pay an Administrative Fee to the Department at the annual rate of one-half of one percent (0.5%) on the outstanding principal amount of the Bond, payable on each Interest Payment Date. In the event (i) the Department owns this Bond or the Department has pledged or assigned this Bond in connection with its Clean Water State Revolving Fund Program and (ii) the Administrative Fee payable to the Department is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, then the "Interest Rate" shown in the foregoing table and borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

The principal of this Bond shall mature in twenty (20) annual installments of principal, payable annually on each August 1, and each annual installment shall be the amounts set forth below:

10.

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Principal Amount | Date | Principal Amount |
| (August 1) | Maturing | (August 1) | Maturing |

|  |  |  |  |
| --- | --- | --- | --- |
| 2021 | $ 2,000 | 2031 | $29,000 |
| 2022 | 8,000 | 2032 | 29,000 |
| 2023 | 8,000 | 2033 | 29,000 |
| 2024 | 8,000 | 2034 | 29,000 |
| 2025 | 8,000 | 2035 | 30,000 |
| 2026 | 8,000 | 2036 | 31,000 |
| 2027 | 8,000 | 2037 | 31,000 |
| 2028 | 20,000 | 2038 | 32,000 |
| 2029 | 20,000 | 2039 | 32,000 |
| 2030 | 28,000 | 2040 | 32,000 |

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

The principal installments of this Bond are subject to prepayment at the option of the Issuer at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date, in the inverse order of principal payment. In such case of partial prepayment, the remaining principal shall continue to mature in annual installments calculated using the percentages shown above.

In the event a portion of this Bond is to be prepaid, this Bond shall be surrendered to the Clerk of the Issuer, as initial Paying Agent for this Bond (the "Paying Agent"), who shall note the amount of such prepayment in the space provided therefor on the prepayment schedule attached to this Bond. Official notice of such call of this Bond for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail or via accepted means of electronic communication not less than thirty (30) days prior to the prepayment date addressed to the registered owner of this Bond to be prepaid at his address as shown on the registration books of the Paying Agent, which notice may be waived by any registered owner. The Issuer shall cause to be kept at the office of the Paying Agent a register in which registration of this Bond and of transfers of this Bond shall be made as provided herein and in the Bond Ordinance. This Bond may be transferred, registered and assigned only on such registration records of the Paying Agent, and such registration shall be at the expense of the Issuer.

This Bond represents the entire issue of an authorized issue of bonds of the Issuer aggregating in principal the maximum sum of Eight Hundred Forty-Five Thousand Dollars ($845,000) (the "Bonds"), the Bonds having been issued by the Issuer pursuant to an ordinance adopted by its governing authority on July 14, 2020 (the "Bond Ordinance"), for the purpose of acquiring and constructing improvements and replacements to the sewerage system of the Issuer,

11.

and paying the costs of issuance thereof, under the authority conferred by Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, including specifically La. R.S. 39:523, and other constitutional and statutory authority (the "Act"), pursuant to all requirements therein specified, including the authorization of a majority of the qualified electors voting at an election held on November 18, 1995 (the "Election"), the results of which Election have been duly promulgated in accordance with law.

As provided in the Bond Ordinance, and subject to certain limitations set forth therein, the Bonds are exchangeable for an equal aggregate principal amount of Bonds of the same maturity of any other authorized denomination. The Issuer and the Paying Agent shall not be required to (a) issue, register the transfer of or exchange any Bond during a period beginning at the opening of business on the 15th day of the month next preceding an interest payment date or any date of selection of Bonds to be redeemed and ending at the close of business on the interest payment date or (b) to register the transfer of or exchange any Bond so selected for redemption in whole or in part.

This Bond is issued on a parity (except with respect to certain reserve funds) with the Issuer's outstanding Sales Tax Refunding Bonds, Series 2011 (the "Outstanding Parity Bonds"). It is certified that the Issuer, in issuing this Bond, has complied with all the terms and conditions set forth in the ordinance authorizing the issuance of the Outstanding Parity Bonds.

This Bond, equally with the Outstanding Parity Bonds, is payable from a pledge and dedication of the avails or proceeds of the special one percent (1%) sales and use tax (the "Tax") being levied and collected by the Issuer pursuant to the Election and Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, after payment of the costs and expenses of collection and administration of the Tax (the "Net Revenues of the Tax"), all as provided in the Bond Ordinance.

This Bond constitutes a borrowing solely upon the credit of the Net Revenues of the Tax received by the Issuer and does not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory provisions relating to the incurring of indebtedness. Itisexpressly provided in the Act that, while the Bonds are outstanding, neither the Louisiana Legislature, the Governing Authority, nor any other authority shall discontinue or decrease the Tax or permit to be discontinued or decreased the Tax or in any way make any change in the allocation and dedication of the proceeds of the Tax which would diminish the amount of the Net Revenues of the Tax to be received by the Issuer, and there is hereby vested in the owners from time to time of this Bond a contractual right under the provisions of the Act. For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Bond Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana. It is further certified, recited and

12.

declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Issuer, including this Bond and the issue of which it forms a part, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that the Bonds shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof.

IN WITNESS WHEREOF, the Mayor and Board of Aldermen of the Town of Olla, State of Louisiana, have caused this Bond to be executed in the name of the Issuer by the manual signatures of its Mayor and its Clerk and its corporate seal to be impressed hereon.

TOWN OF OLLA, STATE OF LOUISIANA

ATTEST: By: Mayor

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk

(SEAL)

\* \* \* \* \* \*

|  |  |  |
| --- | --- | --- |
| **REGISTRATION RECORD**  **TAXABLE SALES TAX BOND (DEQ), SERIES 2020**  **TOWN OF OLLA, STATE OF LOUISIANA** | | |
| Name and Address  Of Registered Owner | Date of  Registration | Signature of Clerk of the  Issuer As Paying Agent |
| Department of Environmental Quality Clean Water State Revolving Fund P.O. Box 4311  Baton Rouge, La. 70821-4311 |  |  |

13.

|  |  |  |
| --- | --- | --- |
| SCHEDULE OF PREPAYMENTS  TAXABLE SALES TAX BOND (DEQ), SERIES 2020  TOWN OF OLLA, STATE OF LOUISIANA | | |
| Prepayment  Date | Prepayment  Amount | Remaining  Balance Due |
|  | |  |

\* \* \* \* \*

SCHEDULE A

SCHEDULE OF PRINCIPAL DRAWS AND PRINCIPAL BALANCE TAXABLE SALES TAX BOND, SERIES 2020

OF THE

TOWN OF OLLA, STATE OF LOUISIANA

Date:------------------------------

Principal Draw Paid to Town this Date: $

Amount of Principal Forgiveness this Date:$

Draw Number: --------------------

Cumulative Amount of Principal Draws Paid to Date:$\_ Cumulative Amount of Principal Forgiveness to Date:$\_ Outstanding Balance of Principal $

Signature of Authorized Officer of Department:

14.

SECTION 7. Execution of Bonds. The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Bond Ordinance, to execute and deliver the Loan Agreement, and to cause the Bonds to be prepared and/or printed, to issue, execute and seal the Bonds and to effect delivery thereof as hereinafter provided. If facsimile signatures are used on the Bonds, then such signatures shall be registered with the Louisiana Secretary of State in the manner required by La. R.S. 39:244, provided that at least one signature on each Bond shall be a manual signature.

In connection with the issuance and sale of the Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such additional documents, certificates and instruments as they may deem necessary, upon the advice of counsel, to effect the transactions contemplated by this Bond Ordinance, including the Commitment Agreement and the Loan and Pledge Agreement with the Department. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 8. Recital of Regularity. This Governing Authority, having investigated the regularity of the proceedings had in connection with the Bonds, and having determined the same to be regular, the Bonds shall contain the following recital authorized by and having the effect set forth in R.S. 39:507, to wit:

"It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana."

SECTION 9. Pledge of Net Revenues of the Tax. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the Net Revenues of the Tax, all as more fully provided in the Sales Tax Ordinance. The Net Revenues of the Tax are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds, in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. It is expressly provided in the Act that, while the Bonds are outstanding, neither the Louisiana Legislature, the Governing Authority, nor any other authority shall discontinue or decrease the Tax or permit to be discontinued or decreased the Tax or in any way make any change in the allocation and dedication of the proceeds of the Tax which would diminish the amount of the Net Revenues of the Tax to be received by the Issuer, and there is hereby vested in the owners and holders from time to time of the Bonds a contractual right under the provisions of the Act.

SECTION 10. Flow of Funds. In order that the principal of and the interest and Administrative Fee on the Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer further covenants as follows:

15.

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

Out of the funds on deposit in the Sales Tax Fund, the Issuer shall first pay all reasonable and necessary expenses of collecting and administering the Tax. The Net Revenues of the Tax shall thereafter be used in the following order of priority and for the following express purposes:

(a) The maintenance of the "Sales Tax Refunding Bond and Interest Sinking Fund" established and maintained pursuant to the Outstanding Parity Bond Ordinance, and hereinafter called the "Sinking Fund") to be held with the regularly designated fiscal agent of the Issuer, sufficient in amount to pay promptly and fully the principal of and the interest on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued, as they severally become due and payable, by transferring from the Sales Tax Fund to the Sinking Fund, monthly in advance, on or before the 20th day of each month of each year, a sum equal to the principal and interest accruing on such bonds during such monthly period, together with such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due. Said fiscal agent shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least two (2) days in advance of each Interest Payment Date, funds fully sufficient to pay promptly the principal and interest so falling due on such date.

(b) The maintenance of a "1995 Sales Tax Bond Reserve Fund" (the "Reserve Fund"), with the regularly designated fiscal agent of the Issuer. The Reserve Fund may contain a separate account for each future series of Additional Parity Bonds, each such account to be designated as the "Series (insert series designation) Account" and to be funded by transferring from the proceeds of such series, from other available revenues, or from the Sales Tax Fund (after making all required payments from said fund as hereinabove described), monthly or annually, such amounts, if any, as may be set forth in the applicable ordinance. The money in the accounts of the Reserve Fund shall be retained solely for the purpose of paying the principal of and interest and Administrative Fee, if any, on the respective series of the Bonds payable from the Sinking Fund as to which there would otherwise be default.

If at any time it shall be necessary to use moneys in an account in the Reserve Fund for the purpose of paying principal of or interest on bonds payable from the aforesaid Sinking Fund as to which there would otherwise be default, then the moneys so used shall be replaced, on a pro rata basis if funds are drawn from more than one account in the Reserve Fund, by transferring funds from the Sales Tax Fund (after making all required payments from such fund as hereinabove described).

16.

There is hereby established the "Series 2020 Account" as a reserve account in the Reserve Fund. The Issuer shall make monthly deposits into the Series 2020 Account from the Sales Tax Fund such that an amount equal to the 2020 Reserve Fund Requirement is on deposit in the Series 2020 Account within a period not exceeding five (5) years from the date of delivery of the Bonds, and thereafter there shall be maintained in the Series 2020 Account an amount equal to the Reserve Fund Requirement.

All or any part of the moneys in the Sales Tax Fund, the Sinking Fund and the Reserve Fund (if moneys have been deposited therein) shall, at the request of the Issuer, be invested in Qualified Investments, except that moneys in the Reserve Fund may only be invested in Government Securities maturing in five (5) years or less, in which event all income derived from such investments shall be added to the Sales Tax Fund, and such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the respective funds have been created. The moneys in such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds in the manner required by the laws of the State of Louisiana.

Any money remaining in the Sales Tax Fund after making the above-required payments may be used by the Issuer for the purpose of calling and/or purchasing and paying any bonds payable from the Sinking Fund, or for such other purposes for which the Tax is authorized.

The Sales Tax Fund, the Sinking Fund and the Reserve Fund (if moneys have been deposited therein which may be applied to the payment of the Bonds) shall all be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Owners are granted a lien on all such funds until applied in the manner provided therein.

SECTION 11. Covenants of the Issuer. In providing for the issuance of the Bonds, the Issuer does hereby covenant that it has a legal right to levy and collect the Tax, to issue the Bonds and to pledge the Net Revenues of the Tax as herein provided, and that the Bonds will have a lien and privilege on the Net Revenues of the Tax on a parity with the Outstanding Parity Bonds subject only to the prior payment of the reasonable and necessary costs and expenses of administering and collecting the Tax.

SECTION 12. Bond Ordinance a Contract. The provisions of this Bond Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any Owner of any of the Bonds may either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by the Issuer as a result of issuing the Bonds, and may similarly enforce the provisions of the Sales Tax Ordinance imposing the Tax and this Bond Ordinance.

SECTION 13. Records and Accounts Relating to Tax. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the Net Revenues of the Tax, including specifically but without limitation, all reasonable and necessary costs and expenses of collection, such books of records and accounts shall be audited

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at the conclusion of each Fiscal Year in accordance with the laws and regulations of the State of

Louisiana.

SECTION 14. **Issuance of Additional Parity Bonds.** The Bonds shall enjoy complete parity of lien on the Net Revenues of the Tax despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax having priority over or parity with the Bonds, except that bonds may hereafter be issued on a parity with the Bonds if all of the following conditions are met:

(A) The Bonds, or any part thereof, including interest thereon, may be refunded and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues which may have been enjoyed by the Bonds refunded; provided, however, that if only a portion of the Bonds outstanding is so refunded and the refunding bonds require total principal and interest payments during any Bond Year in excess of the principal and interest which would have been required in such Bond Year to pay the Bonds refunded thereby, then such Bonds may not be refunded without consent of the Owners of the un-refunded portion of the Bonds issued hereunder and any bonds on a parity with the Bonds (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause (B) below of this Section).

(B) Additional Parity Bonds may also be issued on a parity with the Bonds herein authorized if all of the following conditions are met:

(i) The average Net Revenues of the Tax when computed for the last two (2) completed Fiscal Years immediately preceding the issuance of the Additional Parity Bonds must have been not less than one and thirty-five hundredths (1.35) times the highest combined principal and interest requirements for any succeeding Bond Year period on all Bonds and the Outstanding Parity Bonds then outstanding, including any Additional Parity Bonds theretofore issued and then outstanding, and any other bonds or other obligations whatsoever then outstanding which are payable from the Net Revenues of the Tax (but not including bonds which have been paid or defeased pursuant to the ordinance or resolution authorizing their issuance) and the bonds so proposed to be issued;

(ii) The payments to be made into the various funds provided for in Section 10 hereof must be current;

(iii) The existence of the facts required by paragraphs (i) and (ii) above must be confirmed by the Clerk of the Issuer;

(iv) The Additional Parity Bonds must be payable as to principal on August 1 of each year in which principal falls due, and payable as to interest on February 1and August 1of each year; and

18.

(v) No Additional Parity Bonds may be issued should any event of default under the Bond Ordinance have occurred and be continuing.

SECTION 15.  **Fidelity Bonds for Officers and Employees.** So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Tax, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 16. **Amendments to Bond Ordinance.** No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of the Bonds or the redemption provisions thereof, or a reduction in the rate of interest thereon, or the promise of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the Net Revenues of the Tax, or reduce the percentage of owners required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of the Bonds.

SECTION 17. **Mutilated, Destroyed, Lost or Stolen Bonds.** Lost, destroyed or improperly cancelled Bonds may be replaced in the manner set forth in La. R.S. 39:514 *et seq..* In case any such lost, destroyed or improperly cancelled Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond.

Upon the issuance of any replacement Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this section *in lieu* of any lost, destroyed or improperly cancelled bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the lost, destroyed or improperly cancelled bond shall be at any time enforceable by anyone. The obligation of the Issuer on any replacement bonds shall be identical as its obligation upon the original bonds, and the rights of the holder shall be the same as those conferred by the original bonds.

SECTION 18.  **Discharge of Bond Ordinance.** If the Issuer shall pay or cause to be paid, or there shall be paid to the Owners, the principal of and interest on the Bonds, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Tax or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners of Bonds shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Bond Ordinance to the Issuer.

19.

SECTION 19. **Defeasance**. Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to the laws of the State of Louisiana.

SECTION 20. Events of Default. If one or more of the following events (in this Bond Ordinance called "Events of Default") shall happen, that is to say, (i) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or (ii) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or (iii) if default shall be made by the Issuer in the performance or observance of any other of the covenants, agreements or conditions on its part in this Bond Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of forty five (45) days after written notice thereof to the Issuer by the Owners of not less than 25% of the principal amount of the Outstanding Bonds; or (iv) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law; then, upon the happening and continuance of any Event of Default the Owners shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

SECTION 21. Successor Paying Agent; Paying Agent Agreement. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of the initial Paying Agent in this Bond Ordinance is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by (a) filing with the Person then performing such function a certified copy of an ordinance giving notice of the termination and appointing a successor Paying Agent and (b) causing notice to be given to each Owner. With exception of the appointment of the Clerk of the Issuer as Paying Agent, every Paying Agent appointed thereafter shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. The Executive Officers are hereby authorized to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer, if required, in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 22. Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

20.

SECTION 23. **Notices to Owners.** Wherever this Bond Ordinance provides for notice to Owners of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first class postage prepaid, to each Owner, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners is given by mail, neither the failure to mail such notice to any particular Owner, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Bond Ordinance provides for notice in any manner, such notice may be waived in writing by the Owner entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24. **Cancellation of Bonds.** All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly cancelled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already cancelled, shall be promptly cancelled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent. All cancelled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 25.  **Deposit of Bond Proceeds.** All of the proceeds derived from the sale of the Bonds, which shall be paid in installments by the Department in the manner set forth in the Loan Agreement, shall be deposited by the Issuer in a Construction Fund (the "Construction Fund"). The funds in the Construction Fund shall be used solely for the purposes of which the Bonds were issued, in the manner set forth in the Loan Agreement.

SECTION 26. **Davis-Bacon Wage Rate Requirements.** The Issuer agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the project that is funded in whole or in part with the Bonds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the Issuer as determined by the Secretary of the United States Department of Labor ("DOL") in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The Issuer will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with Bonds purchased by the Department will require that the contractor comply with the aforesaid wage and reporting requirements. This Section shall not apply to "force account" work where the Issuer may perform construction work using its own employees rather than any contractor or subcontractor.

21.

SECTION 27. **Publication.** This Bond Ordinance shall be published one time in the official journal of the Issuer. It shall not be necessary to publish the exhibits to this Bond Ordinance, but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty days after the date of such publication any person in interest may contest the legality of this Bond Ordinance and any provisions herein made for the security and payment of the Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this Bond Ordinance and the provisions hereof or of the Bonds for any cause whatsoever and thereafter it shall be conclusively presumed that every legal requirement for the issuance of the Bonds had been complied with, and no court shall have authority to inquire into any such matter.

SECTION 28. **Disclosure Under SEC Rule 15c2-12.** It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in Rule lSc-2-12 of the Securities and Exchange Commission [17 CFR §240.15c2-12].

SECTION 29. **Section Headings.** The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 30. **Severability.** In case any one or more of the provisions of this Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Ordinance or of the Bonds, but this Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Bond Ordinance which validates or makes legal any provision of this Bond Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 31.

immediately.

**Effective Date.** This Bond Ordinance shall become effective

22.

The final adoption of the foregoing ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

Member Yea Nay Absent Abstaining

Madge Jones Bailey X

Michael Duke X

Ashley Crawford X

Anthony Fenoli X

Joel Sims X

There being a favorable vote on the ordinance of at least a majority of the authorized members of the Governing Authority, the ordinance was declared adopted on this the 14th day of July, 2020.

*/s/* Sonya Kennon

Clerk

/s/ Rhonda Elliot

Mayor

Presented to Mayor on July 14, 2020 for action as evidenced by his signature:

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Disapproved:

Presented to Clerk on July 14, 2020.

23.

STATE OF LOUISIANA PARISH OF LASALLE

I, the undersigned Clerk of the Town of Olla, State of Louisiana (the "Issuer"), do

hereby certify that the foregoing pages constitute a true and correct copy of an ordinance adopted by the Mayor and Board of Aldermen of the Town of Olla, State of Louisiana, acting as the governing authority of the Issuer, on July 14, 2020, authorizing the issuance of not exceeding Eight Hundred Forty-Five Thousand Dollars ($845,000) of Taxable Sales Tax Bonds (DEQ), Series 2020, of the Town of Olla, State of Louisiana; prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; awarding said Bonds to the purchaser thereof; authorizing the execution of a Loan and Pledge Agreement and other Joan documents with the Louisiana Department of Environmental Quality (the "Department"); providing for the delivery of the Bonds to the Department; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 14th day of July,

2020.

[SEAL]

Clerk