

MAY 8, 2013

NEW IBERIA, LOUISIANA

IBERIA PARISH COUNCIL

The Parish Council of Iberia Parish, Louisiana met in Regular Session in the Parish Council Chambers, Main Courthouse Building, New Iberia, Louisiana, on Wednesday, May 8, 2013.

The following members were recorded PRESENT:

Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

ABSENT: Curtis Boudoin and Glenn Romero.

OTHERS IN ATTENDANCE: Jason Akers, Bond Counsel
David Medlin, Bond Consultants
John Raines, Permits, Planning & Zoning
Carmen Judice, Floodplain Manager

The Parish Council of the Parish of Iberia, State of Louisiana, was duly convened as the Governing Authority of the Parish of Iberia by Mr. Roger Duncan, its Chairman, who announced that the Council was now ready to conduct its business.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Mr. Jerome W. Fitch, that the Iberia Parish Council does hereby dispense with the reading of the minutes of the regular meeting of April 24, 2013 and approve said minutes as submitted.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion was declared adopted this 8th day of May, 2013.

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Mike Hollier, Planning Manager for the Lafayette Metropolitan Planning Organization, addressed the Council regarding the expansion of the MPO Planning Area into Iberia Parish. Mr. Hollier added that he has also addressed the City of New Iberia and is in the process of addressing all local governments with the proposed expanded area to determine if they are interested in participating. MPO's allow local governments to receive Federal Transportation funding for highway improvements. The Chairman advised that the Council would get back in touch with Mr. Hollier at a later date.
2. Mr. Karl Vincent, Acadiana Fairgrounds Commission, addressed the Council regarding the estimated operations and maintenance costs for the CAJUN R Vera Project as adjusted due to reductions in the budget during the construction process.
3. Ms. Carmen Judice, Floodplain Manager, addressed the Council regarding the potential negative impact on Iberia Parish and the State of Louisiana by the Biggert-Waters Flood Insurance Reform Act, which would significantly increase the flood insurance premiums for homeowners in flood zone areas.

COUNCIL MEMBER ANNOUNCEMENTS:

1. Mr. Jerome W. Fitch reminded Council members to file their Ethics Financial Disclosure by May 15, 2013.
2. Mr. Bernard E. Broussard announced the Farmers' Market in Delcambre on Saturday.
3. Mr. Ricky J. Gonsoulin reminded the Council of the Iberia Animal Control's Rabies Vaccination Program this weekend.

PARISH PRESIDENT ANNOUNCEMENTS:

None.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Ricky J. Gonsoulin, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Ordinances and Resolutions being considered for final adoption.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion was declared adopted this 8th day of May, 2013.

Ms. Andy Kilchrist addressed the Council in support of Ordinance Summary No. 4480 which revises the reversionary clause on rezoning of industrial property.

Mr. Mike Andrus addressed the Council in opposition to proposed Ordinance Summary No. 4480.

Upon hearing no further comments, the Chairman requested a motion to adjourn the Public Hearing and to reconvene into Regular Session.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene into Regular Session.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion was declared adopted this 8th day of May, 2013.

Mr. Jason Akers, Bond Counsel, and Mr. David Medlin, Bond Consultant, addressed the Council regarding the following Ordinance Summary No. 4479 regarding the reissuance of Hospital Bonds.

The following ordinance, having been previously introduced in writing and published in summary, and a public hearing having been held thereon on May 8, 2013, was offered for final adoption by Mr. Jerome W. Fitch, and seconded by Mr. Bernard E. Broussard:

ORDINANCE NO. 2013-05-4479

An ordinance authorizing the issuance by the Parish of Iberia, State of Louisiana (the "Issuer") of (i) Eight Million Two Hundred Sixty-Five Thousand Dollars (\$8,265,000) of Hospital Revenue and Refunding Bonds, Series 2013A; and (ii) Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) of Hospital Revenue Refunding Bonds (Hurricane Ike), Series 2013B; prescribing the form, fixing the details and providing for the rights of the owners of the Bonds; providing for the payment of the principal of and interest on the Bonds; accepting the best offer received for the purchase of the Bonds; entering into certain covenants and agreements in connection with the security and payment of the Bonds; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith.

WHEREAS the Issuer is the owner of all of those hospital facilities comprising the Iberia Medical Center (the "Medical Center") located in the City of New Iberia, State of Louisiana, and elsewhere within the boundaries of Iberia Parish, which hospital facilities are managed and operated by the Board of Commissioners (the "Operator" of the Medical Center) of Hospital Service District No. 1 of the Parish of Iberia, State of Louisiana (the "District"), under the terms of an Intergovernmental Agreement between the Issuer and the District; and

WHEREAS the Issuer has heretofore issued and presently has outstanding the following described issues which are secured by and payable as to principal and interest from a pledge and dedication of the income, revenues and receipts derived or to be derived by the Issuer from the operation of the Medical Center by the District, thereof, after paying the reasonable and necessary expenses of operating and maintaining the Medical Center (the "Net Operating Revenues"), and are additionally secured by a conventional mortgage on the Medical Center:

- (a) \$2,985,000 of Hospital Revenue Refunding Bonds, Series 2005A, dated March 1, 2005 (the "Series 2005A Bonds"), issued pursuant to an ordinance adopted on February 9, 2005, with a final maturity date of May 26, 2016;
- (b) \$1,720,000 of Hospital Revenue Refunding Bonds, Series 2005C, dated June 23, 2005 (the "Series 2005C Bonds"), issued pursuant to an ordinance adopted on May 25, 2005, with a final maturity date of May 26, 2016;
- (c) \$520,000 of Taxable Hospital Revenue Bonds, Series 2005D, dated September 1, 2005 (the "Series 2005D Bonds"), issued pursuant to an ordinance adopted on August 24, 2005, with a final maturity date of May 26, 2016;
- (d) \$1,405,000 of Hospital Revenue Bonds, Series 2005E, dated September 1, 2005 (the "Series 2005E Bonds"), issued

pursuant to an ordinance adopted on August 24, 2005, with a final maturity date of May 26, 2017;

- (e) \$1,220,000 of Hospital Revenue Refunding Bonds, Series 2008, dated June 4, 2008 (the "Series 2008 Bonds"), issued pursuant to an ordinance adopted on August 23, 2008, with a final maturity of May 26, 2018;
- (f) \$3,635,000 of Hospital Revenue Hurricane Ike Bonds, Series 2009A, dated November 13, 2009 (the "Series 2009A Bonds"), issued pursuant to an ordinance adopted on October 7, 2009, with a final maturity of May 26, 2024; and
- (g) \$1,805,000 of Hospital Revenue Bonds, Series 2009B, dated November 13, 2009 (the "Series 2009B Bonds"), issued pursuant to an ordinance adopted on October 7, 2009, with a final maturity of May 26, 2024.

WHEREAS the Operator has proposed and recommended to the Iberia Parish Council, State of Louisiana (the "Governing Authority" of the Issuer), that additional funds are required at this time for repairs, renovations and other capital improvements to benefit the Medical Center; and

WHEREAS the Operator has found and determined that it would be financially advantageous to the Issuer to refund all the outstanding Series 2005C Bonds, Series 2005D Bonds, Series 2005E Bonds, Series 2008 Bonds, Series 2009A Bonds and the Series 2009B Bonds, provided, however, that it is recognized and understood that the Series 2005D Bonds will be redeemed from the funds in the existing Reserve Fund and not from the proceeds of the Bonds (collectively, the "Refunded Bonds"); and

WHEREAS, after careful consideration, this Governing Authority has found and determined that in order to initiate the proposed improvement program, it is necessary and appropriate to proceed with the issuance and sale of (i) Eight Million Two Hundred Sixty-Five Thousand Dollars (\$8,265,000) of Hospital Revenue and Refunding Bonds, Series 2013A (the "Series 2013A Bonds"), for the purpose of refunding the outstanding maturities of the Series 2005C, 2005D, 2005E, 2008 and 2009B Bonds, provided, however, that it is recognized and understood that the Series 2005D Bonds will be redeemed from the funds in the existing Reserve Fund and not from the proceeds of the Bonds, paying the costs of repairs, renovations and other capital improvements to benefit Medical Center, including purchasing equipment and furnishings therefor, and paying the costs of issuance of the Series 2013A Bonds; and (ii) Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) of Hospital Revenue Refunding Bonds (Hurricane Ike), Series 2013B (the "Series 2013B Bonds" and together with the 2013A Bonds, the "Bonds"), for the purposes of refunding all of the outstanding maturities of the Series 2009A Bonds, and paying the costs of issuance of the 2013B Bonds, which Bonds will be issued on a complete parity with the Series 2005A Bonds (the "Outstanding Parity Bonds") as to source and security for payment;

WHEREAS, under the provisions of Section 1430 and Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (collectively, the "Act"), the Issuer has the authority to issue the Bonds for the purposes described in the foregoing preambles and

authority to pledge and appropriate its excess of annual revenues, including royalty road fund revenues, to pay costs associated with administering, operating and maintaining the Medical Center and thereby maintain the required debt service coverage on the Bonds and the Outstanding Parity Bonds as set forth in Section 7.1 hereof; and

WHEREAS, exercising its authority granted under the ordinance authorizing the issuance of the Outstanding Parity Bonds, and the Act, the Issuer desires to proceed with the sale and issuance of the Bonds; to accept the best proposal submitted by Capital One, N.A., Lafayette, Louisiana, for the purchase of the Series 2013A Bonds and Whitney Bank, Baton Rouge, Louisiana, for the purchase of the Series 2013B Bonds; to fix the details necessary with respect to the issuance of the Bonds; and to provide for the authorization and issuance thereof on a complete parity with the Outstanding Parity Bonds;

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

ARTICLE 2 DEFINITIONS AND INTERPRETATION

SECTION 2.1. Definitions. In addition to the terms defined in the preambles hereto, the following terms shall have the following meanings unless the context otherwise requires:

"Act" shall mean, collectively Section 1430 and Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority.

"Additional Parity Bonds" shall mean any additional *pari passu* bonds which may hereafter be issued pursuant to Section 12.1 hereof on a parity with the Bonds.

"Agreement" shall mean the agreement to be entered into between the Issuer and the Paying Agent pursuant to this Bond Ordinance.

"Bonds" shall mean, collectively, the Issuer's Series 2013A Bonds and Series 2013B Bonds, issued pursuant to this Bond Ordinance, as the same may be amended from time to time, whether initially delivered or issued in exchange for, upon transfer of, or *in lieu* of any previously issued Bonds.

"Bond Obligation" shall mean, as of the date of computation, the principal amount of the relative series of Bonds then Outstanding.

"Bond Register" shall mean the records kept by the Paying Agent at its principal office in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Bond Ordinance" shall mean this ordinance, as it may be amended and supplemented as herein provided.

"Business Day" shall mean a day of the year other than a day on which banks located in New York, New York and the cities in which the principal offices of the Paying Agent are located are required or authorized to remain closed and on which the New York Stock Exchange is closed.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Costs of Issuance" shall mean all items of expense, directly or indirectly payable or reimbursable and related to the authorization and issuance of the Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, legal fees, filing and recording fees, costs of preparing the supplemental mortgage on the Medical Center, including title opinions and title insurance, if required, recordation fees, and any other cost, charge or fee paid or payable by the Issuer in connection with the original issuance of the Bonds.

"Current Operating Expenses" shall mean all expenses necessary and appropriate for the operation of the Medical Center, which under Generally Accepted Accounting Principles, may be expended during the Fiscal Year in which they are incurred, but expressly excludes depreciation expenses, interest expenses and repairs and maintenance costs or costs for acquisition, replacements, extensions, expansions, improvements or betterments paid from the Medical Center's Operating Fund or Depreciation Fund, hereinafter defined. All expenses proposed by the Operator for repair or improvement which exceed \$100,000 shall be first approved by the Issuer.

"Debt Service" shall mean (a) with respect to any Interest Payment Date, the interest payable on such Interest Payment Date on the Bonds, if any, and (b) with respect to any Principal Payment Date, the principal amount of Bonds which mature or are subject to mandatory sinking fund redemption on such Principal Payment Date, if any.

"Defeasance Obligations" shall mean (a) cash, or (b) non-callable Government Securities.

"District" shall mean Hospital Service District No. 1 of the Parish of Iberia, State of Louisiana.

"Executive Officers" shall mean, collectively, the Parish President, the Chairman and/or the Vice Chairman of the Governing Authority, and the Clerk of the Council of the Governing Authority.

"Fiscal Year" for the purpose of this Bond Ordinance, shall mean the one-year accounting period commencing on October 1 of each year, or such other one-year period as may be designated by the Governing Authority as the fiscal year of the District and shall not be construed to change the fiscal year of the Parish which ends December 31 of each year.

"Governing Authority" shall mean the Iberia Parish Council, or its successor in function.

"Government Securities" shall mean direct general obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which may be United States Treasury Obligations such as the State and Local Government Series and may be in book-entry form.

"Independent Insurance Consultant" shall mean a Person qualified to survey risks and to recommend insurance coverage for hospital facilities and service organizations engaged in like

operations, and who shall be the broker or agent who has regularly been retained by the District. If such Person is an individual, he shall not be, and if such Person is a corporation or a partnership, it shall not have as, a partner or director, a member of the governing authority of the District, or the Governing Authority, or an officer or an employee of the Issuer or the District.

"Interest Payment Date" shall mean May 26 and November 26 of each year, commencing November 26, 2013.

"Issuer" shall mean the Parish of Iberia, State of Louisiana.

"Medical Center" shall mean the Iberia Medical Center, located in New Iberia, Louisiana, or elsewhere within the boundaries of the Issuer, a revenue producing public utility owned by the Issuer, as it now exists and as it may hereafter be improved, extended or supplemented while the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds remain outstanding, including specifically all properties of every nature owned or leased by, on behalf of or for the benefit of the Issuer, and used or useful in the operation of the Medical Center and including, but not limited to, real estate, buildings, improvements, fixtures, appurtenances, personal and intangible properties, contracts, franchises, leases and choses in action.

"Net Operating Revenues" shall mean the gross revenues derived from fees, rates and other charges for the services and facilities provided or rendered by the Medical Center and non-operating revenues derived from rentals, leases, investment earnings, joint ventures, partnerships and other similar activities related to the effective operation of the Medical Center, less all discounts and allowances, prior year settlements and charity care adjustments, after provision has been made for payment therefrom of Current Operating Expenses, it being provided that the Issuer may appropriate from its excess of general revenues, including its royalty road revenues, amounts to supplement the moneys in the Medical Center's Operating Fund to pay operating and maintenance costs of the Medical Center and, if so appropriated, such moneys shall be considered as revenue of the Medical Center for the purpose of calculating debt service coverage.

"Operating Fund" shall have the meaning set forth in Section 7.2 hereof.

"Operator" shall mean the Board of Commissioners of the District.

"Outstanding", when used with reference to the Bonds, shall mean, as of any date, all Bonds theretofore issued under the Bond Ordinance, except:

- (a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Bonds for the payment or redemption of which sufficient Defeasance Obligations have been deposited with the Paying Agent or an escrow agent in trust for the owners of such Bonds as provided in Section 9.9 hereof, provided that if such Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for

pursuant to the Bond Ordinance, to the satisfaction of the Paying Agent, or waived;

- (c) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to the Bond Ordinance; and
- (d) Bonds alleged to have been mutilated, destroyed, lost, or stolen which have been paid as provided in the Bond Ordinance or by law.

"Outstanding Parity Bonds" shall mean the Issuer's Hospital Revenue Refunding Bonds, Series 2005A, dated March 1, 2005, which are more specifically described in the preamble to this Bond Ordinance.

"Owner" or **"Owners"** shall mean the Person reflected as registered owner of any of the Bonds on the registration books maintained by the Paying Agent.

"Parish" shall mean the Parish of Iberia, State of Louisiana.

"Parity Bond Ordinance" shall mean Ordinance No. 2005-02-3132, adopted by the Governing Authority on February 9, 2005.

"Paying Agent" shall mean Whitney Bank, of Baton Rouge, Louisiana, as paying agent and registrar hereunder, until a successor Paying Agent shall have become such pursuant to the applicable provisions of the Bond Ordinance, and thereafter **"Paying Agent"** shall mean such successor Paying Agent.

"Person" shall mean 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 November 26 of each year, commencing November 26, 2013.

"Property, Plant and Equipment" shall mean all property which is property, plant and equipment under generally accepted accounting principles.

"Purchasers" shall mean, collectively, Capital One, N.A., Lafayette, Louisiana, purchaser of the Series 2013A Bonds and Whitney Bank, Baton Rouge, Louisiana, purchaser of the Series 2013B Bonds.

"Refunded Bonds" shall have the meaning given in the recitals hereto, provided; however, that it is recognized and understood that the Series 2005D Bonds will be redeemed from the funds in the existing Reserve Fund and not from the proceeds of the Bonds.

"Record Date" shall mean, with respect to a Bond Payment Date, the fifteenth day of the calendar month in which an Interest Payment Date occurs, whether or not such day is a Business Day.

"Redemption Price" shall mean, when used with respect to a Bond, the principal amount thereof plus accrued interest, if any, payable upon redemption thereof, pursuant to the Bond Ordinance.

"Reserve Fund Requirement" shall mean, as of any date of calculation, an amount equal to the lesser of (i) the highest combined principal and interest requirements for any succeeding Bond Year on all Bonds, Outstanding Parity Bonds and Additional Bonds then Outstanding or (ii) 1.25 times the average Debt Service due in each future Fiscal Year on all Bonds, Outstanding Parity Bonds and Additional Bonds then Outstanding or (iii) 10% of the stated principal amount (calculated in accordance with the Code) of all Bonds, Outstanding Parity Bonds and Additional Bonds then Outstanding.

"Series 2013A Bonds" shall mean the Issuer's \$8,265,000 of Hospital Revenue and Refunding Bonds, Series 2013A authorized by this Bond Ordinance.

"Series 2013B Bonds" shall mean the Issuer's \$3,520,000 of Hospital Revenue Refunding Bonds (Hurricane Ike), Series 2013B authorized by this Bond Ordinance.

"State" shall mean the State of Louisiana.

SECTION 2.2. Interpretation. In this Bond Ordinance, unless the context otherwise requires, (a) words importing the singular include the plural and vice versa, (b) words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders and (c) the title of the offices used in this Bond Ordinance shall be deemed to include any other title by which such office shall be known under any subsequently adopted statutes.

ARTICLE 3 AUTHORIZATION AND ISSUANCE OF BONDS

SECTION 3.1. Bond Ordinance to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall own the same from time to time, the provisions of this Bond Ordinance shall be a part of the contract of the Issuer with the Owners of the Bonds and shall be deemed to be and shall constitute a contract between the Issuer and the Owners from time to time of the Bonds.

SECTION 3.2. Authorization and Designation of Bonds. In compliance with the terms and provisions of the Act, and other applicable constitutional and statutory authority, there is hereby authorized the issuance of (i) Eight Million Two Hundred Sixty-Five Thousand Dollars (\$8,265,000) principal amount of bonds of the Issuer to be designated "Parish of Iberia, State of Louisiana, Hospital Revenue and Refunding Bonds, Series 2013A," for the purpose of refunding the Series 2005C, Series 2005D, Series 2005E, Series 2008 and Series 2009B Bonds, paying the costs of repairs, renovations and other capital improvements to benefit Medical Center, including purchasing equipment and furnishings therefor, and paying the costs of issuance of the Series 2013A Bonds; and (ii) Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) principal amount of bonds of the Issuer to be designated "Parish of Iberia, Hospital Revenue Refunding Bonds (Hurricane Ike), Series 2013B," for the purposes of refunding the Series 2009A Bonds and paying the costs of issuance of the Series 2013B Bonds, provided, however, that it is recognized and understood that the Series 2005D Bonds will be redeemed from the funds in the existing Reserve Fund and not from the proceeds of the Bonds. The Bonds shall be issued

in fully registered form, shall be dated the date of issuance thereof, shall be in the denomination of Five Thousand Dollars (\$5,000) each, or any integral multiple thereof within a single maturity, and shall be numbered consecutively from R-1 upwards. The Bonds shall be in substantially the form set forth in Exhibit A hereto, with such necessary or appropriate variations, omissions and insertions as are required or permitted by the Act and this Bond Ordinance.

SECTION 3.3. Maturities and Interest Rates of the Series A Bonds The Series 2013A 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, payable on each Interest Payment Date, commencing November 26, 2013, at the rate set forth below, and shall become due and payable and mature on each Principal Payment Date, commencing November 26, 2013, as follows:

| Year | Principal | | Year | Principal | |
|--------------------|----------------|-------------|--------------------|----------------|-------------|
| <u>November 26</u> | <u>Payment</u> | <u>Rate</u> | <u>November 26</u> | <u>Payment</u> | <u>Rate</u> |
| 2013 | \$ 80,000 | 2.48% | 2019 | \$ 975,000 | 2.48% |
| 2014 | 80,000 | 2.48% | 2020 | 995,000 | 2.48% |
| 2015 | 225,000 | 2.48% | 2021 | 1,015,000 | 2.48% |
| 2016 | 905,000 | 2.48% | 2022 | 1,045,000 | 2.48% |
| 2017 | 925,000 | 2.48% | 2023 | 1,070,000 | 2.48% |
| 2018 | 950,000 | 2.48% | | | 2.48% |

SECTION 3.4. Maturities and Interest Rates of the Series B Bonds. The Series 2013B 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, payable on each Interest Payment Date, commencing November 26, 2013, at the rate set forth below, and shall become due and payable and mature on each Principal Payment Date, commencing November 26, 2013, as follows:

| Year | Principal | | Year | Principal | |
|--------------------|----------------|-------------|--------------------|----------------|-------------|
| <u>November 26</u> | <u>Payment</u> | <u>Rate</u> | <u>November 26</u> | <u>Payment</u> | <u>Rate</u> |
| 2013 | \$ 35,000 | 2.24% | 2019 | \$410,000 | 2.24% |
| 2014 | 35,000 | 2.24% | 2020 | 420,000 | 2.24% |
| 2015 | 140,000 | 2.24% | 2021 | 430,000 | 2.24% |
| 2016 | 380,000 | 2.24% | 2022 | 435,000 | 2.24% |
| 2017 | 390,000 | 2.24% | 2023 | 445,000 | 2.24% |
| 2018 | 400,000 | 2.24% | | | 2.24% |

SECTION 3.5. Payment of Principal and Interest. The principal of the Bonds, upon maturity or redemption, shall be payable at the principal corporate trust office of the Paying Agent by check of the Paying Agent or the Issuer mailed by the Paying Agent to the Owner (determined as of the Record Date) at the address shown on the Bond Register of the Paying Agent, provided that payment of the final installment of interest on the Bonds of each Series shall be made only upon presentation and surrender of such Bonds to the Paying Agent. Each Bond delivered under this Bond Ordinance upon transfer of 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 neither gain nor loss in interest shall result from such transfer, exchange or substitution.

SECTION 3.6. Bonds Issued on a Parity With the Outstanding Parity Bonds. As permitted by the provisions of the Parity Bond

Ordinance, the Bonds shall be issued on a parity with the Outstanding Parity Bonds, and the Bonds shall rank equally with and shall enjoy complete parity of lien with the Outstanding Parity Bonds on the Net Operating Revenues, or other funds specially applicable to the payment of the Outstanding Parity Bonds, including funds established by the Parity Bond Ordinance.

The Governing Authority does hereby find, determine and declare that the Issuer has complied, or will comply, prior to the delivery of the Bonds, with all of the terms and conditions set forth in the Parity Bond Ordinance, with respect to authorizing the issuance of the Bonds on a parity with the Outstanding Parity Bonds.

SECTION 3.7. Registration by Paying Agent. 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.

ARTICLE 4 REDEMPTION PROVISIONS

SECTION 4.1. Redemption of Bonds. Those Bonds maturing November 26, 2020, and thereafter, shall be callable for redemption by the Issuer on or after November 26, 2019 in full at any time, and in part on any Principal Payment Date, at the principal amount thereof and accrued interest to the date fixed for redemption. In the event a Bond to be redeemed is of a denomination larger than Five Thousand Dollars (\$5,000), a portion of such Bond (\$5,000 or any multiple thereof) may be redeemed. Any Bond which is to be redeemed only in part shall be surrendered at the office of the Paying Agent and there shall be delivered to the Owner of such Bond, a new Bond of the same maturity and of authorized denomination as requested by such Owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered. Official notice of such call of any of the Bonds for redemption shall be given not less than thirty (30) days prior to the redemption date to the Paying Agent, who shall subsequently provide notice within five (5) days of such redemption addressed to the Owner of each Bond to be redeemed at his address as shown on the Bond Register. Any notice of redemption may be made contingent upon the availability of funds sufficient to accomplish the refunding. Bonds are not required to be redeemed in inverse order of maturity. In the event of a partial redemption, the Issuer (with the consent of the Operator) may determine the Bonds (or portions thereof) to be redeemed.

ARTICLE 5 GENERAL TERMS AND PROVISIONS OF THE BONDS

SECTION 5.1. Exchange of Bonds; Persons Treated as Owners. The Issuer shall cause books for the registration and for the registration of transfer of the Bonds as provided in this Bond Ordinance to be kept by the Paying Agent at its principal corporate trust office, and the Paying Agent is hereby constituted and appointed the registrar for the Bonds. At reasonable times and under reasonable regulations established by the Paying Agent said list may be inspected and copied by the Issuer or by the Owners (or a designated representative thereof) of 15% of the outstanding principal amount of the Bonds. Upon surrender for registration of

transfer of any Bond, the Paying Agent shall register and deliver in the name of the transferee or transferees one or more new fully registered Bonds of authorized denomination of the same maturity and like aggregate principal amount. At the option of the Owner, Bonds may be exchanged for other Bonds of authorized denominations of the same maturity and like aggregate principal amount, upon surrender of the Bonds to be exchanged at the principal corporate trust office of the Paying Agent. Whenever any Bonds are so surrendered for exchange, the Paying Agent shall register and deliver in exchange therefor the Bond or Bonds which the Owner making the exchange shall be entitled to receive. All Bonds presented for registration of transfer or exchange shall be accompanied by a written instrument or instruments of transfer in form and with a guaranty of signature satisfactory to the Paying Agent, duly executed by the Owner or his attorney duly authorized in writing.

All Bonds delivered upon any registration of transfer or exchange of Bonds shall be valid obligations of the Issuer, evidencing the same debt and entitled to the same benefits under this Bond Ordinance as the Bonds surrendered. Prior to due presentment for registration of transfer of any Bond, the Issuer and the Paying Agent, and any agent of the Issuer or the Paying Agent may deem and treat the person in whose name any Bond is registered as the absolute owner thereof for all purposes, whether or not such Bond shall be overdue, and shall not be bound by any notice to the contrary.

No service charge to the Owners shall be made by the Paying Agent for any exchange or registration of transfer of Bonds. The Paying Agent may require payment by the Person requesting an exchange or registration of transfer of Bonds of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto. The Issuer and the Paying Agent shall not be required (a) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business on the 15th calendar day of the month in which an Interest Payment Date occurs or any date of selection of Bonds 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 (b) to register the transfer of or exchange any Bond so selected for redemption in whole or in part.

SECTION 5.2. Bonds Mutilated, Destroyed, Stolen or Lost. In case any Bond shall become mutilated or be improperly canceled, or be destroyed, stolen or lost, the Issuer may in its discretion adopt a resolution or ordinance and thereby authorize the issuance and delivery of a new Bond in exchange for and substitution for such mutilated or improperly canceled Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon the Owner (a) furnishing the Issuer and the Paying Agent proof of his ownership thereof and proof of such mutilation, improper cancellation, destruction, theft or loss satisfactory to the Issuer and the Paying Agent, (b) giving to the Issuer and the Paying Agent an indemnity bond in favor of the Issuer and the Paying Agent in such amount as the Issuer may require, (c) compliance with such other reasonable regulations and conditions as the Issuer may prescribe and (d) paying such expenses as the Issuer and the Paying Agent may incur. All Bonds so surrendered shall be delivered to the Paying Agent for cancellation pursuant to Section 5.4 hereof. If any Bond shall have matured or be about to mature, instead of issuing a substitute Bond, the Issuer may pay the same, upon being

indemnified as aforesaid, and if such Bond be lost, stolen or destroyed, without surrender thereof. Any such duplicate Bond issued pursuant to this Section shall constitute an original, additional, contractual obligation on the part of the Issuer, whether or not the lost, stolen or destroyed Bond be at any time found by anyone. Such duplicate Bond shall be in all respects identical with those replaced except that it shall bear on its face the following additional clause: "This bond is issued to replace a lost, canceled or destroyed bond under the authority of R.S. 39:971 through 39:974."

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

SECTION 5.3. Preparation of Definitive Bonds, Temporary Bonds. Until the definitive Bonds are prepared, the Issuer may execute, in the same manner as is provided in Sections 5.5 and 5.6, and deliver, in lieu of definitive Bonds, but subject to the same provisions, limitations and conditions as the definitive Bonds except as to the denominations, one or more temporary typewritten Bonds substantially of the tenor of the definitive Bonds in lieu of which such temporary Bond or Bonds are issued, in authorized denominations, and with such omissions, insertions and variations as may be appropriate to temporary Bonds.

SECTION 5.4. Cancellation of Bonds. All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly canceled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already canceled, shall be promptly canceled 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 canceled by the Paying Agent. All canceled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 5.5. Execution. The Bonds shall be executed in the name and on behalf of the Issuer by the manual or facsimile signatures of the Executive Officers, and the corporate seal of the Issuer (or a facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. In case any one or more of the officers who shall have signed or sealed any of the Bonds shall cease to be such officer before the Bonds so signed and sealed shall have been actually delivered, such Bonds may, nevertheless, be delivered as herein provided, and may be issued as if the person who signed or sealed such Bonds had not ceased to hold such office. Said officers shall, by the execution of the Bonds, adopt as and for their own proper signatures their respective facsimile signatures appearing on the Bonds or any legal opinion certificate thereon, and the Issuer 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 Bond, notwithstanding that at the date of such Bond such person may not have held such office or that at the time when such Bond shall be delivered such person may have ceased to hold such office.

SECTION 5.6. Use of Proceeds of Bonds. The Executive Officers are 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 cause the necessary Bonds to be printed, to issue, execute and seal the Bonds, and to effect delivery thereof as hereinafter provided. A sufficient amount of the proceeds derived from the sale of the Bonds shall be applied (on the date of delivery of the Bonds) to the payment and redemption of the Refunded Bonds, together with excess funds in the Reserve Fund in the amount of \$635,466.78 (a portion of which shall be applied to redeem the Series 2005D Bonds) which Refunded Bonds have been called for redemption on said delivery date. The remaining proceeds derived from the sale of the Bonds shall be deposited by the Issuer with its fiscal agent bank or banks and transferred to the Operator to be used only for the purposes for which the Bonds are issued.

SECTION 5.7. Registration by the Paying Agent. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Bond Ordinance unless and until a certificate of registration on such Bond substantially in the form set forth in **Exhibit A** hereto shall have been manually executed on behalf of the Paying Agent by a duly authorized signatory, and such executed certificate of the Paying Agent upon any such Bond shall be conclusive evidence that such Bond has been executed, registered and delivered under this Bond Ordinance.

SECTION 5.8. Regularity of Proceedings. The Issuer, having investigated the regularity of the proceedings had in connection with the issuance of the Bonds, and having determined the same to be regular, each of the Bonds shall contain the following recital, to-wit:

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

ARTICLE 6 SECURITY PROVISIONS

SECTION 6.1. Security for the Bonds. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest primarily from a pledge and dedication of the Net Operating Revenues derived or to be derived by the Issuer from the operation of the Medical Center by the Operator, and the Bonds, equally with the Outstanding Parity Bonds, shall be additionally secured by a conventional mortgage on the buildings, equipment and other facilities comprising the Medical Center, pursuant to the Constitution and laws of the State of Louisiana executed by the Executive Officers of the Issuer and the District, dated December 27, 2001, and recorded in the Mortgage Records of Iberia Parish, Louisiana on December 27, 2001 in Mortgage Office Book A-870 at Entry No. 01-16161, as supplemented. Said Net Operating Revenues are hereby irrevocably and irreparably 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 set forth in the

Bond Ordinance. All of the Net Operating Revenues thus pledged shall be set aside in a separate fund or funds as hereinafter provided and shall remain so pledged for the security and payment of the Bonds and the Outstanding Parity Bonds in principal and interest and for all other payments provided for in the Bond Ordinance, until they shall have been fully paid and discharged.

SECTION 6.2. Additional Pledge. Should the Net Operating Revenues of the Medical Center be insufficient to meet the Debt Service requirements on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued and to satisfy the rate covenant set forth in Section 7.1 hereof, in any Fiscal Year, the Issuer, through its Governing Authority, covenants to exercise the powers granted under its Home Rule Charter, the Act, and other constitutional and statutory authority, to appropriate from its excess of general revenues, including its royalty road revenues, above statutory, necessary and usual charges (which includes any required payments on any outstanding excess revenue bonds of the Issuer), amounts to supplement the monies in the Operating Fund to pay operating and maintenance costs of the Medical Center and thereby satisfy the Debt Service requirements on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds in such Fiscal Year.

In the event the Issuer is required to supplement the Operating Fund from its excess general revenues for a period in excess of twelve (12) months, the Governing Authority of the Issuer shall, in its discretion, determine whether it is in the best interests of the citizens and taxpayers of the Issuer that the Medical Center be leased or sold at a price equal to its fair market value to a public or private hospital group and submit to the electorate of the Issuer a proposal with respect to such lease or sale.

SECTION 6.3. Days Cash on Hand. To ensure the availability of funds for appropriation by the Governing Authority of the Issuer to supplement the Operating Fund as is required by the foregoing Section 6.2 of this Bond Ordinance, the Issuer further covenants and agrees that it will maintain in its General Fund and/or royalty road revenue fund as of the last day of each fiscal year of the Issuer (December 31) during which the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued remain outstanding, unrestricted cash and unrestricted marketable securities in an amount equal to or greater than ninety (90) times the budgeted average daily current operating expenses in such fiscal year of the Issuer. This cash covenant shall apply only to the general revenues of the Issuer, including royalty road revenues, and shall not be construed to apply to sources of revenues which are restricted as to use by vote of the electorate or by State law.

The Issuer shall calculate the days cash on hand as soon as practicable, but in no event later than one hundred fifty (150) days following the end of each fiscal year of the Issuer, and the Issuer shall furnish its certification as to the days cash on hand to any Owner of the Bonds and the Paying Agent immediately after the calculation thereof.

ARTICLE 7

RATE COVENANT; FLOW OF FUNDS

SECTION 7.1. Rate Covenant. The Issuer, through its Governing Authority, covenants to require the Operator to fix,

establish and maintain such fees, rates or other charges for the services and facilities to be rendered by the Medical Center, to revise the same from time to time whenever necessary, as will always provide revenues in each Fiscal Year sufficient to pay the Current Operating Expenses of the Medical Center in each Fiscal Year, the Debt Service requirements on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds in each Fiscal Year, all reserves or sinking funds or other payments required for such Fiscal Year by this Bond Ordinance and the Parity Bond Ordinance, and all other obligations or indebtedness payable out of the revenues of the Medical Center for such Fiscal Year, and which will provide Net Operating Revenues in each Fiscal Year at least equal to 120% of the maximum amount of principal and/or interest maturing on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds in any future Fiscal Year; and that such rates, fees, rents or other charges shall not at any time be reduced so as to be insufficient to provide adequate Net Operating Revenues for such purposes, it being provided, however, that the Issuer reserves the right to supplement operating and maintenance costs from other available monies of the Issuer as set forth in Section 6.2 hereof.

SECTION 7.2. Funds. The Issuer further covenants that all of the income, revenues and receipts derived or to be derived by the Issuer or Operator from the operation of the Medical Center shall be deposited as the same may be collected in a separate and special bank account with the regularly designated fiscal agent bank of the District or the Issuer, known and designated as Iberia Medical Center Operating Fund (the "Operating Fund"), said Fund to be maintained and administered in the following order of priority and for the following express purposes:

(a) The payment of all Current Operating Expenses from month to month as the same become due and payable, and thereafter, the Net Operating Revenues shall be used in the following order of priority:

(b) The maintenance of a separate and distinct fund known as the Iberia Medical Center Revenue Bond Sinking Fund (the "Sinking Fund"), heretofore created and maintained pursuant to the Parity Bond Ordinance, 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 issued hereafter in the manner provided in the Bond Ordinance, as said bonds severally become due and payable by transferring from the Net Operating Revenues to the regularly designated fiscal agent bank of the Issuer, as depository, monthly in advance on or before the 20th day of each month of each year, beginning June 20, 2013, a sum equal to one-twelfth (1/12th) of the total amount of principal, if any falling due on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds on the ensuing Principal Payment Date, and one-sixth (1/6th) of the total amount of interest, if any, falling due on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds on the ensuing Interest Payment Date (provided, however, if in any prior month, there are inadequate Net Operating Revenues to fully fund the deposit requirement for that month, then in subsequent months said deficiency shall be funded prior to depositing Net Operating Revenues into any other fund established hereunder), together with such amounts as may be required by the Parity Bond Ordinance and such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due on the ensuing Principal Payment Date. Said depository bank shall transfer

from the Sinking Fund to the paying agent(s) for all bonds payable from the Sinking Fund, at least three (3) days in advance of each Principal Payment Date, funds fully sufficient to pay promptly the principal and/or interest so falling due on such date.

(c) The maintenance of a separate and distinct fund, heretofore created pursuant to the Parity Bond Ordinance, known as the Iberia Medical Center Bond Reserve Fund (the "Reserve Fund"), with IberiaBank, of New Iberia, Louisiana, as depository, or after the date on which the Outstanding Parity Bonds are no longer Outstanding pursuant to the terms of the Parity Bond Ordinance, with the Paying Agent, any Owner of the Bonds, or the regularly designated fiscal agent of the District or the Issuer, as may be determined by the District, by transferring on the date of delivery of the Bonds from the proceeds of the Bonds a sum which, together with the monies now on deposit in the Reserve Fund, will equal the Reserve Fund Requirement, the monies in the Reserve Fund to be retained solely for the purpose of paying the principal of and the interest on bonds payable from the aforesaid Sinking Fund as to which there would otherwise be default, but if so used, such monies shall be replaced by the Issuer as soon as possible thereafter out of the earnings of the Medical Center, after making the required payments into the respective funds established under subparagraph (b) above. In the event that Additional Parity Bonds are issued hereafter in the manner provided by this Bond Ordinance, there shall be transferred from the proceeds of such Additional Parity Bonds and/or from the Net Operating Revenues into the Reserve Fund monthly or annually, such amounts (as may be designated in the ordinance authorizing the issuance of such Additional Parity Bonds) as will increase the total amount on deposit in the Reserve Fund within a period not exceeding five (5) years to a sum equal to the Reserve Fund Requirement for all outstanding bonds payable from the Sinking Fund and any such Additional Parity Bonds.

(d) The maintenance of a separate and distinct fund, heretofore created pursuant to the Parity Bond Ordinance, known as the Iberia Medical Center Depreciation Fund (the "Depreciation Fund") with the Paying Agent, any Owner of the Bonds, or the regularly designated fiscal agent of the District or the Issuer, as may be determined by the District, to care for capital acquisitions, replacements, extensions, expansions, improvements or betterments of the Medical Center by transferring monthly on or before the 20th day of each month, after making the requisite monthly payments into the Sinking Fund and Reserve Fund, fifty percent (50%) of the then remaining Net Operating Revenues until the Depreciation Fund has a balance of \$1,000,000. The principal purpose for establishing and maintaining the Depreciation Fund is to set aside monies to pay the cost of capital improvements and provide an audit trail of such expenditures rather than paying such costs from the Operating Fund, therefore, the \$1,000,000 balance referred to above shall not be construed as placing a limitation on the monies that may be deposited in the Depreciation Fund nor shall such be construed as requiring a minimum balance to be retained in the Depreciation Fund. Monies in the Depreciation Fund shall also be used to pay the principal of and the interest on the Bonds and the Outstanding Parity Bonds for the payment of which there is not sufficient money in the Sinking Fund or the Reserve Fund and but for which there would otherwise be default in payment, but if so used, such monies shall be replaced by the Issuer as soon as possible thereafter out of the earnings of the Medical Center after making

the required payments into the respective funds hereinabove set out in subparagraphs (b) and ©).

SECTION 7.3. Use of Surplus Funds. Subject to the foregoing, which are cumulative, the balance of the Net Operating Revenues on deposit in the Operating Fund may be used by the Issuer for the purpose of calling and/or paying bonds payable from the income and revenues of the Medical Center or for such other lawful corporate purposes as the Operator, with the consent of this Governing Authority, may determine.

SECTION 7.4. Valuation of Investments. The Issuer agrees that while the Bonds and the Outstanding Parity Bonds are outstanding, investments held in the funds described in subparagraphs (b), (c) and (d) of Section 7.2 hereof shall be valued at the lesser of cost or fair market value, plus accrued interest.

SECTION 7.5. Investment of Funds. All or any part of the monies on deposit in any of the aforesaid funds described in subparagraphs (b), (c) and (d) shall, at the written request of the Issuer, be invested in direct obligations of the United States of America or other obligations permitted by Louisiana law, maturing in five (5) years or less, in which event (i) all income derived from investments in the Sinking Fund shall be deposited in the Operating Fund as income, revenues and receipts of the Medical Center, (ii) all income derived from investments in the Reserve Fund shall remain on deposit in the Reserve Fund until there is accumulated therein a sum equal to the Reserve Fund Requirement and, thereafter, such income shall be deposited in the Operating Fund, and (iii) all income derived from investments in the Depreciation Fund shall remain on deposit in said Fund until there is accumulated therein a sum equal to \$1,500,000, and, thereafter, such income shall be deposited in the Operating Fund. If monies on deposit in the funds described in subparagraphs (b), (c) and (d), are pooled for investment purposes, the source of such monies shall be noted on or in connection with such investments so that each fund will realize its pro-rata share of any loss or gain that results from such investment. Such investments shall not be co-mingled with investments purchased with monies from any other funds of the Issuer. Such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which said respective funds are herein maintained.

ARTICLE 8 SCHEDULE OF RATES AND CHARGES

SECTION 8.1. Rates and Charges. The Issuer, through its Operator, may alter, amend or repeal from time to time any resolution or ordinance establishing a schedule of fees, rates and other charges for the services and facilities to be rendered by the Medical Center, said alterations, amendments or repeals to be conditioned upon the preservation of the rights of the Owners of the Bonds and the owners of the Outstanding Parity Bonds with respect to the income, revenues and receipts of the Medical Center, not alone for the payment of the principal of and the interest on the Bonds and the Outstanding Parity Bonds, but to insure that the Net Operating Revenues of the Medical Center shall be sufficient at all times to fulfill the other provisions specified in Section 7.2 hereof. The Issuer, through its Operator, shall fix and maintain fees, rates and other charges for all services and facilities to be rendered by the Medical Center, irrespective of the user thereof,

and no free services or facilities shall be furnished to any patient or user of the Medical Center, except that a reasonable amount of charity service may be permitted as required by law, but no such free service shall jeopardize the Issuer's ability to pay the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued.

ARTICLE 9
PARTICULAR COVENANTS

SECTION 9.1. Pledge of Revenues and Maintenance of Hospital. The Issuer does hereby covenant and warrant so long as any of the Bonds are outstanding and unpaid in principal and/or interest, that:

(a) It is, or will be, lawfully seized and possessed of the Medical Center, that it has a legal right to pledge the Net Operating Revenues and mortgage the Medical Center as herein provided, and that the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds hereafter issued as provided in the Bond Ordinance, will have a lien and privilege on said income, revenues and receipts subject only to the prior payment of Current Operating Expenses.

(b) It will at all times maintain the Medical Center in a good state of repair and working order and condition.

SECTION 9.2. Insurance Provisions. The Issuer, through the Operator, shall maintain, or cause to be maintained at its sole cost and expense, insurance with respect to the Medical Center, the operation thereof and its business against such casualties, contingencies and risks (including but not limited to public liability and employee dishonesty) and in amounts not less than is customary in the case of entities engaged in the same or similar activities and similarly situated and as is adequate to protect the Medical Center and its operations and with commercially reasonable deductibles. The Issuer shall, at least once every two Fiscal Years with respect to commercial insurance, cause a certificate of an Independent Insurance Consultant or Independent Insurance Consultants to be delivered to the Paying Agent which indicates that the insurance then being maintained by the Issuer is customary in the case of entities engaged in the same or similar activities and similarly situated and is adequate to protect the Medical Center and its operations.

All monies received for losses under any fire and extended coverage insurance are hereby pledged by the Issuer as security for the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds, until and unless such proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, either by repairing the property damaged or replacing the property destroyed, and adequate provision for making good such loss and damage shall be made within ninety (90) days from the date of the loss. The Owners of the Bonds and the owners of the Outstanding Parity Bonds shall be designated as a loss payee on the Fire and Extended Coverage Insurance policies for the physical properties of the Medical Center and copies of said policies and binders shall be provided to such bond owners upon written request. Such insurance proceeds, to the extent not so used, shall be used for the retirement of as many of the Bonds, Outstanding Parity Bonds and any Additional Parity Bonds as can be retired therewith through redemption in the manner provided in the Bond Ordinance and the

Parity Bond Ordinances, or through purchase at prices not greater than the redemption prices provided herein, on a pro rata basis.

SECTION 9.3. Records, Audits and Monthly Reports. As long as any of the Bonds are outstanding and unpaid in principal or interest, the Operator 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 Medical Center. Not later than six (6) months after the close of each Fiscal Year the Operator shall cause an audit of such books and accounts to be made by a recognized independent firm of certified public accountants, showing the receipts of and disbursements made for the account of the Medical Center. Such audit shall be available for inspection by the Owners of any of the Bonds. Each such audit, shall be performed in accordance with and contain such information as maybe required from time to time by State law.

All expenses incurred in the making of the audits required by this Section shall be regarded and paid as a maintenance and operating expense. The Operator further agrees that the Paying Agent and any Owner of the Bonds shall have the right to discuss with the accountant making the audit the contents of the audit and to ask for such additional information as they may reasonably require. The Operator further agrees to furnish to the Paying Agent and to any Owners of the Bonds, upon request therefor, a monthly statement itemized to show the income and expenses of the operation of the Medical Center and the number of patients for the preceding month. The Operator further agrees that the Paying Agent, and the Owners of any of the Bonds shall have at all reasonable times the right to inspect the Medical Center and the records, accounts and data of the Operator relating thereto.

SECTION 9.4. Sale or Lease of Medical Center. The Issuer will not sell, lease or in any manner dispose of the Medical Center or any substantial part thereof, provided the Issuer or the Operator may dispose of property (i) which in its judgment is worn-out, unserviceable, unsuitable, or unnecessary in the operation of the Medical Center, (ii) when other property of equal value is substituted therefor, or (iii) the proceeds derived from the disposal of such property are deposited in the Depreciation Fund and used for constructing and acquiring extensions and improvements to the Medical Center or repairing the Medical Center. The sale or lease of any office buildings owned by the Medical Center at a price determined by the Issuer and the Operator is hereby authorized and the proceeds derived therefrom shall be deposited in the Depreciation Fund and used as set forth in Section 7.2 (d) and Section 7.5 hereof.

Notwithstanding the foregoing, should the Issuer determine that it is in the best interests of the citizens and taxpayers of the Parish to lease or sell the Medical Center, the Issuer covenants that the proceeds from such lease or sale will first be used to redeem the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds.

SECTION 9.5. Priority of Lien. Except as provided in Article XII hereof, the Issuer will not voluntarily create or cause to be created any debt, lien, pledge, mortgage, assignment, encumbrance, or any other charges having priority over or parity with the lien of the Bonds, the Outstanding Parity Bonds and any Additional Bonds

upon the Net Operating Revenues of the Medical Center pledged to, or conventional mortgage granted on the Medical Center, as security therefor. Nor shall Issuer suffer or permit an involuntary lien or encumbrance to be created having priority over or parity with the lien of the Bonds, the Outstanding Parity Bonds and any Additional Bonds on the collateral pledged or mortgaged as security therefor, but shall promptly discharge the debt or obligation secured by such lien or encumbrance, unless the same is being challenged in good faith in a court of competent jurisdiction. Nor shall Issuer voluntarily create or cause to be created any debt, lien, pledge, mortgage, assignment, encumbrance, or any other charges subordinate and junior to the lien of the Bonds and the Outstanding Parity Bonds on the collateral pledged or mortgaged as security therefor, excepting such liens or encumbrances which may arise in the ordinary course of business and are seasonally discharged.

SECTION 9.6. Fidelity Bonds. The Issuer, through the Operator, will require all officers and employees in a position of authority or in possession of money derived from the operation of the Medical Center to 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 9.7. Paying Agent. The Issuer will at all times maintain a Paying Agent having the necessary qualifications for the performance of the duties described in this Bond Ordinance. The designation of the initial Paying Agent is hereby confirmed and approved. The Paying Agent shall signify its acceptance of the duties and obligations imposed on it by the Bond Ordinance by executing and delivering an acceptance of its rights, duties and obligations as Paying Agent set forth herein in form and substance satisfactory to the Issuer.

SECTION 9.8. Successor Paying Agent. Any successor Paying Agent shall (a) be a trust company or bank in good standing, located in or incorporated under the laws of the State, duly authorized to exercise trust powers and subject to examination by federal or state authority, and (b) have a reported capital and surplus of not less than \$25,000,000.

SECTION 9.9. Defeasance of Bonds. (a) If the Issuer shall pay or cause to be paid to the Owners of all Bonds then outstanding, the principal and interest to become due thereon at the times and in the manner stipulated therein and in the Bond Ordinance, then the covenants, agreements and other obligations of the Issuer to the Owners shall be discharged and satisfied. In such event, the Paying Agent shall, upon the request of the Issuer, execute and deliver to the Issuer all such instruments as may be desirable to evidence such discharge and satisfaction and the Paying Agent shall pay over or deliver to the Issuer all monies, securities and funds held by them pursuant to the Bond Ordinance which are not required for the payment or redemption of Bonds not theretofore surrendered for such payment or redemption.

(b) Principal or interest installments for the payment or redemption 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 redemption or otherwise) at the Interest Payment Date, Principal Payment Date or redemption date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this

Section, if they have been defeased pursuant to Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 9.10. Parties Interested Herein. Nothing in the Bond Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Issuer, the Paying Agent and the Owner of the Bonds any right, remedy or claim under or by reason of this Bond Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this Bond Ordinance contained by and on behalf of the Issuer shall be for the sole and exclusive benefit of the Issuer, the Paying Agent and the Owner of the Bonds.

SECTION 9.11. No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this Bond Ordinance against any member of the Governing Authority or officer of the Issuer or any person executing the Bonds in their personal capacities.

SECTION 9.12. Successors and Assigns. Whenever in this Bond Ordinance the Issuer is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Bond Ordinance contained by or on behalf of the Issuer shall bind and ensure to the benefit of its successors and assigns whether so expressed or not.

ARTICLE 10 RECEIVERSHIP; RIGHTS OF OWNERS

SECTION 10.1. Receivership; Rights of Owners. The Owners of the Bonds shall be entitled to exercise all rights and powers for which provision is made in the laws of the State of Louisiana. The Owners of the Bonds or any trustee acting for such Owners in the manner hereinafter provided, may, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Louisiana, or granted in this Bond Ordinance, and may enforce and compel the performance of all duties required by this Bond Ordinance or by any applicable statutes to be performed by the Issuer or by any agency, board or officer thereof, including the fixing, charging and collecting of rentals, fees or other charges for use or services of the Medical Center, and in general to take any action necessary to most effectively protect the rights of said Owners.

In the event that default shall be made in the payment of the interest on or principal of the Bonds as the same shall become due, or in the making of the payments into any reserve or sinking fund or any other payments required to be made by this Bond Ordinance, the Issuer hereby covenants and agrees that the Owners of the Bonds or any trustee appointed to represent said Owner as hereinafter provided, shall be entitled as of right to the appointment of a receiver of the Medical Center in an appropriate judicial proceeding in a court of competent jurisdiction.

To the extent permitted by law, the receiver so appointed shall forthwith enter into and take possession of the Medical Center and shall hold, operate and maintain, manage and control the Medical Center, and in the name of the Issuer shall exercise all rights and

powers of the Issuer with respect to the Medical Center and shall collect and receive all fees, rentals and other revenues, maintain and operate the Medical Center in the manner provided in this Bond Ordinance, and comply under the jurisdiction of the court appointing such receiver with all of the provisions of this Bond Ordinance.

Whenever all that is due upon the Bonds and interest thereon, and under any covenants of this Bond Ordinance for reserve, sinking or other funds, and upon any other obligations and interest thereon, having a charge, lien or encumbrance upon the fees, rentals or other revenues of the Medical Center, shall have been paid and made good, and all defaults under the provisions of this Bond Ordinance shall have been cured and made good, possession of the Medical Center shall be surrendered to the Issuer upon the entry of an order of the court to that effect. Upon any subsequent default, any Owner of the Bonds issued pursuant to this Bond Ordinance, or any trustee appointed for owners as hereinafter provided, shall have the same right to secure the further appointment of a receiver upon any such subsequent default.

Such receiver shall in the performance of the powers hereinabove conferred upon him be under the direction and supervision of the court making such appointment, shall at all times be subject to the orders of such court and may be removed thereby and a successor appointed in the discretion of such court. Nothing herein contained shall limit the jurisdiction of such court to enter such other and further orders as such court may deem necessary for the exercise by the receiver of any function not specifically set forth herein.

Any receiver appointed as provided herein shall hold and operate the Medical Center in the name of the Issuer and for the joint protection and benefit of the Issuer and the Owners of the Bonds. Such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any assets belonging or pertaining to the Medical Center, but the authority of such receiver shall be limited to the possession, operation and maintenance of the Medical Center for the sole purpose of the protection of both the Issuer and the Owners, and the curing and making good of any default under the provisions of this Bond Ordinance, and the title to and ownership of the Medical Center shall remain in the Issuer, and no court shall have any jurisdiction to enter any order or decree permitting or requiring such receiver to sell, mortgage or otherwise dispose of any properties of the Medical Center except with the consent of the Issuer and the owners of not less than two-thirds of the principal amount of all bonds then outstanding, in such manner as the court shall direct.

The Owners of not less than two-thirds of the Bonds may by duly executed certificate in writing appoint a trustee for Owners of the Bonds with authority to represent such Owners in any legal proceedings for the enforcement of the rights of such Owners. Such certificate shall be executed by such Owners, or by their duly authorized attorneys or representative, and shall be filed in the office of the Clerk of the Governing Authority.

In addition to any rights granted hereunder, the Owners shall have all other rights and remedies provided under the law of the State of Louisiana, including, but not limited to the right to foreclose and sell its interest in the Medical Center granted under the terms of the conventional mortgage, together with any necessary

permits and franchises to maintain and operate the Medical Center with such powers and privileges enjoyed by the Issuer for a period not to exceed twenty-five years.

All rights, powers and privileges granted to the Owners of the Bonds under this Article X shall be equally applicable to the owners of the Outstanding Parity Bonds.

ARTICLE 11
DEPOSITS OF INCOME, REVENUES AND RECEIPT

SECTION 11.1. Income, Revenues and Receipts. All of the income, revenues and receipts earned from the operation of the Medical Center shall be deposited promptly as provided in Section 7.2 hereof and shall be held by the depository with which such deposits have been made, separate and apart from all other funds of the Issuer. All of the funds herein required to be established shall be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Owners of the Bonds and the owners of the Outstanding Parity Bonds are hereby granted a lien on all such funds and accounts until applied in the manner provided in this Bond Ordinance and the Parity Bond Ordinance. The monies in all of such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds by direct obligations of, or obligations the principal of and the interest on which are guaranteed by, the United States of America, or direct obligations of the State of Louisiana, having a market value of not less than the amount of monies then on deposit in said funds and accounts, or other security authorized by Louisiana law.

ARTICLE 12
ISSUANCE OF ADDITIONAL BONDS; PARITY REQUIREMENTS

SECTION 12.1. Additional Parity Bonds. The Bonds and the Outstanding Parity Bonds shall enjoy complete parity of lien on the Net Operating Revenues of the Medical Center 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 nature payable from or enjoying a lien on the Net Operating Revenues of the Medical Center having priority over or parity with the Bonds and the Outstanding Parity Bonds except that bonds may hereafter be issued on a parity with the Bonds and the Outstanding Parity Bonds under the following conditions, viz:

(a) The Bonds, or any part thereof, including interest and redemption premiums 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 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 Fiscal Year in excess of the principal and interest which would have been required in such year to pay the Bonds refunded thereby, then such Bonds may not be refunded without the consent of the Owners of the unrefunded portion of the Bonds (provided such consent shall not be required if such refunding bonds meet the requirements set forth in subparagraph (b) below).

(b) Additional Parity Bonds may also be issued on a parity with the Bonds and the Outstanding Parity Bonds if all of the

following conditions are met:

(i) The Net Operating Revenues of the Medical Center, plus costs of capital improvements that may have been inadvertently expensed, for the Fiscal Year immediately preceding the year in which such parity bonds are to be issued are equal to at least 135% of the average annual debt service requirements on all bonds then outstanding and those to be issued; provided, however, this limitation shall not be applicable to any bonds issued to refund the Bonds and the Outstanding Parity Bonds and in addition, this limitation may be waived or modified by the written consent of owners representing 75% of the then outstanding Bonds. (Junior and subordinate bonds may be issued without restriction.)

(ii) There must be no delinquencies in the payments required to be made into the various funds provided in Section 7.2 hereof.

(iii) The existence of the facts required by paragraphs (a) and (b) above must be determined and certified to by the independent firm of certified or registered public accountants who have previously audited the books of the Operator, or by such successors thereof as may have been employed for that purpose.

(iv) The proceeds of the additional bonds must be used solely for the making of improvements, extensions, renewals, replacements or repairs to the Medical Center, or refunding prior bonds issued for such purposes.

(v) Additional Parity Bonds must be payable as to principal on May 26 and/or November 26 of each year in which principal falls due and payable as to interest on May 26 and November 26 of each year in which interest falls due.

ARTICLE 13 ACCEPTANCE OF PROPOSALS TO PURCHASE BONDS

SECTION 13.1. Acceptance of Proposals. The proposal of Capital One, N.A., of Lafayette, Louisiana, for the purchase of the Series 2013A Bonds and the proposal of Whitney Bank, Baton Rouge, Louisiana, for the purchase of the Series 2013B Bonds, each of which is attached hereto as **Exhibit B**, are hereby accepted. Notwithstanding the foregoing, in the event any terms of such proposals conflict with the terms of this Bond Ordinance, the Purchasers have agreed that the terms of this Bond Ordinance shall control. The Executive Officers are hereby empowered, authorized and directed to do all things necessary and incidental to carry out the provisions of this Bond Ordinance, to cause the necessary Bonds to be printed, lithographed, or otherwise prepared, to issue, execute, seal and deliver the Bonds to the Purchasers thereof.

ARTICLE 14 RETENTION AND RESPONSIBILITIES OF MANAGEMENT CONSULTANTS

SECTION 14.1. Management Consultants. It is recognized and understood that in accepting delivery of the Bonds, each Purchaser

has relied upon representations made by the Issuer that both the Issuer and such Purchaser may benefit through the production of maximum revenues. To this end, the Issuer hereby covenants and agrees that it will, through its Operator, continue to retain a nationally known hospital management consultant or firm of hospital management consultants (hereinafter in this Bond Ordinance referred to as the "Consultant") in a manner consistent with Revenue Procedure 97-13 of the Internal Revenue Service and the Code, on a continuous basis for a minimum period of six (6) months following the completed Fiscal Year in which the Net Operating Revenues are sufficient to satisfy all of the provisions of Article VII of this Bond Ordinance, and should the Net Operating Revenues at the end of any subsequent Fiscal year be insufficient to satisfy all of the provisions of Article 7, the Issuer and the Operator shall within the ensuing sixty (60) day period appoint a Consultant to perform the services hereinafter described. Such Consultant shall be selected with special reference to his knowledge and experience in the management, administration and operation of hospitals. Such Consultant shall be retained under contract at such reasonable compensation as may be fixed by the Issuer and the Operator and the payment of such compensation shall be considered to be one of the Current Operating Expenses. The retention of the present Consultant to the Issuer and the Operator is hereby approved, it being provided that any Consultant may be replaced at any time by another hospital management consulting firm retained by the Issuer and the Operator.

The Consultant shall prepare within thirty (30) days of receipt of each Fiscal Year Audit Report, as required by Section 9.3 hereof, a comprehensive operating report, which report shall contain therein or be accompanied by a certified copy of the Audit Report of the preceding Fiscal Year's business prepared by the Issuer's certified public accountants, and, in addition thereto, shall report upon the operation of the Medical Center during the preceding Fiscal Year, the maintenance of the properties, the efficiency of the management of the property, the proper and adequate keeping of books of record and account, the adherence to the provisions of this Bond Ordinance and the Outstanding Parity Bonds Ordinance and all other things having a bearing upon the efficient and profitable operation of the Medical Center, and shall include whatever comments on any phase of the operation of the Medical Center the Consultant may deem proper, and such recommendations as to changes in the operation and the making of repairs, renewals, replacements, extensions, betterments and improvements as the Consultant may deem proper. Copies of such report shall be placed on file with the Clerk of the Council of the Governing Authority and the Operator and shall be open to inspection by any Owner of the Bonds.

Subject to the conditions and restrictions set forth in Article 7 of this Bond Ordinance, the Issuer shall request the Consultant to pass on the economic soundness or feasibility of any extensions, betterments, improvements, expenditures or purchases of equipment and materials or supplies, which will involve the expenditure of more than Five Thousand Dollars (\$5,000), whether in one or more than one order, and whether authorized by a budget or not, from funds on deposit in the Depreciation Fund, and the Consultant shall devise and prescribe a form or forms wherein shall be set forth his or its approval in certificate form, copies of which shall be filed with the Clerk of the Council of the Governing Authority.

Sixty (60) days before the close of each Fiscal Year the Consultant shall submit to the Operator and the Issuer a suggested

Budget for the ensuing Fiscal Year's operation of the Medical Center and shall submit recommendations as to the schedule of rates and charges for the services supplied at the Medical Center. A copy of said suggested budget and recommendations shall also be furnished by the Consultant directly to the Owners of the Bonds. To the extent legally permissible, all recommendations of the Consultant shall be substantially followed. No expenditure for the operation, maintenance and repair of the Medical Center in excess of the amount stated in said Budget shall be made in any Fiscal Year, except upon the certificate of the Consultant and approval of the Issuer that such expenditures are necessary and essential to the continued efficient operation of the Medical Center.

The Issuer and the Operator shall request the Consultant to prescribe a system of budgetary controls along with forms for the exercising of such control which shall be utilized by the Administrator of the Medical Center and his staff, and said Administrator shall cause to be prepared monthly financial reports, not later than the 20th day of each month, for the preceding month's business and operation of the Medical Center, which reports shall be submitted to the Consultant, who shall prepare an analysis of each such report, which analysis shall be filed monthly as expeditiously as possible with the Clerk of the Council of the Governing Authority, said Administrator and with the Owner of the Bonds.

In the event that the Issuer shall hereafter fail to select and retain a Consultant in accordance with the first paragraph of this section within thirty (30) days after the occurrence of the conditions prescribed thereby, then upon the petition of twenty-five percent (25%) of the Owners of the Bonds and the owners of the Outstanding Parity Bonds, the Issuer shall select and retain such Consultant.

ARTICLE 15
REDEMPTION OF REFUNDED BONDS

SECTION 15.1. Call for Redemption of the Refunded Bonds. Subject only to the delivery of the Bonds, the Refunded Bonds are hereby called for redemption on the date of delivery of the Bonds expected to be on or about June 5, 2013, at the principal amount thereof and accrued interest to the date of redemption.

SECTION 15.2. Notice of Redemption. In accordance with the Ordinance authorizing the issuance of the Refunded Bond, the giving of the notice of redemption in substantially the form attached hereto as **Exhibit C** by the paying agent for the respective series of Refunded Bonds is hereby ratified and confirmed.

ARTICLE 16
MISCELLANEOUS

SECTION 16.1. Amendments to Bond Ordinance. No material modification or amendment of this Bond Ordinance, or of any resolution amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of seventy-five percent (75%) 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 or the redemption provisions of the Bonds, or a reduction in the rate of interest thereon, or in the amount of the principal obligation thereof, or affecting the obligation of the Issuer to pay the principal of and interest on the Bonds as the same shall become due from the Net Operating Revenues of the Medical Center, or reduce the percentage of the Owners of the Bonds required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of such Bonds.

SECTION 16.2. Severability; Subsequently Enacted Laws. 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 and invalidity shall not affect any other provisions 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, provided, however, that should any pledge or lien created for security of the Bonds be declared illegal or invalid, in addition to the rights and remedies provided herein, the Issuer hereby agrees to correct, effect, or replace, at no cost to the Owners of the Bonds and the owners of the Outstanding Parity Bonds, such pledge or lien so as to grant the Owners of the Bonds and the owners of the Outstanding Parity Bonds a first priority pledge and mortgage in the Net Operating Revenues of and conventional mortgage on the Medical Center. Any constitutional or statutory provision hereafter enacted which validates or makes legal any provision of this Bond Ordinance 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 16.3. Publication of Bond Ordinance; Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer, however, it shall not be necessary to publish any Exhibits hereto if the same are available for public inspection and such fact is stated in the publication. For thirty (30) days after the date of publication, any person in interest may contest the legality of this Bond Ordinance, any provision of the Bonds, the provisions therein made for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Bonds. After the said thirty days, no person may contest the regularity, formality, legality or effectiveness of this Bond Ordinance, any provisions of the Bonds to be issued pursuant hereto, the provisions for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to their authorization and issuance, for any cause whatever. Thereafter, it shall be conclusively presumed that the Bonds are legal and that every legal requirement for the issuance of the Bonds has been complied with. No court shall have authority to inquire into any of these matters after the said thirty days.

SECTION 16.4. Tax Covenants. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code and any amendment thereto in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds or (ii) the failure to pay any required rebate or arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds."

The Executive Officers are hereby empowered, authorized and directed to take any and all action to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 16.5. 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 the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR '240.15c2-12(b)], because:

(a) the Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and

(b) the Bonds are being sold to only one financial institution (*i.e.*, no more than thirty-five persons), which (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the Bonds and (ii) is not purchasing the Bonds for more than one account or with a view to distributing the Bonds.

SECTION 16.6. 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 16.7. Amendments to Parity Bond Ordinance. The provisions contained in Section 2.1 (but only with respect to the definition of "Reserve Fund Requirement") and Section 12.1(b)(iii) of this Bond Ordinance are intended to and hereby amend the corresponding sections of the Parity Bond Ordinance. Pursuant to the terms of Section 14.1 of the Parity Bond Ordinance, the owners of not less than 75% of the aggregate principal amount of the Outstanding Parity Bonds outstanding have consented to such amendments and certified to such consent as set forth on Exhibit D hereto.

SECTION 16.8. Effective Date. Upon approval by the Parish President, this Bond Ordinance shall be published in full in one issue of the official journal of the Governing Authority as soon as possible and shall be in full force and effect.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Ordinance was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. David Ditch, does hereby Ordinance Summary No. 4480, which is an Ordinance amending Chapter 24 of the Iberia Parish Compiled Ordinances to clarify the one year reversion clause of the Zoning Ordinance pertaining to recently classified industrial property.

Following discussion regarding this item, it was suggested that the motion be tabled and taken under advisement. It was requested that other parishes be polled to determine how their reversionary clauses are drafted.

A substitute motion was made by Mr. Bernard E. Broussard, seconded by Mr. Jerome W. Fitch, that the Iberia Parish Council does hereby table action regarding Ordinance Summary No. 4480, which is an Ordinance amending Chapter 24 of the Iberia Parish Compiled Ordinances to clarify the one year reversion clause of the Zoning Ordinance pertaining to recently classified industrial property until additional information is available.

This motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to table was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. Thomas J. Landry, that the following be adopted:

RESOLUTION NO. 2013-167

A RESOLUTION MAKING A TECHNICAL AMENDMENT TO RESOLUTION NO. 2013-94 REGARDING THE SETTLEMENT AUTHORIZATION FOR VICTORIA AND DENNIS PELLERIN IN ORDER TO CORRECT THE FUNDING SOURCE FROM THE 2013 RISK MANAGEMENT FUND TO THE 2013 GENERAL FUND, FUND BALANCE - PREVIOUS YEARS AND ALL AS DIRECTED AND ADVISED BY THE PARISH'S THIRD PARTY ADMINISTRATOR FOR RISK MANAGEMENT AND FOR PARISH AUDITORS, KOLDER, CHAMPAGNE, SLAVEN AND COMPANY, CPAS.

WHEREAS, the Iberia Parish Council adopt Resolution No. 2013-94, which was vetoed by the Parish President and the veto was overridden by necessary vote of the Council; and

WHEREAS, said Resolution includes a funding source of Risk Management Fund, which should be corrected to the General Fund at the recommendations of the Parish's Third Party Administrators for Risk Management and of th Parish auditors, Kolder, Champagne, Slaven and Company, CPAs.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the making a technical amendment to Resolution No. 2013-94 regarding the settlement authorization for Victoria and Dennis Pellerin in order to correct the funding source from the 2013 Risk Management Fund to the 2013 General Fund, Fund Balance - Previous Years and all as directed and advised by the Parish's Third Party Administrator for Risk Management and for Parish auditors, Kolder, Champagne, Slaven and Company, CPAs.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Ms. Aquicline Rener-Arnold, does hereby Resolution Summary No. 168, which is a Resolution declaring the 2009 Freight Liner (Engine 101) of the Iberia Parish Fire Protection District No. 1 as surplus property and further authorizing the disposal of said property in accordance with law.

Following discussion regarding this item, it was suggested that the motion be tabled to a future meeting until requested information can be provided.

A substitute motion was made by Mr. Troy Comeaux, seconded by Mr. Marty Trahan, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 168, which is a Resolution declaring the 2009 Freight Liner (Engine 101), VIN #1FYACYBSHADA8537, of the Iberia Parish Fire Protection District No. 1 as surplus property and further authorizing the disposal of said property in accordance with law.

This motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to table was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Mr. Jerome W. Fitch, that the following be adopted:

RESOLUTION NO. 2013-169

A RESOLUTION APPOINTING ONE MEMBER TO THE JEANERETTE VETERAN'S MEMORIAL BUILDING NO. 1 BOARD OF CONTROL TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. LLOYD FONTENETTE, WHOSE TERM EXPIRED ON APRIL 27, 2013. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. LLOYD FONTENETTE)

WHEREAS, the Iberia Parish Council is interested in appointing one member to the Jeanerette Veterans Memorial Building No. 1 Board of Control, to fill a vacancy created by the expiration of term for Mr. Lloyd Fontenette, whose term expired on April 27, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Lloyd Fontenette; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Lloyd Fontenette as a member of the Jeanerette Veterans Memorial Building No. 1 Board of Control for a five year term.

BE IT FURTHER RESOLVED, that said term shall commence on April 28, 2013 and shall terminate on April 27, 2018.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Mr. Jerome W. Fitch, that the following be adopted:

RESOLUTION NO. 2013-170

A RESOLUTION APPOINTING A MEMBER TO THE JEANERETTE VETERANS MEMORIAL BUILDING NO. 2 BOARD TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. MURPHY DAURBIGNY, WHOSE TERM EXPIRED ON APRIL 27, 2013. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. MURPHY DAURBIGNY)

WHEREAS, the Iberia Parish Council is desirous of appointing one member to the Jeanerette Veterans Memorial Building No. 2 Board of Control to fill a vacancy created by the expiration of term of Mr. Murphy Daurbigny, whose term expired April 27, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Murphy Daurbigny; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Murphy Daurbigny as a member of the Jeanerette Veterans Memorial Building No. 2 Board of Control for a five year term.

BE IT FURTHER RESOLVED, that said term shall commence on April 28, 2013 and shall terminate on April 27, 2018.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Lloyd Brown, that the following be adopted:

RESOLUTION NO. 2013-171

A RESOLUTION APPOINTING A MEMBER TO THE ROBERT B. GREEN MEMORIAL BUILDING BOARD TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. PAUL E. ANTHONY, SR., WHOSE TERM EXPIRES ON MAY 28, 2013. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. PAUL E. ANTHONY, SR.)

WHEREAS, the Iberia Parish Council is desirous of appointing one member to the Robert B. Green Memorial Building Board of Control to fill a vacancy created by the expiration of term of Mr. Paul E. Anthony, Sr., whose term expires May 28, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Paul E. Anthony, Sr.; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Paul E. Anthony, Sr., as a member of the Robert B. Green Memorial Building Board of Control for a five year term.

BE IT FURTHER RESOLVED, that said term shall commence on May 29, 2013 and shall terminate on May 28, 2018.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Renner-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Ms. Aquicline Rener-Arnold, that the following be adopted:

RESOLUTION NO. 2013-172

A RESOLUTION APPOINTING ONE MEMBER TO THE IBERIA PARISH LEVEE, HURRICANE AND CONSERVATION DISTRICT COMMISSION REPRESENTING IBERIA PARISH GOVERNMENT TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. RONALD GONSOULIN. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. RONALD GONSOULIN)

WHEREAS, the Iberia Parish Council is desirous of appointing one Iberia Parish Levee, Hurricane and Conservation District Commission representing Iberia Parish Government to fill a vacancy created by the expiration of term for Mr. Ronald Gonsoulin, whose term expires July 1, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Ronald Gonsoulin; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Ronald Gonsoulin as a member of the Iberia Parish Levee, Hurricane and Conservation District Commission for a four year term.

BE IT FURTHER RESOLVED, that said term shall commence on July 1, 2013 and shall terminate on June 30, 2017.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

ABSTAIN: Ricky J. Gonsoulin.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Ms. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-173

A RESOLUTION APPOINTING ONE MEMBER TO THE IBERIA PARISH LEVEE, HURRICANE AND CONSERVATION DISTRICT COMMISSION REPRESENTING IBERIA PARISH GOVERNMENT TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. WILLIAM PATOUT, III. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. PATRICK BROUSSARD)

WHEREAS, the Iberia Parish Council is desirous of appointing one Iberia Parish Levee, Hurricane and Conservation District Commission representing Iberia Parish Government to fill a vacancy created by the expiration of term for Mr. William Patout, III, whose term expires July 1, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Patrick Broussard; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Patrick Broussard as a member of the Iberia Parish Levee, Hurricane and Conservation District Commission for a four year term.

BE IT FURTHER RESOLVED, that said term shall commence on July 1, 2013 and shall terminate on June 30, 2017.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. D. Wayne Romero, seconded by Mr. Jerome W. Fitch, that the following be adopted:

RESOLUTION NO. 2013-174

A RESOLUTION APPOINTING ONE MEMBER TO THE IBERIA PARISH LEVEE, HURRICANE AND CONSERVATION DISTRICT COMMISSION REPRESENTING IBERIA PARISH GOVERNMENT TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. JAMES STEIN. (APPLICATION OF INTEREST ON FILE FROM: (A) MR. JAMES STEIN)

WHEREAS, the Iberia Parish Council is desirous of appointing one Iberia Parish Levee, Hurricane and Conservation District Commission representing Iberia Parish Government to fill a vacancy created by the expiration of term for Mr. James Stein, whose term expires July 1, 2013; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. James Stein; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. James Stein as a member of the Iberia Parish Levee, Hurricane and Conservation District Commission for a four year term.

BE IT FURTHER RESOLVED, that said term shall commence on July 1, 2013 and shall terminate on June 30, 2017.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-175

A RESOLUTION AMENDING PREVIOUS RESOLUTIONS TO REVISE THE POLICIES AND PROCEDURES FOR THE FOUNDATION RECONSTRUCTION GUIDELINES TO INCLUDE THAT 10% RETAINAGE WILL BE WITHHELD DURING THE PAYMENT PROCESS FOR CONTRACTORS WHO PROVIDE PROOF OF PERFORMANCE AND PAYMENT BONDS AND 20% RETAINAGE WILL BE WITHHELD FOR CONTRACTORS WHO DO NOT PROVIDE THESE DOCUMENTS AND TO INDICATE THAT THE THREE YEAR LIEN PERIOD WILL START FROM THE EXECUTION DATE OF THE NOTICE to PROCEED.

WHEREAS, Resolution No. 2011-02, adopted January 5, 2011, adopted and authorized the submission of guidelines for the Parish Implemented Program to include the Foundation Reconstruction Program and Homeowner Compensation Program Guidelines, as amended to include the addition of flood walls if the residential unit sustained some damages from Hurricanes Ike or Gustav, but not "substantial damages", to allow CDBG to determine funding capabilities; and

WHEREAS, Resolution No. 2011-70, adopted March 23, 2011, adopted and authorized the submission of guidelines for the Parish Implemented Recovery Program and the Homeowner Compensation Program, in order to replace the current guidelines for the Foundation Reconstruction Program so that the authorization for floodwalls would be removed from the Foundation Reconstruction Guidelines, but that they would remain within the guidelines for Homeowner Compensation; and

WHEREAS, the Administration is recommending that the guidelines be further amended to provide changes to the retainages for contractors who provide a performance and payment bond and those who do not provide these documents.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend previous Resolutions to revise the Policies and Procedures for the Foundation Reconstruction Guidelines to include that 10% retainage will be withheld during the payment process for contractors who provide proof of performance and payment bonds and 20% retainage will be withheld for contractors who do not provide these documents and to indicate that the three year lien period will start from the execution date the Notice of Proceed.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May,
2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. Thomas J. Landry, that the following be adopted:

RESOLUTION NO. 2013-176

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE THE HOMEOWNER AGREEMENT CONTRACTS FOR THE PARISH IMPLEMENTED RECOVERY PROGRAM'S FOUNDATION RECONSTRUCTION PROGRAM AND FURTHER AUTHORIZING THE PARISH PRESIDENT TO EXECUTE THE REQUEST FOR PAYMENTS DOCUMENTS AND ISSUE CHECKS AS APPROVED BY THE STATE OF LOUISIANA.

WHEREAS, Resolution No. 2011-02, adopted January 5, 2011, adopted and authorized the submission of guidelines for the Parish Implemented Program to include the Foundation Reconstruction Program and Homeowner Compensation Program Guidelines, as amended to include the addition of flood walls if the residential unit sustained some damages from Hurricanes Ike or Gustav, but not "substantial damages", to allow CDBG to determine funding capabilities; and

WHEREAS, Resolution No. 2011-70, adopted March 23, 2011, adopted and authorized the submission of guidelines for the Parish Implemented Recovery Program and the Homeowner Compensation Program, in order to replace the current guidelines for the Foundation Reconstruction Program so that the authorization for floodwalls would be removed from the Foundation Reconstruction Guidelines, but that they would remain within the guidelines for Homeowner Compensation; and

WHEREAS, Resolution No. 2013-175, adopted May 8, 2013, amended the Foundation Reconstruction Guidelines to include that 10% retainage will be withheld during the payment process for contractors who provide proof of performance and payment bonds and 20% retainage will be withheld for contractors who do not provide these documents and to indicate that the three year lien period will start from the execution date of the Notice to Proceed; and

WHEREAS, it is necessary to authorize the Parish President to execute Homeowner Agreement Contracts for the this program for the applicants approved as of April 22, 2013 by Providence Technical Services.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to executive the Homeowner Agreement Contracts for the Parish Implemented Recovery Program's Reconstruction Program for the applicants approved as of April 22, 2013 by Providence Technical Services as follows:

| <u>FILE NUMBER</u> | <u>ADDRESS</u> | <u>AMOUNT TO BE AWARDED</u> |
|--------------------|-----------------------------|-----------------------------|
| FR007 | S. Bourque-Delcambre | 73,613.51 |
| FR082 | David Duboin-New Iberia | 100,000.00 |
| FR139 | E. Leblanc-Delcambre | 100,000.00 |
| FR160 | Hwy 14-New Iberia | 100,000.00 |
| FR170 | Neco Town-New Iberia | 81,322.00 |
| FR085 | Avery Island-New Iberia | 84,000.00 |
| FR043 | Lee Station-New Iberia | 100,000.00 |
| FR104 | Segura-New Iberia | 100,000.00 |
| FR222 | Bob Acres-Delcambre | 100,000.00 |
| FR034 | Hill-New Iberia | 100,000.00 |
| FR047 | Hwy 14-New Iberia | 100,000.00 |
| FR065 | Jefferson Island-New Iberia | 99,795.00 |
| FR138 | E. Main-Delcambre | 100,000.00 |

| <u>FILE NUMBER</u> | <u>ADDRESS</u> | <u>AMOUNT TO BE AWARDED</u> |
|--------------------|-----------------------------|-----------------------------|
| FR066 | Terry Michael-New Iberia | 100,000.00 |
| FR088 | Adras-New Iberia | 70,000.00 |
| FR129 | N. Fernand-Delcambre | 100,000.00 |
| FR031 | Patoutville-Jeanerette | 100,000.00 |
| FR080 | La Hwy 14-New Iberia | 100,000.00 |
| FR023 | E. Cleve-Delcambre | 97,900.00 |
| FR057 | Segura-New Iberia | 97,800.00 |
| FR130 | Bob Acres-Delcambre | 100,000.00 |
| FR150 | Jefferson Island-New Iberia | 97,700.00 |
| FR014 | Hwy 14-New Iberia | 100,000.00 |
| FR094 | Creighton-New Iberia | 100,000.00 |
| FR107 | Eldridge-Jeanerette | 100,000.00 |
| FR217 | E. Church-Delcambre | 100,000.00 |
| FR003 | Creighton-New Iberia | 98,500.00 |
| FR132 | Leleux-New Iberia | 99,981.00 |
| FR155 | Eldridge-Jeanerette | 76,800.00 |
| FR196 | Darnall-New Iberia | 99,330.00 |
| FR073 | LeBlanc-New Iberia | 100,000.00 |
| FR084 | Lee Station-New Iberia | 99,498.00 |
| FR128 | Freyou-New Iberia | 97,600.00 |
| FR178 | Canal-Delcambre | 100,000.00 |
| FR035 | Avery Island-New Iberia | 100,000.00 |
| FR040 | McAnally-New Iberia | 79,600.00 |
| FR042 | Old La 25-New Iberia | 100,000.00 |
| FR046 | Hwy 14-New Iberia | 100,000.00 |
| FR078 | Hwy 14-New Iberia | 100,000.00 |
| FR087 | E. Hwy 14-Delcambre | 100,000.00 |
| FR105 | Lee Station-New Iberia | 100,000.00 |
| FR106 | Carl Meche-New Iberia | 93,183.32 |
| FR137 | E. Pershing-Delcambre | 100,000.00 |
| FR163 | La Hwy 14-New Iberia | 100,000.00 |
| FR164 | McAnally-New Iberia | 68,079.00 |
| FR187 | Lakewood-Erath | 100,000.00 |
| FR188 | Lake Simonette-Erath | 100,000.00 |
| | TOTALS | <u>\$4,514,701.83</u> |

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby authorize Parish President Errol Romero to execute the Request for Payments documents and issue checks as approved by the State of Louisiana.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, unanimously seconded by Ms. Maggie F. Daniels and Aquicline Rener-Arnold, and Messrs. Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Marty Trahan, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-177

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF MR. WILBERT "SPIC" LEBLANC, RETIRED BRIDGE OPERATOR OF THE BELLE PLACE AND VIDA SHAW BRIDGES, WHO PASSED AWAY ON APRIL 25, 2013.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Mr. Wilbert "Spic" LeBlanc, who passed away on April 25, 2013; and

WHEREAS, Mr. "Spic" was a son, brother, husband, father, grandfather, great grandfather, and great-great grandfather to his family; and

WHEREAS, Mr. "Spic" served his country and the citizens of our great nation as a member of the United States Army and the National Guard; and

WHEREAS, Mr. "Spic" served the citizens of Iberia Parish as the bridge operator of the Belle Place and Vida Shaw bridges, retiring after 2 years of service; and

WHEREAS, Mr. "Spic" will be deeply missed by his family, his friends, and the community.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its sincere sympathies and condolences to the family of Mr. Wilbert "Spic" LeBlanc, who passed away on April 25, 2013.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Mr. Wilbert "Spic" LeBlanc.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. David Ditch, seconded by Mr. Ricky J. Gonsoulin, that the Iberia Parish Council adopt Resolution Summary No. 178, which is a Resolution amending the 2013 General Fund Budget in the total amount of \$115,000 to provide funding for the preliminary design of the Do Voorhies Wing Renovation and the brick restoration at the Bayou Teche Museum.

A substitute motion was made by Mr. Bernard E. Broussard, seconded by Mr. Lloyd Brown, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 178, as stated above, until the next regular meeting to be held on May 22, 2013.

This motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to table was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Troy Comeaux, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby delete Resolution Summary No. 179, which is a Resolution authorizing the employment of CPAs to review the construction and operations budgets of the CAJUN RVerA Project, as this item was not recommended for adoption by the Committee.

This motion to delete having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to delete was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the following be adopted:

RESOLUTION NO. 2013-180

A RESOLUTION AMENDING THE 2013 ROYALTY FUND BUDGET IN THE AMOUNT OF \$275,000 TO PROVIDE 25% MATCHING FUNDS FOR A \$1.1 MILLION CAPITAL OUTLAY GRANT TO THE IBERIA ECONOMIC DEVELOPMENT AUTHORITY FOR ACQUISITION AND DEVELOPMENT OF PROGRESS POINT INDUSTRIAL PARK, ALL TO BE FUNDED FROM THE ROAD RESERVE LINE ITEM.

WHEREAS, Iberia Parish Government has recently been successful in obtaining grant funding for the acquisition and development of Progress Point Industrial Park; and

WHEREAS, it is necessary to provide a 25% match of \$275,000 for the \$1.1 million Capital Outlay Grant to the Iberia Economic Development Authority; and

WHEREAS, it is necessary to adjust the 2013 Royalty Fund Budget to appropriate local matching funds required for said project in the amount of \$275,000.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Royalty Fund Budget in the amount of \$275,00 to provide 25% matching funds for a \$1.1 million Capital Outlay Grant to the Iberia Economic Development Authority for acquisition and development of Progress Point Industrial Park.

BE IT FURTHER RESOLVED, that this funding shall be funded from the Road Reserve Line Item.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

A substitute motion was made by Mr. David Ditch, seconded by Mr. Ricky Gonsoulin, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 180 until further information regarding the provided fund balances has been made available.

During the discussion regarding the substitute motion, Mr. David Ditch withdrew the motion.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Renner-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. David Ditch, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council adopt Resolution Summary No. 181, which is a Resolution amending the 2013 General Fund Budget in the amount of \$197,000 to provide funding for the development of the Iberia Parish Master Plan.

After some discussion, several Council members stated that they would like to review this information again to determine if the entire proposal must be funded at this time.

A substitute motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 181 until the next regular meeting to be held on May 22, 2013.

This motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to table was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. Lloyd Brown, that the following be adopted:

RESOLUTION NO. 2013-182

A RESOLUTION AUTHORIZING THE ISSUANCE OF A CREDIT CARD TO THE IBERIA PARISH FIRE PROTECTION DISTRICT NO. 1 FROM THE PARISH'S FISCAL AGENT, IBERIABANK.

WHEREAS, it is requested that a credit card be issued to the Iberia Parish Fire Protection District No. 1 by the IberiaBank, the current fiscal agent for Iberia Parish Government, in the name of the Iberia Parish Fire Protection District No. 1, with the Fire Chief as the only authorized signature for use of said credit card.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Fire Chief of the Iberia Parish Fire Protection District No. 1 to apply for a credit card to be used for expenditures related to attendance at conferences and conventions, with the Fire Chief being the only designated signature authorized for said account.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Lloyd Brown.

NAYS: Maggie F. Daniels, Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution **FAILED** to be adopted this 8th day of May, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Lloyd Brown, that the following be adopted:

RESOLUTION NO. 2013-183

A RESOLUTION EXTENDING AN OFFER TO THE IBERIA PARISH SCHOOL BOARD IN THE AMOUNT OF \$200,000 FOR THE PURCHASE OF THE FORMER IBERIA PARISH SCHOOL BOARD OFFICE, WHICH IS BEING PROPOSED FOR USE BY THE IBERIA PARISH SHERIFF'S OFFICE.

WHEREAS, the Iberia Parish School Board is proposing to sell the former Iberia Parish School Board Office located at the Acadiana Regional Airport; and

WHEREAS, the Iberia Parish Sheriff's Office has requested office space for utilization by several divisions of the Department; and

WHEREAS, the Iberia Parish Council is interested in acquiring said building to be used by the Iberia Parish Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby extend an offer to the Iberia Parish School Board in the amount of \$200,000 for the purchase of the former Iberia Parish School Board Office, which is being proposed for use by the Iberia Parish Sheriff's Office.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Thomas J. Landry, that the following be adopted:

RESOLUTION NO. 2013-184

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO OBTAIN INFORMATION IN ORDER TO PROCEED WITH AN OFFER TO THE IBERIA PARISH SCHOOL BOARD FOR A TRACT OF PROPERTY LOCATED ON LA. 3212 ACROSS FROM THE SUGARENA TO BE USED FOR THE CONSTRUCTION OF A TRACK AND FIELD FACILITY AND FURTHER TO PROVIDE A REPORT BACK TO THE COUNCIL AT THEIR NEXT MEETING.

WHEREAS, Iberia Parish Government currently owns property on La. 3212 across from the SugArena at the Acadiana Regional Airport; and

WHEREAS, said property could be utilized for the construction of a track and field facility by the Iberia Parish School Board; and

WHEREAS, it is necessary to prepare information in order to proceed with an offer to the Iberia Parish School Board for said tract of property to be utilized as a proposed track and field facility.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Administration to obtain information in order to proceed with an offer to the Iberia Parish School Board for a tract of property located on La. 3212 across from the SugArena to be used for the construction of a track and field facility.

BE IT FURTHER RESOLVED, that Administration shall research this matter and report back to the Council at their next meeting, which is scheduled for May 22, 2013.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Ms. Maggie F. Daniels, that the following be adopted:

RESOLUTION NO. 2013-185

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH MINVIELLE AND ASSOCIATES, INC., FOR GRANT ADMINISTRATIVE CONSULTING SERVICES IN CONNECTION WITH ADMINISTRATION OF IBERIA PARISH CAPITAL OUTLAY PROJECTS, INCLUDING LA. 3212 ARA ACCESS ROAD, AND PROPOSED ROAD CONNECTING SIDNEY BLANCHARD ROAD AND ED BROUSSARD ROAD AND FURTHER AMENDING THE 2013 GENERAL FUND BUDGET IN THE AMOUNT OF \$5,000 FOR THE FUNDING FOR THIS RESOLUTION.

WHEREAS, the Iberia Parish Government deems it necessary and proper to periodically apply for funding under the Louisiana State Capital Outlay Program; and

WHEREAS, the Parish has been fortunate to receive funding for projects under the Louisiana State Capital Outlay Program in the past and anticipates being awarded funding for projects in the future; and

WHEREAS, the Parish desires the Consultant's assistance to assist the Parish with the preparation of and submission of grant applications under the Louisiana State Capital Outlay Program; and

WHEREAS, the parish also desires the Consultant's assistance with the grant administration and project management of projects funded under the Louisiana State Capital Outlay Program.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize execution of a contract with Minvielle and Associates, Inc., for grant administrative consulting services in connection with administration of Iberia Parish Capital Outlay Projects, including La. 3212 ARA Access Road, and proposed road connecting Sidney Blanchard Road and Ed Broussard Road.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute said contract.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby amend the 2013 General Fund Budget in the amount of \$5,000 to include funding for these services in the Executive Department, Professional Fees Line Item, as follows:

| ACCOUNT NO. | ACCOUNT TITLE | BUDGET | ADJUSTMENT |
|-----------------------|-----------------------|-------------|------------|
| 499000 0000 0000 0000 | Fund Balance | \$1,303,135 | + \$5,000 |
| 533000 1310 0000 0000 | Professional Services | \$ 5,000 | + \$5,000 |

BE IT FURTHER RESOLVED, that said appropriation shall be funded from the 2013 General Fund Budget, Fund Balance - Previous Years.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Marty Trahan, that the following be adopted:

RESOLUTION NO. 2013-186

A RESOLUTION AMENDING THE 2013 ROYALTY FUND BUDGET IN THE AMOUNT OF \$50,000 TO PROVIDE MATCHING FUNDS FOR A CAPITAL OUTLAY GRANT IN THE AMOUNT OF \$150,000 FOR THE PROPOSED ROAD CONNECTING SIDNEY BLANCHARD ROAD AND ED BROUSSARD ROAD, ALL TO BE FUNDED FROM THE FUND BALANCE - PREVIOUS YEARS LINE ITEM.

WHEREAS, Iberia Parish Government has recently been successful in obtaining grant funding for the proposed road connecting Sidney Blanchard Road and Ed Broussard Road; and

WHEREAS, it is necessary to provide a 25% match of \$50,000 for the \$50,000 Capital Outlay Grant to the Iberia Parish Government; and

WHEREAS, it is necessary to adjust the 2013 Royalty Fund Budget to appropriate local matching funds required for said project in the amount of \$50,000.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Royalty Fund Budget, as follows:

| ACCOUNT NO. | ACCOUNT TITLE | BUDGET | ADJUSTMENT |
|-----------------------|-------------------|-------------|------------|
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$5,754,770 | + \$50,000 |
| 575000 3310 0000 3020 | Contract Payments | -0- | + \$50,000 |

BE IT FURTHER RESOLVED, that this funding shall be funded from the Fund Balances - Previous Years Line Item.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. David Ditch, that the Iberia Parish Council does hereby take under advisement proposed Resolution Summary No. 187, which is a Resolution requesting Bond Counsel to call an election on October 19, 2013 for millage renewals for four existing millages, and further refer said item back to the Finance Committee for further discussion.

This motion to take under advisement having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to take under advisement was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-188

A RESOLUTION AMENDING THE 2013 MOSQUITO CONTROL/DRAINAGE IMPROVEMENTS SALES TAX FUND AND THE 2013 PARISHWIDE DRAINAGE MAINTENANCE FUND BUDGETS TO PROVIDE FOR THE ANNUAL DISTRIBUTION OF ACTUAL SURPLUS OF FUNDS REMAINING FROM 2012.

WHEREAS, the Parish President has requested the amendment of the 2013 Mosquito Control/Drainage Improvements Sales Tax Fund and the 2013 Parishwide Drainage Maintenance Fund Budgets to provide for annual distribution of actual surplus of funds remaining from 2012; and

WHEREAS, it is necessary to amend these budgets to provide for the distribution of actual surplus of funds remaining from 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Mosquito Control/Drainage Improvements Sales Tax Fund and the 2013 Parishwide Drainage Maintenance Fund Budgets, as follows:

| <u>ACCOUNT NO.</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|---|----------------------|---------------|-------------------|
| Mosquito Control/Drainage Improvements Sales Tax: | | | |
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$1,035,438 | \$1,230,223 |
| 600004 4170 0001 0000 | Town of Delcambre | \$5,429 | \$6,450 |
| 600005 4170 0001 0000 | City of Jeanerette | \$78,181 | \$92,888 |
| 600006 4170 0001 0000 | Vil of Loreauville | \$12,540 | \$14,899 |
| 600008 4170 0001 0000 | City of New Iberia | \$432,851 | \$514,279 |
| 960103 4170 0001 0000 | P/W Drainage | \$506,437 | \$601,707 |
| Parishwide Drainage: | | | |
| 910110 0000 0000 0000 | Mosquito Control | \$ 506,437 | + \$601,707 |
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$1,949,187 | - \$601,707 |

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Marty Trahan, that the following be adopted:

RESOLUTION NO. 2013-189

A RESOLUTION AUTHORIZING THE EXECUTION AND SUBMISSION OF THE LOUISIANA SYSTEMS SURVEY AND COMPLIANCE QUESTIONNAIRE FOR THE 2012 FINANCIAL AUDIT OF IBERIA PARISH GOVERNMENT TO BE CONDUCTED BY KOLDER, CHAMPAGNE, AND SLAVEN, CERTIFIED PUBLIC ACCOUNTANTS.

WHEREAS, the Iberia Parish Government is required to complete the Louisiana System Survey and Compliance Questionnaire for Audit Engagements of Government Entities annually; and

WHEREAS, the Iberia Parish Government has contracted with Kolder, Champagne, Slaven & Company, LLC, Certified Public Accountants, to conduct the financial audit of fiscal year ending December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the execution and submission of the Louisiana System Survey and Compliance Questionnaire for fiscal year ending December 31, 2012.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. David Ditch, unanimously seconded by Ms. Maggie F. Daniels and Aquicline Rener-Arnold, and Messrs. Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Marty Trahan, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-190

A RESOLUTION IN OPPOSITION TO THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT AND FURTHER REQUESTING THE IBERIA PARISH CONGRESSIONAL DELEGATION TO AMEND OR REVISE THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT.

WHEREAS, since 1968 the historical purpose of the National Flood Insurance Program (NFIP) was to provide affordable flood insurance in exchange for using FEMA generated and specified Flood Insurance Rate Maps (FIRMS) for floodplain management by a participating community; and

WHEREAS, generations of Louisiana home and business owners have made lifelong plans and investments based on the existence of affordable flood insurance as proposed by FEMA in the past 45 years; further, in many cases, these properties are the owner's largest investment; and

WHEREAS, most of the issues we face in the loss of our coast and the historical protection from flooding we enjoyed for generations are by and large traceable to historic and current Federal Policy now with the BW12 Act passed, it will affect our whole Nation's real estate market, our banks and mortgage companies, our elderly living on a fixed income, and policyholders who built with the best available information; and

WHEREAS, through the passage of the Biggert-Waters Flood Insurance Reform Act (Public Law 112-141, aka BW12) signed into law by President Obama on July 6th of 2012, the NFIP was revised such that the public's trust and reliance on the program to provide affordable flood insurance protection for prior investments in their homes and businesses were essentially discontinued with no practical alternative provided for, to eliminate discounts and subsidies to non-primary residences, businesses and severe repetitive loss properties, which means these structures will receive a 25% increase in the flood insurance premium for the next four years and this passage substantially and immediately devalued the investments made in all properties receiving subsidized insurance premium rates through the drastic increase in the cost of flood insurance and all other properties in the area; and

WHEREAS, previously these structures were rated on Pre-FIRMS or the FIRMS in effect when the structure was constructed, and now, even though the structures were not substantially damaged, (over 50% of their fair market value), their owners will struggle to pay exorbitant amounts of money to keep flood insurance on these structures; and

WHEREAS, the **Flood Disaster Act of 1973 required the purchase of flood insurance** on and after March 2, 1974, as a condition of receiving any form of federal or federal-related financial assistance, (banks, mortgage companies, savings and loans) for acquisition or construction purposes with respect to insurance buildings; and

WHEREAS, under the NFIP regulations, Section 59.3, "this flood program still requires upon the **effective date of the FIRM** the charging of risk premium rates for all **new constructions and substantial improvements**". Obviously, it is ridiculous to charge a premium using a flood map that was not in existence when the structure was built. Homeowners and businessmen wanted to be in compliance and were following the latest information provided to them by their local government who had partnered with FEMA so that the economy could prosper and folks could get the loans they needed to build homes and businesses; and

WHEREAS, is incumbent upon us all to have a long term, sustainable and viable NFIP with rates that are affordable

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE IBERIA PARISH COUNCIL, do hereby request our legislative delegation amend or revise the Biggert-Waters Flood Insurance Reform Act as follows:

SECTION I. The release of all new DFIRMS for adoption to communities should be temporarily suspended. New maps may continue to be developed and refined by FEMA working with local stakeholders to insure accuracy in reflecting flood risk in the community taking into account non-accredited levees and other features which afford flood protection; but the maps should not be presented for adoption at this time.

SECTION II. Give communities time to work with FEMA to push enrollment into the NFIP for a special enrollment period. This limited (1) year one time only option, would allow folks to sign up or renew their NFIP policy using the currently adopted maps in their community under the following conditions:
a) Any property that is enrolled or renewed during this period will be able to keep its pre-BW12 subsidized rate indefinitely until: the property is destroyed or abandoned by a non-flood event, the policy is allowed to lapse, the property has a flood claim(s) equal to the insured value of the property.

SECTION III. Any property that has been enrolled or renewed during the special enrollment period as described in Section II, above can be sold, donated or otherwise transferred to a new owner who will also be able to keep the pre-BW12 subsidized rate indefinitely until: the property is destroyed or abandoned by a non-flood event, the policy is allowed to lapse, the property has a flood claim(s) equal to the insured value of the property.

SECTION IV. All new policies written after the special enrollment period, or those renewed after a lapse in coverage will be subject to BW12 in full.

SECTION V. New or revised maps developed in compliance with Section I. above, can be released to the communities after completion of the (1) year special enrollment period described in Section II above or whenever they are completed. These new

maps, once adopted by the communities will set the new standards for all new construction. Further, these maps will be used to determine the actuarial flood risk for all new policies or the renewal of any lapsed policy.

SECTION VI. FEMA should consider the issuance of **different policies that provide varying levels of protection and deductible** that would still allow policy holders to maintain coverage that is affordable.

SECTION VII. All excess annual premiums collected by FEMA through the NFIP after all claims have been paid shall remain in the NFIP fund balance and shall not be transferred to the US Treasury. NFIP fund balances should be allowed to grow and reduce annual actuarial premium rates as the NFIP remains solvent.

NOW, THEREFORE BE IT RESOLVED, by the Parish Council of Iberia Parish, on this 1st day of May, 2013, that the Secretary is hereby authorized, empowered and directed to spread this Resolution to the Governor of our "*Great State of Louisiana*", our State Legislative Delegation, our Louisiana Congressional Delegation, the President of the United States and all communities in the United States of America participating in the NFIP and

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approved by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And this Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Marty Trahan, that the following be adopted:

RESOLUTION NO. 2013-191

A RESOLUTION AUTHORIZING THE INSTALLATION OF "NO DUMPING" SIGNS AT THE INTERSECTION OF BARROW STREET AT (A) THE BEGINNING OF LOTS LOCATED IN TIMBERSTONE SUBDIVISION AND (B) ON THE NORTH SIDE OF ITS INTERSECTION OF TROTTER STREET, DISTRICT 6.

WHEREAS, a request has been made to install "No Dumping" signs at the intersections of Barrow Street at (a) the beginning of lots located in Timberstone Subdivision and (b) on the north side of its intersection of Trotter Street, located in District 6, in order to discourage illegal dumping in this area.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the installation of "No Dumping" signs at the intersections of Barrow Street at (a) the beginning of lots located in Timberstone Subdivision and (b) on the north side of its intersection of Trotter Street, located in District 6.

BE IT FURTHER RESOLVED, that the Public Works Department is hereby authorized to install said signage to effect this Resolution.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-192

A RESOLUTION REQUESTING THE ADMINISTRATION TO INSTALL "SCHOOL BUS STOP AHEAD" SIGNS BEFORE AND AFTER THE "S" CURVE ON L. THERIOT ROAD NEAR THE J.P. THIBODEAUX PROPERTY, ALL AS REQUESTED BY THE SCHOOL BOARD TRANSPORTATION PERSONNEL.

WHEREAS, L. Theriot Road is traveled by the many vehicles during the course of the day, including school buses and heavy harvesting traffic, such as tractors and trucks hauling; and

WHEREAS, school buses travel on this roadway on a daily basis, performing periodic stops to gather children, and there is a "S" curve on L. Theriot Road near the J.P. Thibodeaux property; and

WHEREAS, a request by School Board Transportation personnel has been made to install "School Bus Stop Ahead" signs before and after the "S" curve on L. Theriot Road near the J.P. Thibodeaux property, all as by the School Board Transportation personnel.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby requesting the Administration to install "School Bus Stop Ahead" signs before and after the "S" curve on L. Theriot Road near the J.P. Thibodeaux property, all as requested by the School Board Transportation personnel.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-193

A RESOLUTION REQUESTING THE ADMINISTRATION TO INSTALL "CHILDREN AT PLAY" SIGNS BEFORE AND AFTER 3619 RAILROAD ROAD, DISTRICT 13, AND AT D. JUDICE ROAD, DISTRICT 8, CONTINGENT UPON DISTRICT ATTORNEY REVIEW AND APPROVAL.

WHEREAS, Railroad Road and D. Judice Road are located within residential subdivision and includes pedestrians and children; and

WHEREAS, a request has been made by residents of said streets to include signage indicating "Children at Play" signs before and after 3619 Railroad Road, District 13 and on D. Judice Road, District 8.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Administration to install "Children at Play" signs before and after 3619 Railroad Road, District 13 and on D. Judice Road, District 8.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon review and approval by the District Attorney's Office.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-194

A RESOLUTION REQUESTING THE INSTALLATION OF "NO LITTERING" SIGNS ON DUMAS JUDICE ROAD, AT ITS INTERSECTIONS WITH (A) DASPIT ROAD AND (B) COMEAUX ROAD, DISTRICT 8, CONTINGENT UPON DISTRICT ATTORNEY REVIEW AND APPROVAL.

WHEREAS, a request has been made to install "No Littering" signs on Dumas Judice Road, at its intersections with (a) Daspit Road and (b) Comeaux Road, located in District 8, in order to discourage littering in this area.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the installation of "No Littering" signs on Dumas Judice Road, at its intersections with (a) Daspit Road and (b) Comeaux Road, located in District 8.

BE IT FURTHER RESOLVED, that the Public Works Department is hereby authorized to install said signage to effect this Resolution.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon review and approval by the District Attorney's Office.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Marty Trahan, seconded by Mr. D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-195

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO CONSIDER THE OVERLAY OF LA. 676 (VALERY ROAD).

WHEREAS, La. 676 (Valery Road) is in a state of disrepair and several complaints are being received requesting the repair of said State highway; and

WHEREAS, said highway is used by many residents, citizens and a large volume of traffic.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Louisiana Department of Transportation and Development to consider the immediate overlay of La. 676 (Valery Road).

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the Iberia Parish Legislative Delegation requesting their support and assistance with this request.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Ms. Aquicline Rener-Arnold, that the following be adopted:

RESOLUTION NO. 2013-196

A RESOLUTION AUTHORIZING A REDUCTION IN THE DRAINAGE EASEMENT FOR CHANNEL L-1A-1A FROM 50' TO 35' ON ONE SIDE ONLY ON THE PROPERTY OF MS. ANGELA DEMETTE AT 5616 SMITH ROAD, DISTRICT 10, ALL AS REVIEWED AND APPROVED BY THE PUBLIC WORKS DIRECTOR.

WHEREAS, Ordinance No. 87-11-585 reduced a drainage easement for Channel L-1A-1A from a 100' easement to a 50' easement and is recorded at COB 937, Entry No. 87-10375, of the Official Records of Iberia Parish; and

WHEREAS, a request has been made to reduce this easement from 50' to 35' on one side only on the property of Ms. Angela Demette at 5616 Smith Road, District 10.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize a reduction in the easement for Channel L-1A-1A from 50' from center of channel to 35' from top bank, on one side only, on the property of Ms. Angela Demette at 5616 Smith Road, District 10.

BE IT FURTHER RESOLVED, that said easement reduction has been reviewed and recommended by the Public Works Director.

BE IT FURTHER RESOLVED, that this reduction in easement shall be recorded in the Official Records of Iberia Parish.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Ricky J. Gonsoulin, seconded by Mr. David Ditch, that the following be adopted:

RESOLUTION NO. 2013-197

A RESOLUTION AMENDING THE 2013 ROAD DISTRICT NO. 10 FUND BUDGET TO PROVIDE \$2,500 FOR THE REMOVAL OF A TREE LOCATED IN THE PARISH RIGHT-OF-WAY CREATING A FALLING HAZARD NEAR 107 MACBURNE ROAD, DISTRICT 8, ALL TO BE FUNDED FROM 2013 ROAD DISTRICT NO. 10 FUND BUDGET, PROFESSIONAL FEES LINE ITEM.

WHEREAS, a tree, located within the road right-of-way of Macburne Drive, has been determined to create a falling hazard and is in need of removal; and

WHEREAS, the Iberia Parish Government has received quotes of approximately \$2,500 to remove the tree from within the Parish right-of-way which is located near 107 Macburne Road, District 8.

NOW, THEREFORE BE IT RESOLVED, that the Iberia Parish Council does hereby approve the removal of a tree located in the Parish right-of-way creating a falling hazard near 107 Macburne Road, District 8.

BE IT FURTHER RESOLVED, that said appropriation shall be funded from the 2013 Road District No. 10 Fund Budget, Professional Fees Line Item.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: Thomas J. Landry and Marty Trahan.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Jerome W. Fitch, that the following be adopted:

RESOLUTION NO. 2013-198

A RESOLUTION AUTHORIZING THE INSTALLATION OF A STREET LIGHT AT THE CORNER OF ADMIRAL DOYLE DRIVE AND DARNALL ROAD, DISTRICT 10.

WHEREAS, a request has been made for the installation of dusk to dawn light at the intersection of La. 674 (Admiral Doyle Drive) and Darnall Road, which is a heavily traveled intersection.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the installation of a dusk to dawn light at the corner of La. 674 (Admiral Doyle Drive) and Darnall Road.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. Marty Trahan, that the following be adopted:

RESOLUTION NO. 2013-199

A RESOLUTION AMENDING THE 2013 ECONOMIC DEVELOPMENT DISTRICT NO. 1 FUND BUDGET IN THE ADDITIONAL AMOUNT OF \$50,000 TO PROVIDE ADDITIONAL FUNDING FOR THE AVEX ROOF REPLACEMENT PROJECT, TOOL SHED PORTION, ALL TO BE FUNDED FROM THE FUND BALANCE - PREVIOUS YEARS LINE ITEM.

WHEREAS, Resolution No. 2012-502, appropriated funding in the amount of \$230,000 for the AvEx Roof Replacement/Tool Shed Building from 2012 Economic Development District No. 1 Fund Budget; and

WHEREAS, bids were recently received for said project, with the lowest bid being from Robertson Roofing and Siding, Inc., in the amount of \$238,000; and

WHEREAS, it is the recommendation of the Project Engineer, Wayne LaBiche Engineering, that the Council consider additional funding in the amount of \$50,000 in the event that change orders are needed for said project; and

WHEREAS, the Economic Development District No. 1 adopted Resolution No. EDD#1-2013-48 requesting additional funding in the amount of \$50,000 for said project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Economic Development District No. 1 Fund Budget in the additional amount of \$50,000 to provide additional funding for the AvEx Roof Replacement Project, Tool Shed Portion, as follows:

| ACCOUNT NO. | ACCOUNT TITLE | BUDGET | ADJUSTMENT |
|-----------------------|-------------------|-------------|------------|
| 499000 0000 0000 0000 | Fund Balance | \$2,665,960 | + \$50,000 |
| 960467 6520 0000 9027 | Airport Authority | -0- | + \$50,000 |
| 910108 0000 0000 0000 | EDD | \$19,870 | + \$50,000 |
| 575000 6520 0000 9027 | Contract Payments | -0- | + \$50,000 |

BE IT FURTHER RESOLVED, that said amount shall be funded from the Fund Balance - Previous Years Line Item.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Renner-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Mr. Bernard E. Broussard, that the following be adopted:

RESOLUTION NO. 2013-200

A RESOLUTION AMENDING THE 2013 ECONOMIC DEVELOPMENT DISTRICT NO. 1 FUND BUDGET IN THE AMOUNT OF \$6,000 TO PROVIDE FUNDING FOR BOUNDARY AND MAP REVISIONS FOR THE DISTRICT TO INCLUDE THE PROPOSED PROPERTIES FOR IBERIA ECONOMIC DEVELOPMENT AUTHORITY'S INDUSTRIAL PARK, ALL TO BE FUNDED FROM THE 2013 ECONOMIC DEVELOPMENT DISTRICT NO. 1 FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Economic Development District No. 1 recently adopted Resolution No. EDD#1-2013-49 which requests that C.H. Fenstermaker be authorized to proceed with boundary and map amendments as necessary for the District's boundaries to include property being proposed for an industrial park by the Iberia Economic Development Authority; and

WHEREAS, a scope of work has been provided and a cost estimate is now available for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Economic Development District No. 1 Fund Budget in the amount of \$6,000 to provide funding for boundary and map revisions for the District to include the proposed properties for Iberia Economic Development Authority's industrial park, as follows:

| <u>ACCOUNT NO.</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|-----------------------|-----------------------|---------------|-------------------|
| 499000 0000 0000 0000 | Fund Balance | \$2,715,960 | + \$6,000 |
| 533000 6420 0000 0000 | Professional Services | \$5,000 | + \$6,000 |

BE IT FURTHER RESOLVED, that this appropriation shall be funded from the Fund Balance - Previous Years Line Item.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council an approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Maggie F. Daniels, seconded by Ms. Aquicline Rener-Arnold, that the Iberia Parish Council does hereby recess its Regular Session and convene in Public Hearing to receive comments regarding the Summary No. 201, which is a Resolution waiving the condolence policy and offering condolences to the family of Ms. Maronda Carroll Solco, employee of the Iberia Parish Clerk of Court's Office.

This motion to go into Public Hearing, having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to go into Public Hearing was declared adopted this 8th day of May, 2013.

There were no public comments received.

A motion was made by Mr. Troy Comeaux, seconded by Ms. Aquicline Rener-Arnold, that the Iberia Parish Council does hereby recess its Public Hearing and reconvene in Regular Session.

This motion to reconvene Regular Session having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to reconvene Regular Session was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Ms. Maggie F. Daniels, that the agenda be expanded to discuss and consider Resolution Summary No. 201, which is a Resolution waiving the condolence policy and offering condolences to the family of Ms. Maronda Carroll Solco, employee of the Iberia Parish Clerk of Court's Office.

This motion to expand the agenda having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the motion to expand the agenda was declared adopted this 8th day of May, 2013.

A motion was made by Ms. Aquicline Rener-Arnold, unanimously seconded by Ms. Maggie F. Daniels and Messrs. Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Marty Trahan, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-201

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF MARONDA CARROLL SOLCO, EMPLOYEE OF THE IBERIA PARISH CLERK OF COURT, WHO PASSED AWAY ON APRIL 26, 2013 AND FURTHER AUTHORIZING A WAIVER TO THE POLICY TO ALLOW THIS RESOLUTION, CONTINGENT UPON REVIEW AND APPROVAL BY THE DISTRICT ATTORNEY'S OFFICE FOR THE WAIVER OF SAID POLICY.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Ms. Maronda Carroll Solco, employee of the Iberia Parish Clerk of the Court, who passed away on April 27, 2013; and

WHEREAS, Ms. Solco was a daughter, sister, wife and mother to her family; and

WHEREAS, Ms. Solco will be deeply missed by her family, her friends, and the community.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its sincere sympathies and condolences to the family of Ms. Maronda Carroll Solco, who passed away on April 27, 2013.

BE IT FURTHER RESOLVED, that the policy restricting Resolutions of Condolences to specific persons is hereby waived so that this Resolution may be adopted by the Council.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Ms. Maronda Carroll Solco.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: Curtis Boudoin and Glenn Romero.

And the Resolution was declared adopted this 8th day of May, 2013.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4481 (Introduced by Lloyd Brown, District 4)

An Ordinance authorizing the levy of millages for the year 2013, as follows: (a) General Parish Millage (formerly known as the General Alimony Millage), in the rural areas of the Parish only, at the rate of 3.43 mills; (b) Exempted Municipalities Millage (formerly known as the Criminal Tax Millage), in the incorporated areas of the Parish only, at a rate of 1.71 mills; (c) Courthouse and Jail Millage, in the incorporated areas of the Parish only, at a rate of 0.76 mills; (d) Fire Protection District No. 1 Millage, for the rural areas only, at a rate of 6.5 mills; (e) Public Buildings Maintenance Millage, for parishwide property, at a rate of 4.38 mills; (f) Drainage Facilities Millage, for parishwide property, at a rate of 3.01 mills; (g) Health Unit Millage, for parishwide property, at a rate of 1.45 mills; (h) Parish Library Millage, for parishwide property, at a rate of 4.43 mills; and (i) Parish Library Millage, for parishwide property, to be used to pay outstanding debt for the Parish Library System, at a rate of 0.45 mills.

SUMMARY NO. 4482 (Introduced by Roger Duncan, District 10)

An Ordinance amending Chapter 24 of the Iberia Parish Compiled Ordinances to clarify the one year reversion clause of the Zoning Ordinance pertaining to recently classified industrial property.

ADJOURNMENT

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Mr. Jerome W. Fitch, that the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

Clerk of the Council