

CITY OF CROWLEY
SPECIAL COUNCIL MEETING
OCTOBER 31, 2007

The Mayor and Board of Councilmen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a special session at 4:00 p.m. Wednesday the 31st day of October, 2007 at the regular meeting place of said Mayor and Board of Councilmen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana, after the giving and posting of prior notice of said meeting in the manner provided by law.

Mayor Greg A. Jones presided with the presence of the following Councilmen: Jeff Doré, Lyle Fogleman, Jr., Vernon Martin, Mary Melancon, Laurita Pete, Steven Premeaux and Kitty Valdetero. Councilmen absent were Elliot Doré and Todd Whiting.

Councilman Steven Premeaux led the Pledge of Allegiance to the flag and Councilman Vernon Martin gave the invocation.

The following call was read:

October 30, 2007

City of Crowley
SPECIAL COUNCIL MEETING NOTICE:

You are hereby notified that a Special Council Meeting of the Mayor and Board of Aldermen of the City of Crowley will be held on Wednesday, October 31, 2007 at 4:00 p.m. in the City Council Chambers at 426 North Avenue F.

1. Consider a resolution authorizing the purchase of two (2) new Fire Pumper Apparatus under state contract; authorizing a lease/purchase agreement with Sovereign Bank' and request approval of the Bond Commission.
2. Authorize Mader Engineering to reapply for all state funding grants; and
3. Any other legal items to come before the Council.

S/ Greg A. Jones
Greg A. Jones, Mayor

Posted at City Hall on October 30, 2007 at 10:35 o'clock a.m.

The call was circulated on October 30, 2007 and copies of the call were delivered to the following:

Elliot Doré	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Jeff Doré	on October 30, 2007 at 1:52 o'clock p.m. by e-mail
Lyle Fogleman	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Vernon Martin	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Mary T. Melancon	on October 30, 2007 at 12:13 o'clock p.m. by telephone
Laurita Pete	on October 30, 2007 at 12:18 o'clock p.m. telephone
Kitty Valdetero	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Todd Whiting	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Thomas K. Regan	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Tim Mader	on October 30, 2007 at 10:35 o'clock a.m. by e-mail
Margaret J. Young	on October 30, 2007 at 10:35 o'clock a.m. e-mail

The following resolution was offered by Councilwoman Kitty Valdetero, duly seconded by Councilwoman Mary Melancon and unanimously carried:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA,
AUTHORIZING THE ACQUISITION OF TWO (2) NEW FIRE
PUMPER APPARATUS UNDER STATE CONTRACT; TO
ACQUIRE THE FIRE APPARATUS UNDER A MUNICIPAL
LEASE WITH AN OPTION TO PURCHASE; TO AUTHORIZE

APPLICATION TO THE STATE BOND COMMISSION FOR EXPEDITED CONSIDERATION; TO AUTHORIZE THE MAYOR TO ENGAGE PROFESSIONAL SERVICES FOR LEGAL AND ACCOUNTING PURPOSES; TO AUTHORIZE THE MAYOR TO CERTIFY AND PROVIDE NECESSARY DOCUMENTS AND ISSUE CERTIFICATES OF COMPLIANCE AS MAY BE NECESSARY AND REQUIRED BY THE STATE BOND COMMISSION; TO AUTHORIZE THE MAYOR TO EXECUTE A MUNICIPAL LEASE WITH OPTION TO PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS AS MAY BE NECESSARY THEREFOR; TO DO ALL THINGS AS MAY BE MEET AND PROPER IN THE PREMISES; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the Mayor and Board of Aldermen have determined that a true and real need exists for the acquisition of two (2) new Fire Pumper Apparatus to replace older equipment to maintain the standards of fire protection for the fire rating of the City of Crowley; and

WHEREAS, the Mayor and Board of Aldermen have authorized the acquisition through the Division of Administration State of Louisiana under state contract in compliance with the bid laws and other applicable laws of the State of Louisiana; and

WHEREAS, the Mayor and Board of Aldermen have determined that it is in the best interest of the City to commit excess revenues each year utilizing a Municipal Lease With Option to Purchase Agreement at a reasonable cost and have determined that annual revenue will exceed anticipated expenditures in this Fiscal Year and annual revenue is projected above anticipated annual expenditures for the next several Fiscal Years; and

WHEREAS, Sovereign Bank is an experienced Public Finance Lender and has offered a Municipal Lease Agreement With Option to Purchase on favorable terms for five (5) years at an effective annual interest rate of 4.41%, including a non-appropriation clause and an option to purchase; and

WHEREAS, the Mayor and Board of Aldermen find that the terms of the proposed Municipal Lease With Option to Purchase Agreement to be favorable and in the best interest of the City of Crowley to acquire the Fire Apparatus upon the terms and conditions set forth in the Lease Agreement and documents attached thereto; and

WHEREAS, it is necessary and appropriate that expedited review of this transaction be made by the State Bond Commission; and

WHEREAS, it is necessary that the Mayor be authorized to engage professional services, including legal counsel and Certified Public Accountants, as may be necessary to assist the Mayor and Clerk to perform the legal and financial requirements of said transaction as may be necessary;

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened pursuant to notice thereof duly published and posted in accordance with law at which a quorum was present and acting throughout, that:

SECTION 1: The Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to purchase two (2) new Ferrara Fire Pumper Apparatus through LaMAS State Contract No. 405733 in the total amount of \$603,930.00 and direct that the title to the Fire Pumper Apparatus be placed in the name of the Lessee, City of Crowley and to execute a Certificate Acceptance upon satisfactory delivery of the equipment; and to purchase insurance covering damage to or loss of the equipment and to execute the agreement to provide insurance identified and attached as Exhibit G; and

SECTION 2: The Honorable Greg A. Jones, Mayor the City of Crowley, be and he is hereby authorized, empowered and directed to execute a Municipal Lease With Option to Purchase Agreement with Sovereign Bank for a term of five (5) years with an effective rate

of 4.41% per annum for the acquisition of two (2) new Ferrara Fire Pumper Apparatus through LaMAS State Contract No. 405733 as shown on Exhibit A “Description of Equipment” for a total issue of \$603,930.00 with annual payments including interest as shown on Exhibit B, “Schedule of Payments”; and

SECTION 3: The Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized to execute a “Bank Qualified Certificate” to be attached as Exhibit F to the said lease designating the Lease With Option to Purchase Agreement as a “qualified tax-exempt obligation” pursuant to Section 265 (b)(3) of the Internal Revenue Code and certifying that the City Of Crowley does not reasonably anticipate to issue obligations bearing interest exempt from Federal Income Taxation in an amount greater than \$10 million during this calendar year 2007 in which this agreement will be executed and delivered.

SECTION 4: The Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to submit a request to the State Bond Commission for expedited consideration and approval of the Municipal Lease/Purchase Agreement and that he be further authorized, empowered and directed to execute and certify any and all necessary documents to the State Bond Commission as may be necessary and meet and proper in the premises.

SECTION 5. The Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to engage professional services, including legal counsel, Thomas K. Regan, and Certified Public Accountants as may be necessary to assist in completing the financial information and legal requirements of the transaction.

SECTION 6. Upon approval of the State Bond Commission, the Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to execute and deliver the above referenced Lease With Option to Purchase Agreement to Sovereign Bank. Said Lease With Option to Purchase Agreement shall include a non-appropriation clause; shall require the City of Crowley to provide physical damage and liability insurance acceptable to Sovereign Bank; maintain the apparatus in good working order; provide that at the end of the term of the lease, the City of Crowley shall have the option to purchase the unit for the price of \$1.00 plus all applicable sales and property taxes, if any; and the said lease shall include all other usual clauses and provisions which may be necessary and appropriate in such circumstances.

THUS DONE AND ADOPTED in special session pursuant to notice thereof duly published and posted in accordance with law at which a quorum was present and acting throughout on the 31st day of October, 2007, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

A motion was offered by Councilman Vernon Martin and seconded by Alderman Jeff Dore’ to authorize Mader Engineering to reapply for all state funding grants. Motion carried.

There being no further business to come before the Council upon motion duly made by Councilwoman Mary Melancon and seconded by Councilwoman Kitty Valdetero the meeting was adjourned at 4:13 p.m.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on November 1st, 2007 at 8:27 a.m.
Presented for Mayor’s signature on November 1st 2007 at 8:45 a.m.
Mayor signed & returned to City Clerk on November 1st, 2007 at 9:00 a.m.