

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
FEBRUARY 28, 2023

The Mayor and City Council of Morgan City, Louisiana, met at 6:00 pm (local time) in regular session, this date, in the City Court Building, Highway 182 East, Morgan City, Louisiana.

There were present: Honorable Lee Dragna, Mayor; and Council Members Ron Bias, Steve Domangue, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: None

Also present was Mr. Charlie Solar, Jr., Chief Administrative Officer.

The invocation was given by Pastor Ron Bias.

There were several Positive Image recipients for the month of February. Councilman Hymel stated that Mr. Michael Swiber, Band Director at Morgan City High School, had really built the band back up to 113 members in a school of 760. He said that the Colorguard was also a huge part of the band thanks to Mr. Swiber. Of seventy-seven students that were selected for the St. Mary Parish Honor Band this year, 41 were from Morgan City High School.

Morgan City Fire Department Chief Alvin Cockerham recognized Andrew Ratcliff, who had recently been promoted to Captain; and Dale Crouch, who had recently been promoted to Operator for the Morgan City Fire Department. He commended Mr. Clifton Percle, who had put himself through paramedic school and became the first paramedic for the Morgan City Fire Department. He also recognized Heath Landry, Carlos Izaguirre, Haley Autin, Jason Morgan, and Reed Stephens who had become CPR certified and actually brought a lady back from coding recently.

Mr. Hal Bruni submitted a request to hold the 2nd Annual Yeah You Right Festival at Lake End Parkway on November 17 through November 19, 2023 (copy on file). He stated that he and Queen Elizabeth Bergeron had attended the Louisiana Association of Fairs and Festivals Convention and learned that the Festival was eligible for grants from the Louisiana Tourist Commission for marketing the festival. A motion to approve the Yeah You Right Festival was made by Mr. Hymel, seconded by Mr. Domangue, and voted unanimously in favor.

Timmy Quebedeaux, President of the Atchafalaya Bit and Bridle Club, addressed the Council regarding a Mexican/American Rodeo that they had planned for May 13, 2023 at the horse arena. He explained that a Mexican Rodeo is different from a traditional one because the riders ride the bull with no hands. They planned to do this type of rodeo four times a year. They expected 300 to 400 people to attend the rodeo, and would figure out parking with neighboring businesses. There would be music, but the speakers would face away from Railroad Avenue residences, and they needed a letter of no objection to allow them to serve alcohol. He stated he would come back to the Council with more details before the event took place.

Brother Alvin Irvin with New Zorah Baptist Church requested permission to hold the 1st annual Gospel Fest on Saturday, May 6, 2023, from Noon to 6:00 PM, under the US 90 Bridge between Third Street and Federal Avenue (copy on file). A motion to approve the request was made by Pastor Bias, seconded by Mr. Stephens, and voted unanimously in favor.

Mr. Bryce Merrill with the Oilfield Divers Monument gave an update on the project. He said the \$100,000 goal had been surpassed. The statue had been completed and it would be going for patina and the expected installation date was April 5. There would be an unveiling, which would be open to the public, on April 29, 2023. There would also be an invitation only crawfish boil on that day. The expected attendance for the unveiling was between 200 and 300 people. Three of the cabins at Lake End Park had been booked, as well as ten hotel rooms, with more expected to be rented for the event. Mayor Dragna told Mr. Merrill to get with Police Chief Chad Adams to discuss parking for the event.

Pastor Bias mentioned that the month of February was Black History Month, and although it was the last day of the month, he wanted to remind everyone of the African Americans that had made great contributions not only to the City of Morgan City, but the entire world.

The minutes of the January 24, 2023 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Pastor Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending January 31, 2023.

MONTHLY FINANCIAL STATEMENTS

DATE: February 28, 2023
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended January 31, 2023.

Attached is a summary that compares our actual revenues and expenses to our operational budget for our major funds subject to budgetary control for the period ending January 31, 2023. The following comments are related thereto:

General and Ancillary Funds: Actual total revenues are starting the year over budget by \$259,517. Sales taxes in General Fund were over budget by \$212,000. Operating expenses are below budget by \$134,673. The net income, after transfers, of \$160,865 is a favorable variance of \$394,190 compared to the budget.

Utility Fund: Actual revenues are under budget by \$116,294. Electric revenues were under budget by \$216,00. The operational expenses are also under budget but only by \$433,149. The net income, after transfers, of \$493,498 creates a favorable variance of \$337,555.

Sanitation and Sewer Fund: The operating revenues are \$1,212 over budget, with total operating expenses under budget by \$53,363. The net income, after transfers, of \$59,884 leaves another favorable variance of \$54,669.

Respectfully submitted,
 /s/ Deborah Garber
 Deborah Garber
 Finance Director

**CITY OF MORGAN CITY
 CONSOLIDATED STATEMENT**

Actual Revenues and Expenses Compared to Budget
 Period Ended January 31, 2023

GENERAL AND ANCILLARY FUNDS	JANUARY 2023	JANUARY 2023	
	ACTUAL	BUDGET	VARIANCE
REVENUES			
General Fund	799,999	587,115	212,884
Recreation Fund	2,611	1,208	1,403
Library Fund	1,006	1,125	(119)
Auditorium Fund	9,456	3,408	6,048
Lake End Park Fund	83,625	44,323	39,302
State Prisoner Fund	16,602	21,042	(4,440)
Total Revenues	896,697	637,180	259,517
EXPENSES-OPERATIONAL			
General Fund	837,844	912,371	(74,527)
Recreation Fund	25,186	46,977	(21,791)
Library Fund	6,386	9,483	(3,097)
Auditorium Fund	36,495	41,238	(4,743)
Lake End Park Fund	52,802	85,338	(32,536)

State Prisoner Fund	60,452	58,431	2,021
Total Expenses	1,019,165	1,153,838	(134,673)
TRANSFERS			
Transfers from Funds	283,333	283,333	0
Transfers to Funds	0	0	0
Net Transfers	283,333	283,333	0
EXCESS NET OF TRANSFERS	160,865	(233,325)	394,190
UTILITY FUND			
Total			
Revenues	2,156,938	2,273,232	(116,294)
Total Expenditures	1,405,057	1,838,205	(433,149)
Net			
Excess	751,881	435,026	316,855
Net Transfers and non-oper.	(258,383)	(279,083)	20,700
Excess net of transfers	493,498	155,943	337,555
SANITATION AND SEWER FUND			
Total			
Revenues	275,963	274,751	1,212
Total Expenses	276,797	330,160	(53,363)
Net			
Excess	(834)	(55,409)	54,576
Net Transfers/non-operating expenses	60,718	60,625	93
Excess net of transfers and non-operating	59,884	5,216	54,669

A motion to accept the financial statement was made by Mr. Domangue, seconded by Pastor Bias, and voted unanimously in favor.

The next matter on the agenda was the Finance Committee recommendations; whereupon,

Mr. Domangue offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-05

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the following Finance Committee recommendations be and the same are hereby approved:

1. Allocate \$12,297 from General Fund Fund Balance for the Fire Department to purchase new radio equipment for each station.

Pastor Bias seconded the motion.

The vote thereon was as follows:

AYES: Domangue, Bias, Hymel, Stephens, Tamporello
 NAYS: None
 ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of February, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

The next matter on the agenda was the surplus equipment resolution; whereupon,
Pastor Bias offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-06

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the item shown below are hereby declared surplus and no longer needed:

1. 1996 Ferrara Freightliner FL80 VIN#1FVGJLCB6TL720013 Fire Department

BE IT FURTHER RESOLVED, etc., that said items be sold either by auction or by receiving bids.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

AYES: Bias, Stephens, Domangue, Hymel, Tamporello
NAYS: None
ABSENT: None

The Resolution was therefore declared approved and adopted this 28TH day of February, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

Mayor Dragna stated that the Bid Tabulation for Grant and Pre and Post Disaster Management was the next matter on the agenda. Mr. Charlie Solar stated that if a disaster hit us directly, like it had in Houma recently, this would allow City employees to take care of their property while this company would come in and do all of the FEMA work. He stated that most of the employees were former FEMA employees, so they knew the ins and outs of what would be needed; whereupon,

Mr. Stephens offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-07

WHEREAS, the City of Morgan City is interested in entering into a contract with a technical assistance contractor who shall provide qualified personnel familiar with all Federal Emergency Management Agency (FEMA) programs administered under the Stafford Act as well as recovery programs available under Housing and Urban Development (HUD), CDBG-DR and CDBG—MIT or any other federally funded grant program in which grant management is required; and

WHEREAS, the City has requested qualification statements from interested firms and individuals to accomplish this; and

WHEREAS, the qualification statements have been reviewed and ranked in accordance with the established Program Criteria.

NOW THEREFORE BE IT RESOLVED, that CSRS is hereby selected by the City of Morgan City to provide a technical assistance contractor who shall provide qualified personnel familiar with all FEMA programs, recovery programs available under HUD, CDBG-DR and CDBG-MIT.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to negotiate and execute a contract for the above services.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Stephens, Tamporello, Bias, Domangue, Hymel
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of February, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

The next matter on the agenda was the preliminary approval for the Revenue Anticipation Notes; whereupon,

The following resolution was offered by Mr. Stephens and seconded by Mr. Tamporello:

RESOLUTION R:23-08

A resolution giving preliminary approval to the issuance of not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000) of Revenue Anticipation Notes of the City of Morgan City, State of Louisiana; providing certain terms of said Notes; making application to the State Bond Commission for approval of said Notes; and providing for other matters in connection therewith.

WHEREAS, Section 527 and the other applicable provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional authority (the "Act"), authorize governmental entities to pay their current expenses for any fiscal year by issuing revenue anticipation notes for the purpose of anticipating revenues for such fiscal year; and

WHEREAS, in accordance with the Act, the City of Morgan City, State of Louisiana (the "Issuer"), desires to incur debt and issue not exceeding One Million Four Hundred Thousand Dollars (\$1,400,000) of its Revenue Anticipation Notes (the "Notes"), for the purpose of paying current expenses of the Issuer for the fiscal year ending December 31, 2023 in anticipation of the revenues of the Issuer for such fiscal year, said Notes to mature

not later than March 31, 2024, and to bear interest at a rate not to exceed 5% per annum; and

WHEREAS, the Issuer has determined that the aforesaid borrowing authorization does not exceed the estimated revenues of the Issuer for the fiscal year ending December 31, 2023; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Notes described above;

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Council (the "Governing Authority"), acting as the governing authority of the City of Morgan City, State of Louisiana, that:

SECTION 1. Preliminary Approval of Notes. Preliminary approval is given to the issuance of not exceeding \$1,400,000 of Revenue Anticipation Notes of the Issuer, at a rate or rates not exceeding 5% per annum, to mature not later than March 31, 2024, for the purpose of paying the costs of current expenses of the Issuer for the fiscal year ending December 31, 2023, said Notes to be secured by and payable from the revenues of the Issuer for such fiscal year.

SECTION 2. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Notes and for consent and authority to proceed with the issuance and sale of the Notes as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Governing Authority.

By virtue of Issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. Employment. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Notes, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Notes. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Notes, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Notes. The fee of Bond Counsel for each series of notes shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of revenue notes and based on the amount of said Notes actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Notes. The Mayor is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated without further approval of this Governing Authority.

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

YEAS: Stephens, Tamporello, Bias, Domangue, Hymel

NAYS: None

ABSENT: None

And the resolution was declared adopted on this, the 28th day of February, 2023.

Clerk of the Council

Mayor

ENGAGEMENT LETTER

February 28, 2023

Hon. Lee Dragna, Mayor
City of Morgan City
Morgan City, Louisiana

Re: Proposed Revenue Anticipation Notes
of the City of Morgan City, State of
Louisiana

Dear Mayor Dragna:

The purpose of this engagement letter is to set forth certain matters concerning the role we will serve and the legal services we will provide as bond counsel to the City of Morgan City, State of Louisiana (the "Issuer") in connection with the issuance of the captioned notes (the "Notes"). We understand that the Notes will be issued for the purpose (the "Project") described in the resolution adopted by the Morgan City Council (the "Governing Authority"), acting as the governing authority of the Issuer, on February 28, 2023.

As bond counsel, we will prepare and submit to the Governing Authority for adoption all of the legal proceedings required for the authorization, issuance, sale and delivery of the Notes and provide advice of a traditional legal nature as to the issuance and sale of the Notes. Our job is principally to render certain opinions to the Issuer regarding (i) the validity of the Notes under applicable Louisiana law, and (ii) other matters as may be applicable. The note opinion will be based on facts and law existing as of its date. In rendering such opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to our firm without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws and other resolutions relating to the Notes. During the course of this engagement, we will rely upon the staff of the Issuer and the members of the Governing Authority to provide us with complete and timely information on all developments pertaining to any aspect of the Notes.

In our engagement as bond counsel, we will:

- Confer with members of the working group, including you and other officials of the Issuer, relating to the Project and review legal issues relating to the structure of the Notes issue;
- Prepare the Issuing Ordinance and all related financing documents (collectively, the "Documents");
- As requested, attend meetings of the Governing Authority at which the Documents are adopted;
- Prepare the application for approval of the issuance of the Notes by the State Bond Commission and attend the State Bond Commission meeting at which such approval will be considered;
- Prepare the closing index and various closing certificates and supervise the execution of certain closing documents by the various parties thereto;
- Prepare the Notes and supervise their execution and authentication;
- Prepare complete transcripts of record covering the issuance of the Notes and furnishing the transcripts to various parties in connection therewith; and
- Submit applicable post-closing reports to the State Bond Commission.

Our fee as bond counsel is based upon the terms, structure, size and schedule of the financing, the services provided, and the responsibilities assumed; however, our fee will not exceed that permitted by guidelines set forth by the Attorney General of the State of Louisiana and is subject to his approval. Our fee as bond counsel is a "contingent fee," meaning you are required to pay for our legal services only in the event the Notes are actually sold and delivered. Other vendors or members of the working group may charge

additional fees or costs for their services, which may not be contingent upon a successful delivery.

We will continue to serve as bond counsel until the delivery of the Notes; however, the Issuer and our firm each have the right to terminate this engagement at any time after providing reasonable advanced written notice, subject to the applicable rules of professional responsibility. Upon conclusion or termination of our representation of the Issuer, papers and property furnished by the Issuer will be returned promptly upon request.

Please note that we are not municipal advisors, and we do not render financial advice or other financial services to the Issuer; however, in the course of providing traditional legal services, we may provide factual information to the Issuer that is not specifically tailored to the Notes or that does not rise to the level of a recommendation concerning a course of action. We will, however, analyze and advise the Issuer regarding the legal ramifications of the structure, timing, terms and other provisions of the Notes, as these functions are essential to developing a plan of finance.

Applicable ethical rules in Louisiana prohibit us from undertaking this representation if we represent another party that is directly adverse to the Issuer or if there is a significant risk that other considerations will materially limit our representation of the Issuer. As you are aware, our firm represents the State of Louisiana and many other political subdivisions, including others in St. Mary Parish. At this time, we do not believe any other current or past engagement of our firm adversely affects our ability to represent the Issuer as provided in this letter; however, we invite you to discuss any concerns you have with us.

In the interest of facilitating our services to you, we may (i) send documents, information or data electronically or via the Internet or (ii) store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Confidential electronic documents or data of the Issuer may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, the Issuer recognizes and accepts that we have no control over the unauthorized interception or breach of any communications, documents or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party service providers. By acceptance of this letter, the Issuer consents to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

If this letter is acceptable to the Issuer, please so indicate by executing below and returning a copy to us, retaining an original for your files. We appreciate the opportunity to serve the Issuer and look forward to working with you.

FOLEY & JUDELL, L.L.P.

BY:

BRENNAN K. BLACK, PARTNER

ACCEPTED AND APPROVED:
CITY OF MORGAN CITY, STATE OF LOUISIANA

BY: _____
NAME: LEE DRAGNA
TITLE: MAYOR
DATED: FEBRUARY 28, 2023

The first reading of the Declare Surplus and Sale of Land to Clint Colgin was the next matter on the agenda. No definitive action necessary.

Mayor Dragna submitted the name of Mr. Timothy Matthews, Jr. for appointment to the

Housing Authority Board. A motion to concur in the appointment was made by Pastor Bias, seconded by Mr. Domangue, and voted unanimously in favor.

There being no further business, a motion to adjourn was made by Mr. Hymel, seconded by Mr. Tamporello and voted unanimously in favor.

Debbie Harrington
Clerk

Lee Dragna
Mayor