The Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge convened in regular session on Wednesday, August 28, 2019 at 4:00 PM, in the Council Chambers of the Governmental Building, Room 348, Baton Rouge, Louisiana.

The Meeting was called to order by the Presiding Officer and the following members were present:


Absent: None

INVOCATION BY: Sergeant Derrick Williams, Chaplain Baton Rouge Police Department

I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS; ONE NATION, UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

LED BY: Sergeant Derrick Williams, Chaplain Baton Rouge Police Department

PRESENTATIONS AND RECOGNITIONS

None.

ADOPTION AND APPROVAL OF MINUTES

PROPOSED MINUTES

Approval and adoption of minutes of the Metropolitan Council Meeting of August 14, 2019, and the Metropolitan Council Zoning Meeting of August 21, 2019.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Wilson to adopt the proposed minutes. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
SECTION 2.12 INTRODUCTIONS

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Amending the 2019 current expense budget so as to appropriate a donation from Entergy in the amount of $2,000.00 for the purpose of purchasing school supplies to be given away at the Council District 10 Back-to-School Event.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Parish Attorney's Office to acquire through purchase or exchange and to take such actions as may be required in connection with the acquisition of land necessary for the PS 245 Upgrade in the South Basin Multiple Pump Station Upgrade Project, being Project No. 19-PS-IF-0025.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
CONDEMNATION INTRODUCTIONS

A proposed condemnation proceeding, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED CONDEMNATION PROCEEDING

Danny Ray Woods and Yvonne Thompson Woods
12741 King James Avenue, Lot 135
Siegen Village Subdivision - Council District 3 - Loupe

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed condemnation proceeding be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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<td>Absent:</td>
<td>Loupe, Wicker</td>
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With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

ADJUDICATED PROPERTY INTRODUCTIONS

None.

PROPOSED CONDEMNATION PROCEEDING

Grace Property Ventures, LLC
3250 Elm Drive, Lot 55
South Dayton Subdivision - Council District 7 - Cole

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed condemnation proceeding be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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<td>Did Not Vote:</td>
<td>None</td>
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<td>Absent:</td>
<td>Loupe, Wicker</td>
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With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

**PA-10-19  1000-1100 UND Ben Hur Road**

To amend the Comprehensive Land Use Plan from Office to Compact Neighborhood on property located to the north of Ben Hur Road and east of Nicholson Drive, on Tract B-3-B-1-A-3 of the Nelson Tract. Section 36, T7S, R1W, GLD, EBRP, LA (Council District 12 - Freiberg)

**PLANNING STAFF FINDINGS:** Recommend approval, based upon a change in market conditions

**COMMISSION ACTION:** Motion to approve carried, 6-0

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 18, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

- **Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson
- **Nays:** None
- **Abstains:** None
- **Did Not Vote:** None
- **Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

**Case 50-19  General Airport (GA)**

To revise the Official Zoning District Map to designate the boundary for General Airport (GA) to include airport properties located to the north of Harding Boulevard, to the east and west of Veterans Memorial Boulevard, to the south of Blount Road, and to the east and west of Plank Road. Sections 87, 89, 90, 91, 92, 93, 94 & 97, T6S, R1E, & Sections 46, 47, 48, 69, 72, 76 & 77, T6S, R1W, GLD, EBRP, LA (Council District 2 - Banks)

**PLANNING STAFF FINDINGS:** Staff certifies that the proposed request meets the criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

**COMMISSION ACTION:** Motion to approve carried, 6-0

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 18, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

- **Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson
- **Nays:** None
- **Abstains:** None
- **Did Not Vote:** None
- **Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

Case 52-19  3153 and 3191 Government Street
To rezone from Light Commercial (C1) to Commercial Alcoholic Beverage (Bars and lounges)(C-AB-2) on the property located on the north side of Government Street, to the west of Beverly Drive, on a portion Lot 5-A, Block 7 of Odgen Park Subdivision.
Section 81, T7S R1E, GLD, EBRP, LA (Council District 10 - Wicker)

COMMISSION ACTION: Motion to defer to September 16 by the Planning Commission carried, 6-0

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 18, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

RV-12-19  Kean Place Revocation
A request to revoke a 50 foot drainage servitude, located southeast of the intersection of Airline Highway and Evangeline Street, on Lot 20A of Kean Place (Council District 5 - Green)

PLANNING STAFF FINDINGS: Planning Staff certifies that the proposed request meets the minimum requirements of the UDC

COMMISSION ACTION: No hearing before the Planning Commission required, per UDC Section 3.6.3

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 18, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

RV-14-19  J.T. Williams Tract Revocation
A request to revoke a 15 foot servitude, located on the north side of Burbank Drive and east of Jennifer Jean Drive, on Lot 3-A of the J.T. Williams Tract (Council District 12 - Freiberg)

PLANNING STAFF FINDINGS: Planning Staff certifies that the proposed request meets the minimum requirements of the UDC

COMMISSION ACTION: No hearing before the Planning Commission required, per UDC Section 3.6.3

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 18, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

OTHER INTRODUCTIONS

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Rescinding and directing the Clerk of Court to cancel the Decision and Order recorded on July 26, 2019 at Original 437 of Bundle 12971 in the matter of "City of Baton Rouge vs. One Hundred Fold II, LLC" - Condemnation Proceeding No. 10054 (3958 Sherwood Street, Lot 246, North Highland Estates Subdivision). Reason for rescission: Monies have been released to start the renovation process.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

**PROPOSED RESOLUTION**

Rescinding and directing the Clerk of Court to cancel the Decision and Order recorded on December 14, 2018 at Original 844 of Bundle 12930 in the matter of "City of Baton Rouge vs. Joseph Carter Knox, III" - Condemnation Proceeding No. 9982 (5848 Nashville Avenue, Lot 143, East Fairlane Subdivision). Reason for rescission: The property has been completely remodeled and is no longer an issue.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

**Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson

**Nays:** None

**Abstains:** None

**Did Not Vote:** None

**Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

**PROPOSED RESOLUTION**

Authorizing the Mayor-President to execute an agreement with Domain Architecture, APAC, for Professional Services in connection with the Library Outreach Facility Roof Replacement, being City-Parish Project No. 19-ASD-CP-1165, in an amount not to exceed $46,481.00. (Account No. PL 9101200001-4610-00000-0000000000-652300; GL 4610-1200-60-1200-0000-0000-000000-652000).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

**Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson

**Nays:** None

**Abstains:** None

**Did Not Vote:** None

**Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to execute an agreement with Henry C. Eyre, Jr., P.E., Inc., for Professional Services in connection with the design of the Library Outreach Facility HVAC Improvements, being City-Parish Project No. 19-ASD-CP-1182, in an amount not to exceed $29,500.00. (Account No. PL 9101200001-4610-00000-000000000-652500; GL 4610-1200-60-1200-0000-0000-000000-652000).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to execute an agreement with Merge Engineering, LLC, for Professional Services in connection with the River Center E-W Parking Garage Lighting Renovations, being City-Parish Project No. 19-ASD-CP-1161, in an amount not to exceed $21,500.00. (Account No. 5700-7000-10-7050-0000-0000-000000-643500).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Rescinding and directing the Clerk of Court to cancel the Decision and Order recorded on January 25, 2019 at Original 528 of Bundle 12937 in the matter of "City of Baton Rouge vs. Angela M. Belt" - Condemnation Proceeding No. 9997 (23222 Pony Drive, Lot 39-A, Pleasant Park Subdivision, First Filing). Reason for rescission: The condemnation is being rescinded for a new owner to purchase the property.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

Fixing and establishing the annual compensation of the Mayor-President for the term commencing January 1, 2021, in accordance with Section 4.02 of The Plan of Government.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

Amending and reenacting Ordinance 17123, adopted July 24, 2019, which established voting precincts within Wards 1, 2, & 3 in East Baton Rouge Parish, and designating polling places so as to create prospective precincts by the split and/or merger of precinct geography in accordance with LA. R.S. 18:532 and 18:532.1.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Initiating the expansion of the Drusilla Jefferson Overlay Design District (UDC Section 10.3.5).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed ordinance, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED ORDINANCE

Amending and reenacting Ordinance 17123, adopted July 24, 2019, which established voting precincts within Wards 1, 2, & 3 in East Baton Rouge Parish, and designating polling places so as to create new precincts Ward 3, Precincts 71 and 72 and to divide Ward 3, Precinct 16 (A&B) and Ward 3, Precinct 32 (A&B) effective November 17, 2019 as required by state law for precincts containing more than 2,200 registered voters; and reestablishing designated polling locations for all other precincts within the Parish of East Baton Rouge.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays:  None
Abstains:  None
Did Not Vote:  None
Absent:  Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President and/or the Clerk of Court/Judicial Administrator of the Baton Rouge City Court to accept a grant award on behalf of Baton Rouge City Court from the National League of Cities (NLC) for the purpose of conducting an assessment of the impact of municipal fines and fees on residents as part of the NLC’s Cities Addressing Fines and Fees Equitably (CAFFE) initiative between July 1, 2019 through May 29, 2020, and further authorizing Clerk of Court/Judicial Administrator of Baton Rouge City Court to execute all grant agreements and/or necessary documents in connection therewith at the appropriate time. The grant program total is $6,500 with no matching funds required.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays:  None
Abstains:  None
Did Not Vote:  None
Absent:  Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

A discussion of proposed amendments to the Plan of Government Chapters 5 - 8.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorize the Mayor-President to execute a Right of Way Deed between the City of Baton Rouge-Parish of East Baton Rouge and the Illinois Central Railroad Company (ICRR), for the acquisition of rights-of-way for the installation of roadway grade crossings on Water Street, and Oklahoma Street, at a cost not to exceed $6,840.00. (Account No.9247100008-4650 00000-0000000054-651120).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorize the Mayor-President to execute an agreement between the City of Baton Rouge-Parish of East Baton Rouge and the Illinois Central Railroad Company (ICRR), for the installation of a roadway grade crossing on Water Street, to provide for repairs to a roadway grade crossing on Oklahoma Street, to provide for the removal of roadway grade crossings on North Street and Bella Avenue (LSU Fire Academy), and to provide reimbursement to ICRR of costs for the work.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing settlement of the matter entitled "Lena Lastrapes v. City of Baton Rouge," Suit No. 604,088, on the docket of the 19th Judicial District Court, in the amount of $40,000.00, plus court costs in the amount of $1,281.35, for a total amount of $41,281.35, which amount shall be paid from the account designated "Insurance - General Liability" (1000.4700.10.0550.0000.00000.00000.00000.644110). *This matter may be discussed in Executive Session. (Attorney of record is Robert C. Rimes of Melancon Rimes, LLC).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing settlement of the claim of Casey Cahoon for damages resulting from a sewer back-up in the claimant's rental property, for a total amount of $25,808.85, which amount shall be paid from the account designated "Insurance - General Liability" (1000.4700.10.0550.0000.0000.0000.000000.644110). *This matter may be discussed in Executive Session. (In Proper Person).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorization for the Mayor-President and/or Chairman of the Airport Commission to approve a sublease between 3-Point Properties and BTR Jet Center.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing settlement of the claim of Kathryn Brassette for damages resulting from a sewer back-up in the claimant's house, for a total amount of $14,100.95, which amount shall be paid from the account designated "Insurance - General Liability" (1000.4700.10.0550.0000.0000.000000.644110). *This matter may be discussed in Executive Session. (In Proper Person).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorization for the Mayor-President and/or Chairman of the Airport Commission to execute Amendment No. 1 to the Courson Nickel Professional Services Agreement to cover additional lobbying services in an amount not to exceed $15,000.00. (Account No. 5810-0900-30-0910-0000-0000-000000-643540-).

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

**PROPOSED RESOLUTION**

Authorizing the Mayor-President on behalf of Baton Rouge City Court to execute a Professional Services Agreement with Treniece L. Landry so as to provide services as a Substance Abuse Counselor for the Baton Rouge City Court Sobriety Court, for a total of $21,000 to cover the period from October 1, 2019 through September 30, 2020. This contract will be funded from a grant award from the Louisiana Highway Safety Commission.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

- **Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson
- **Nays:** None
- **Abstains:** None
- **Did Not Vote:** None
- **Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

**PROPOSED RESOLUTION**

Authorizing the Metropolitan Council to declare the following movable property as surplus and not needed for a public purpose: 1999 Ford F450 Truck, VIN NO. 1FDXF46FOXED78571 and 1977 Dodge Power Wagon Truck VIN NO. 24BE75199303 on behalf of the Pride Fire Protection District.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

- **Yeas:** Amoroso, Banks, Cole, Collins-Lewis, Freiberg, Green, Hudson, Watson, Welch, Wilson
- **Nays:** None
- **Abstains:** None
- **Did Not Vote:** None
- **Absent:** Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President on behalf of Baton Rouge City Court to execute a Professional Services Agreement with Eugene Waddis, Jr. so as to provide services as a Substance Abuse Counselor for the Baton Rouge City Court Sobriety Court, for a total of $33,000 to cover the period from October 1, 2019 through September 30, 2020. This contract will be funded from a grant award from the Louisiana Highway Safety Commission.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President or Interim Director of Mosquito Abatement and Rodent Control to execute a Cooperative Endeavor Agreement with Baum Environmental Group, Inc. for the operation of a waste tire shredder and associated facilities as an alternative procedure to local spraying, assisting in the eradication of mosquitoes and mosquito larvae in East Baton Rouge Parish.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
A proposed resolution, entitled as follows, was introduced by Mr. Cole and read in full.

PROPOSED RESOLUTION

Directing the Department of Purchasing to issue an RFP and accept responses from law firms to serve as outside counsel to represent the City-Parish in the pending lawsuit, Andricka Williams et al. v. City-Parish, et al., No. 659,090, Section I, 19th JDC. ** This matter may be discussed in Executive Session in accordance with La. R.S. 42:17.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis that the introduction of the above proposed resolution be published in accordance with law and that a public hearing thereon be called for the council meeting on September 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Loupe, Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.

CONDEMNATIONS

The following proposed condemnation proceeding was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed condemnation proceeding was read in full for a second time.

KATHRYN CANDIA DELAFUENTE 15659 PLANK ROAD, 2.44 ACRES, PT. OF THE MRS. ETHEL B. TENANT & MRS. E. B. STROUBE 411 AC. TRACT LOCATED ON SECS. 20, 21, 28, & 29 T5S, R1E WHITE HILLS SUBDIVISION - COUNCIL DISTRICT 1 – WELCH

The Presiding Officer announced that a public hearing on the above condemnation proceeding was in order at this time. An interested citizen speaking in opposition of the proposed condemnation proceeding was Katherine Delafuente.

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to delete the proposed condemnation proceeding. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
DECISION AND ORDER

A public hearing having been held at a regular meeting of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, Louisiana at 4:00 P.M. on the 28th day of August, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 630 Elmer Avenue, Lot 16, Square 8, University Place Subdivision, Baton Rouge, Louisiana, contains the following enumerated defects and is in a dilapidated and dangerous condition which endangers the public welfare to such an extent that the building must be removed or demolished. Conditions complained of are as follows:

1. Roofing 70% Fire Damaged
2. Rafters 70% Fire Damaged
3. Ceiling Joists 70% Fire Damaged
4. Outside Walls 50% Fire Damaged
5. Inside Walls 50% Fire Damaged
6. Flooring 40% Fire Damaged
7. Floor Joists 40% Fire Damaged
8. Floor Sills 40% Fire Damaged
9. Pillars 00% Fire Damaged
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is filled with junk, trash and debris.
13. Building is open to unauthorized persons.
14. Building materials placed in ROW.

IT IS THEREFORE ORDERED THAT owner/owners remove or demolish said building within ten (10) days of this Decision and Order in default of which the Department of Development is instructed to proceed with removal and demolition at owner’s expense in accordance with law.

IT IS FURTHER ORDERED THAT prior to rescinding and/or cancelling this Order, the defendant or any interested party shall pay all outstanding fees and costs associated with this condemnation proceeding.

The Presiding Officer announced that a public hearing on the above condemnation proceeding was in order at this time. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to adopt the proposed condemnation proceeding. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed condemnation proceeding was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed condemnation proceeding was read in full for a second time.

CHARLES WILLIAMS AND VANESSA PRICE WILLIAMS 5524 JOHN NETTE DRIVE. LOT 23 MERRYDALE PLACE SUBDIVISION (1ST FILING) - COUNCIL DISTRICT 5 - GREEN

The Presiding Officer announced that a public hearing on the above condemnation proceeding was in order at this time. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to defer the proposed condemnation proceeding to the council meeting on October 23, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

The following proposed condemnation proceeding was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed condemnation proceeding was read in full for a second time.

ADOLPH J. SMITH AND JACKIE E. ANFIELD-SMITH 1325 PROGRESS STREET, LOT 1, SQUARE 12 PROGRESS PARK SUBDIVISION - COUNCIL DISTRICT 7 - COLE

The Presiding Officer announced that a public hearing on the above condemnation proceeding was in order at this time. An interested citizen speaking in opposition of the proposed condemnation proceeding was Adolph Smith.

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to delete the proposed condemnation proceeding. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
CITY OF BATON ROUGE       CONDEMNATION PROCEEDING NO. 10065

VS.

CCHARLEE C, L.L.C. (PREVIOUSLY, J 3 RENTALS, L.L.C.)

DECISION AND ORDER

A public hearing having been held at a regular meeting of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, Louisiana at 4:00 P.M. on the 28th day of August, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 140 East State Street, Lot 8, Square E, Abour Place Subdivision, Baton Rouge, Louisiana, contains the following enumerated defects and is in a dilapidated and dangerous condition which endangers the public welfare to such an extent that the building must be removed or demolished. Conditions complained of are as follows:

1. Roofing 60% Fire Damaged
2. Rafters 20% Fire Damaged
3. Ceiling Joists 20% Fire Damaged
4. Outside Walls 00% Fire Damaged
5. Inside Walls 10% Fire Damaged
6. Flooring 00% Fire Damaged
7. Floor Joists 00% Fire Damaged
8. Floor Sills 00% Fire Damaged
9. Pillars 00% Fire Damaged
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Building is open to unauthorized persons.

IT IS THEREFORE ORDERED THAT owner/owners remove or demolish said building within ten (10) days of this Decision and Order in default of which the Department of Development is instructed to proceed with removal and demolition at owner’s expense in accordance with law.

IT IS FURTHER ORDERED THAT prior to rescinding and/or cancelling this Order, the defendant or any interested party shall pay all outstanding fees and costs associated with this condemnation proceeding.

The Presiding Officer announced that a public hearing on the above condemnation proceeding was in order at this time. Interested citizens speaking in favor of the proposed condemnation proceeding were Tim Kleinpeter, Gary Parks, and Drew Gaudet. An interested citizen speaking in opposition to the proposed condemnation was the daughter of the property owner.

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to adopt the proposed condemnation proceeding. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

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The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54426

GRANTING A FIVE-YEAR PROPERTY TAX ABATEMENT ESTIMATED AT $25,075.36 PER YEAR FOR HOTEL LINCOLN, LLC, LOCATED AT 400 EDDIE ROBINSON SR. DRIVE. THIS APPLICATION IS REFERRED BY LOUISIANA ECONOMIC DEVELOPMENT RESTORATION TAX ABATEMENT PROGRAM TO THE CITY OF BATON ROUGE AS RTA APPLICATION #2019-0020 FOR THE PURPOSE OF ENCOURAGING PRIVATE INVESTMENT AND RESTORATION OF PROPERTY.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. This Council hereby grants a five year property tax abatement estimated at $25,075.36 per year for Hotel Lincoln, LLC, located at 400 Eddie Robinson Sr. Drive. This application is referred by Louisiana Economic Development Restoration Tax Abatement Program to the City of Baton Rouge as RTA application #2019-0020 for the purpose of encouraging private investment and restoration of property.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Watson to adopt the proposed resolution. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

RESOLUTION 54427

AMENDING THE 2019 CURRENT EXPENSE BUDGET SO AS TO APPROPRIATE $495,000 TO PROVIDE OPERATIONAL SUPPORT FOR THE DISTRICT ATTORNEY'S OFFICE ($250,000) AND FOR THE PUBLIC DEFENDER'S OFFICE ($245,000). (BUDGET SUPPLEMENT 8724).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to amend the 2019 current expense budget so as to appropriate $495,000 to provide operational support for the District Attorney's Office ($250,000) and for the Public Defender's Office ($245,000), as shown on Budget Supplement No. 8724, a copy of which is attached hereto and made a part hereof.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Welch and seconded by Ms. Freiberg to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54428


BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge (the "Parish") and City of Baton Rouge, acting as governing authority of the Parish of East Baton Rouge Capital Improvements District (the “Governing Authority”), as follows:
Section 1. That application be and the same is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for consent and authority to issue, sell and deliver Not to Exceed $200,000,000 of MovEBR Sales Tax Revenue Bonds, Series 2019 (the “Series 2019 Bonds”) of the Parish of East Baton Rouge Capital Improvements District (the “Issuer” or the “District”) under the authority of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the “Act”), and other constitutional and statutory authority, for the purpose of (A) (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, and (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (B) improving the Advance Traffic Management Center, such improvements prioritized (i) within the Parish and the City of Baton Rouge as described in the MovEBR Plan dated August 8, 2018, and (ii) within the cities of Baker, Zachary and Central, as determined by the applicable governing authority, and (C) paying the Costs of Issuance (as hereinafter defined) of the Series 2019 Bonds.

Section 2. The Series 2019 Bonds constitute the initial issuance under the provisions of the General Sales Tax Bond Resolution adopted by the Governing Authority of the Issuer on August 28, 2019 (the “General Bond Resolution”). Additional bonds may be issued on a pari passu, parity basis with the Series 2019 Bonds under the General Bond Resolution in the event certain conditions set forth therein are satisfied.

Section 3. That the Mayor-President, the Chief Administrative Officer and/or the Council Administrator/Treasurer, on behalf of the Issuer, are hereby authorized and directed to execute the Bond Purchase Agreement by and between the Issuer and Loop Capital Markets, LLC, as Senior Managing Underwriter, on behalf of itself and on behalf of Citigroup Global Markets Inc., as Co-Senior Managing Underwriter, and Raymond James & Associates, Inc., as Co-Manager. In addition, the Mayor-President, the Chief Administrative Officer and/or the Council Administrator/Treasurer, on behalf of the Issuer, are hereby authorized and directed to execute one or more credit enhancement devices required in connection with the financing described herein and expressly authorized pursuant to the provisions of La. R.S. 39:1421 and La. R.S. 39:1429.

Section 4. That the preparation and distribution of the Preliminary Official Statement and Official Statement of the Issuer relating to the Series 2019 Bonds containing security features, other pertinent information as may be deemed necessary, advisable or desirable and detailed and comprehensive financial and statistical data, are hereby authorized and approved. Said Preliminary Official Statement may be submitted to such nationally recognized bond rating service or services as may be recommended by Bond Counsel, the Issuer’s Municipal Advisor and the Senior Managing Underwriter, together with a request that an appropriate rating be assigned. The Preliminary Official Statement may also be submitted to such Municipal Bond Insurers as may be recommended by Bond Counsel, the Issuer’s Municipal Advisor and the Senior Managing Underwriter. In the event the Governing Authority makes a finding that substantial benefits will accrue from the purchase of municipal bond insurance, the Issuer may qualify the Series 2019 Bonds for issuance of a policy of municipal bond insurance and may contract for such insurance on the Series 2019 Bonds and the premium therefor may be paid from the proceeds of the Series 2019 Bonds.
Section 5. That Butler Snow LLP, Baton Rouge, Louisiana, is hereby appointed as bond counsel in connection with the issuance of the Series 2019 Bonds in accordance with Contract for Professional Legal Services (the “Contract”), effective June 27, 2019, by and between the Consolidated Government of the City of Baton Rouge and the Parish of East Baton Rouge, and Butler Snow LLP. The terms of its employment shall provide for the performance of legal and coordinate professional work with respect to the issuance of the Series 2019 Bonds issued pursuant to the provisions of the General Bond Resolution and the Supplemental Bond Resolution to be adopted by the Governing Authority. Said bond counsel shall prepare and submit to this Issuer for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of the Series 2019 Bonds, shall counsel and advise this Issuer as to the issuance and sale of the Series 2019 Bonds, and shall furnish its opinion covering the legality of the issuance thereof. The compensation for such services shall not exceed the fees set forth in the Contract and in the Attorney General’s Guidelines for Fees and Services of Bond Attorneys for comprehensive and coordinate professional work in the issuance of revenue bonds plus out-of-pocket expenses incurred in connection with the issuance of the Series 2019 Bonds. 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.

Section 6. It is recognized and agreed that a real necessity exists for the employment of special counsel to serve as counsel to the Issuer to supervise the issuance of the Series 2019 Bonds and accordingly Shelton Dennis Blunt, Phelps Dunbar, LLP, Baton Rouge, Louisiana, is hereby employed for such purposes. The fee to be paid for such services shall be an amount computed at an hourly rate to be negotiated less than the Attorney General’s current Hourly Fee Schedule, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Series 2019 Bonds and shall be payable by the Issuer from proceeds of the Series 2019 Bonds.

Section 7. That Government Consultants, Inc., Baton Rouge, Louisiana, is hereby appointed as Municipal Advisor to the Issuer in connection with the issuance, sale and delivery of the Series 2019 Bonds.

Section 8. That Loop Capital Markets, LLC is hereby selected as Senior Managing Underwriter, Citigroup Global Markets, Inc. is hereby selected as Co-Senior Managing Underwriter, and Raymond James & Associates, Inc. is hereby selected as Co-Managing Underwriter, in connection with the issuance, sale and delivery of the Series 2019 Bonds.


Section 10. That payment for costs of issuance, including, but not limited to, services rendered by Bond Counsel, municipal advisory fees and expenses, underwriting fee, rating agency fees, publication fees, printing fees, out-of-state travel expenses for representatives of the Issuer, and other miscellaneous fees or expenses relating to the sale and delivery of the Series 2019 Bonds, are hereby authorized to be paid from the proceeds of Series 2019 Bonds.

Section 11. That the Finance Director and Bond Counsel are hereby directed to forward a certified copy of this Resolution to State Bond Commission, Baton Rouge, Louisiana, along with a letter requesting prompt approval of this application.

Section 12. That the Mayor-President and Council Administrator/Treasurer are hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the authorization, issuance, sale and delivery of the Series 2019 Bonds, and to take such further action as may be required by the Municipal Advisor and/or Bond Counsel to the Issuer or appropriate or required by law in connection with the authorization, issuance, sale and delivery of the Series 2019 Bonds.
Section 13. That by virtue of the Issuer’s application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission’s approval resolved and set forth herein, it resolves that it understands and agrees that such approval is 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 Louisiana State Bond Commission on July 20, 2006 (the “Policy”), as to the borrowing and other matters subject to approval, including subsequent application and approved under said Policy of the implementation or use of any swap or other products or enhancements covered thereby.

Section 14. That a copy of this Resolution shall be published immediately after its adoption in one (1) issue of the official journal of the Issuer. For thirty (30) days after the date of publication, any person in interest may contest the legality of this Resolution, any provision of the Series 2019 Bonds, the provisions herein made for the security and payment of the Series 2019 Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Series 2019 Bonds. After the said thirty (30) days, no person shall have any cause of action to test the regularity, formality, legality, or effectiveness of this Resolution, and the provisions hereof, for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the Series 2019 Bonds has been complied with. No court shall have the authority to inquire into any of these matter after the said thirty (30) days.

Section 15. That this Resolution shall become effective immediately.

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

YEAS: Trae Welch, Chauna Banks, Scott Wilson, Erika L. Green, Donna Collins-Lewis, LaMont Cole, Denise Amoroso, Dwight Hudson, Chandler Loupe, Matt Watson, Barbara Freiburg

NAYS: None.

ABSTAIN: None.

ABSENT: Tara Wicker

Done, approved and adopted on this the 28th day of August, 2019.

/s/ Ashley Beck                 /s/ Scott Wilson
Council Administrator                   President Pro Tempore
STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, ASHLEY BECK, certify that I am the duly qualified and acting Council Administrator of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, the governing authority of the Parish of East Baton Rouge, Louisiana.

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of said Metropolitan Council held August 28, 2019, and of a resolution making application to the State Bond Commission for consent and authority to issue Not to Exceed $200,000,000 MovEBR Sales Tax Revenue Bonds, Series 2019 of the Parish of East Baton Rouge Capital Improvements District, for the purpose of (A) (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, and (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (B) improving the Advance Traffic Management Center, such improvements prioritized (i) within the Parish and the City of Baton Rouge as described in the MovEBR Plan dated August 8, 2018, and (ii) within the cities of Baker, Zachary and Central, as determined by the applicable governing authority, and (C) paying the Costs of Issuance of the Bonds; authorizing the execution and delivery of the Bond Purchase Agreement, one or more credit enhancement devices, and any and all other documents required in connection with the issuance of the Bonds; authorizing the selection of the Underwriters in connection with the issuance, sale and delivery of the Bonds; and authorizing the preparation and distribution of the Official Statement relating to the Bonds.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish of East Baton Rouge, Louisiana, on this, the 28th day of August, 2019.

Ashley Beck, Council Administrator
(Seal)

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Wilson and seconded by Ms. Freiberg to adopt the proposed resolution. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54429


BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the Parish of East Baton Rouge, State of Louisiana, as follows:

Section 1. That application be and the same is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for consent and authority to issue, sell and deliver Not to Exceed $10,000,000 of Public Improvement Sales Tax Revenue Bonds, Series 2019 (the “Series 2019 Bonds”) of the Parish of East Baton Rouge, State of Louisiana (the “Issuer”) under the authority of Act No. 561 of the 1970 Regular Session of the Louisiana Legislature, as amended by Act No. 328 of the 1988 Regular Session of the Louisiana Legislature, Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of (1) paying the cost of drainage improvements within the Parish of East Baton Rouge; and (2) paying the costs of issuance thereof, said bonds to be issued at a rate or rates not exceeding five per centum (5%) per annum, maturing over a period not exceeding fifteen (15) years from date thereof, sold at a price of not less than one hundred percent (100%) of the par value thereof, and payable solely from and secured by an irrevocable pledge and dedication of the avails or proceeds of the Issuer’s two percent (2%) sales and use tax now being levied and collected by the Issuer pursuant to La. R.S. 47:337.5.1.

Section 2. That the Series 2019 Bonds shall be issued under the authority conferred by Act No. 561 of the 1970 Regular Session of the Louisiana Legislature, as amended by Act No. 328 of the 1988 Regular Session of the Louisiana Legislature, Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purposes set forth above. The Series 2019 Bonds are also being issued pursuant to the provisions of General Bond Resolution No. 29074 adopted by the Governing Authority of the Issuer on July 12, 1989 (the “General Bond Resolution”), as amended and supplemented from time to time. The Series 2019 Bonds are being issued on a pari passu, parity basis with the Issuer’s (i) Public Improvement Sales Tax Revenue Bonds, Series 2013A, in the outstanding principal amount of $7,220,000, and (ii) Public Improvement Sales Tax Revenue Bonds, Series 2014A, in the outstanding principal amount of $3,000,000.

Section 3. That in connection with the issuance of the proposed Series 2019 Bonds, the Solicitation for Offers from Direct Purchasers, as prepared and distributed by the Municipal Advisor to the Issuer, is hereby authorized and approved, and furthermore the Finance Director and the Municipal Advisor are hereby authorized to review such proposals and are hereby further authorized and directed to select the Direct Purchaser providing the proposal most advantageous to the Issuer, which selection shall be ratified by the Metropolitan Council at its November 13, 2019 meeting.
Section 4. That Government Consultants, Inc., Baton Rouge, Louisiana, is hereby appointed as Municipal Advisor to the Issuer in connection with the issuance, sale and delivery of the Series 2019 Bonds.

Section 5. That payment for costs of issuance, including, but not limited to, services rendered by Bond Counsel, municipal advisory fees and expenses, counsel to the Direct Purchaser, publication fees, printing fees, and other miscellaneous fees or expenses relating to the incurrence of the Series 2019 Bonds, are hereby authorized to be paid from the proceeds of the Series 2019 Bonds, or any other available funds of the Issuer.

Section 6. That the Finance Director and Bond Counsel are hereby directed to forward a certified copy of this Resolution to State Bond Commission, Baton Rouge, Louisiana, along with a letter requesting prompt approval of this application.

Section 7. That Butler Snow LLP, Baton Rouge, Louisiana, is hereby appointed as bond counsel in connection with the issuance of the Series 2019 Bonds in accordance with the Contract for Professional Legal Services effective June 27, 2019 (the “Contract”), by and between the Issuer and Butler Snow LLP. The terms of its employment shall provide for the performance of legal and coordinate professional work with respect to the issuance of the Series 2019 Bonds. Said bond counsel shall prepare and submit to this Issuer for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of the Series 2019 Bonds, shall counsel and advise this Issuer as to the issuance and sale of the Series 2019 Bonds, and shall furnish its opinion covering the legality of the issuance thereof. The compensation for such services shall not exceed the fees set forth in the Contract and in the Attorney General’s Guidelines for Fees and Services of Bond Attorneys for comprehensive and coordinate professional work in the issuance of revenue bonds plus out of pocket expenses incurred in connection with the issuance of the Series 2019 Bonds. 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.

Section 8. That by virtue of the Issuer’s application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission’s approval resolved and set forth therein, the Issuer resolves that it understands and agrees that such approval is 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 Louisiana State Bond Commission on July 20, 2006, as to the borrowing and other matters subject to the approval, including subsequent application and approval under said Policy of the implementation or use of any swaps or other products or enhancements covered hereby.

Section 9. That prior to the issuance of the Series 2019 Bonds, the Issuer anticipates that it may pay a portion of the costs of the drainage improvements from other funds available to the Issuer in an amount not to exceed $1,000,000. Upon issuance of the Series 2019 Bonds, the Issuer reasonably expects to reimburse said expenditures from the proceeds of the Series 2019 Bonds. Any such allocation of the proceeds of the Series 2019 Bonds for reimbursement will be with respect to capital expenditures as defined in Treasury Regulation 1.150-1(h) and will be made upon the delivery of the Series 2019 Bonds and not later than one (1) year after the date of (i) the date such expenditure was made, or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

Section 10. That the Mayor-President and Council Administrator/Treasurer are hereby further authorized and directed, for and on behalf of the Issuer, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the authorization, issuance, sale and delivery of the Series 2019 Bonds, and to take such further action as may be required by the Municipal Advisor and/or Bond Counsel to the Issuer or appropriate or required by law in connection with the authorization, issuance, sale and delivery of the Series 2019 Bonds.

Section 11. That the Finance Director and Bond Counsel are hereby directed to forward a certified copy of this Resolution to State Bond Commission, Baton Rouge, Louisiana, along with a letter requesting prompt approval of this application.
Section 12. That a copy of this Resolution shall be published immediately after its adoption in one (1) issue of the official journal of the Issuer. For thirty (30) days after the date of publication, any person in interest may contest the legality of this Resolution, any provision of the Series 2019 Bonds, the provisions herein made for the security and payment of the Series 2019 Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Series 2019 Bonds. After the said thirty (30) days, no person shall have any cause of action to test the regularity, formality, legality, or effectiveness of this Resolution, and the provisions hereof, for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the Series 2019 Bonds has been complied with. No court shall have the authority to inquire into any of these matter after the said thirty (30) days.

Section 13. That this Resolution shall become effective immediately.

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

YEAS: Trae Welch, Chauna Banks, Scott Wilson, Erika L. Green, Donna Collins-Lewis, LaMont Cole, Denise Amoroso, Dwight Hudson, Chandler Loupe, Matt Watson, Barbara Freiburg

NAYS: None.

ABSTAIN: None.

ABSENT: Tara Wicker.

Done, Approved and adopted on this, the 28th day of August, 2019.

/s/ Ashley Beck           /s/ Scott Wilson
Council Administrator     President Pro Tempore
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, ASHLEY BECK, certify that I am the duly qualified and acting Council Administrator of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, the governing authority of the City of Baton Rouge, State of Louisiana.

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of said Metropolitan Council held August 28, 2019, and of a resolution making application to the State Bond Commission for consent and authority to issue Not to Exceed $10,000,000 Public Improvement Sales Tax Revenue Bonds, Series 2019 of the Parish of East Baton Rouge, State of Louisiana, for the purpose of providing funds to pay the costs of drainage improvements within the Parish of East Baton Rouge, and paying the costs of issuance of the Series 2019 Bonds; authorizing the preparation and distribution of the Solicitation for Offers from Direct Purchasers of the Series 2019 Bonds; authorizing the execution and delivery of the Bond Purchase Agreement, and any and all other documents required in connection with the issuance of the Series 2019 Bonds; and providing for other matters related thereto.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish of East Baton Rouge, Louisiana, on this, the 28th day of August, 2019.

Ashley Beck, Council Administrator
(Seal)

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Hudson and seconded by Mr. Cole to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

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PARISH OF EAST BATON ROUGE CAPITAL IMPROVEMENTS DISTRICT

The resolution was thereupon signed by the Mayor-President, attested by the Council Administrator, and declared to be adopted. The resolution provides as follows:

RESOLUTION 54430
GENERAL SALES TAX BOND RESOLUTION

A GENERAL SALES TAX BOND RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE FROM TIME TO TIME OF MOVEBR SALES TAX REVENUE BONDS, IN ONE OR MORE SERIES, OF THE PARISH OF EAST BATON ROUGE CAPITAL IMPROVEMENTS DISTRICT, PAYABLE FROM THE PROCEEDS OF THE ONE-HALF OF ONE PERCENT (½%) SALES AND USE TAX AUTHORIZED AT AN ELECTION HELD ON DECEMBER 8, 2018; PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS AND FOR THE RIGHTS OF THE REGISTERED OWNERS THEREOF; AND PROVIDING FOR OTHER MATTERS WITH RESPECT TO THE FOREGOING.

WHEREAS, the Parish of East Baton Rouge Capital Improvements District (the “Issuer” or the “District”), a special capital improvements and taxing district containing all of the territory within the present boundaries of the Parish of East Baton Rouge, State of Louisiana (the “Parish”), created and established pursuant to Article VI, Section 19 of the 1974 Louisiana constitution and the Act No. 641 of the 1984 Regular Session of the Louisiana Legislature (La. R.S. 33:2740.9), and pursuant to an Ordinance adopted by the Metropolitan Council on June 25, 2008, is now levying and collecting a one-half of one percent (½%) sales and use tax (the “Tax”) pursuant to an election held on December 8, 2018, at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

PROPOSITION

Shall the Parish of East Baton Rouge Capital Improvements District (“District”) be authorized to levy a one-half of one percent (0.50%) sales tax (the “Sales Tax”) (an estimated $46,000,000 is reasonably expected to be collected for one entire year), for 30 years, commencing April 1, 2019, to and including March 31, 2049, and shall the proceeds therefor be used (A) (i) to construct or improve roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish of East Baton Rouge (the “Parish”), (ii) to improve existing corridors to increase mobility, including signal synchronization and sidewalks, and (iii) to construct community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, and (B) to improve the Advanced Traffic Management Center, such improvements prioritized (i) within the Parish and Baton Rouge as described in the MovEBR Plan dated August 8, 2018, and (ii) within Baker, Zachary and Central, as determined by the applicable governing authority to fund proceeds of the Sales Tax into bonds as permitted by the laws of Louisiana?

WHEREAS, pursuant to the authority of the aforesaid election, the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the District (the “Governing Authority”), adopted an ordinance on March 27, 2019 (the “Sales Tax Ordinance”), providing for the levy and collection of the Tax; and

WHEREAS, in accordance with the provisions of the Sales Tax Ordinance, the net avails or proceeds of the Tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the Tax; and
WHEREAS, pursuant to the Proposition, the proceeds of the Tax are available to pay principal, premium, if any, and interest on any Bond (as hereinafter defined) issued hereunder and pursuant to a Supplemental Resolution (as hereinafter defined) (the “Tax Revenues”); and

WHEREAS, pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (collectively, the “Act”), the Issuer may issue bonds or other evidences of indebtedness secured by and payable solely from the Tax Revenues for the purpose of (A) (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, and (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (B) improving the Advance Traffic Management Center, such improvements prioritized (i) within the Parish and the City of Baton Rouge as described in the MovEBR Plan dated August 8, 2018, and (ii) within the cities of Baker, Zachary and Central, as determined by the applicable governing authority, and (C) paying the Costs of Issuance (as hereinafter defined) of the Bonds; and

WHEREAS, the Governing Authority proposes to authorize the issuance from time to time of sales tax revenue bonds secured by and payable from the Tax Revenues pursuant to Section 1430(A) of the Act, which provides that the annual debt service of such bonds may not exceed seventy-five percent (75%) of the Tax Revenues estimated to be received in the calendar year the bonds are issued; and

WHEREAS, it is now desired and necessary to adopt this Bond Resolution and fix the details with respect to the issuance of the Bonds and to provide for the authorization and issuance thereof; and

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as the governing authority of the Parish of East Baton Rouge Capital Improvements District:
ARTICLE I - FINDINGS OF FACT

SECTION 1.01. Recitals and Statement of Purpose.

Incident to the issuance of the bonds provided for hereinafter, the Issuer finds that each of the statements hereinafter set forth is in all respects true and correct.

(A) The District is a political subdivision of the State of Louisiana (the "State") and as such possesses all general powers granted by the Constitution and statutes of the State to such political subdivisions.

(B) Pursuant to the authority of the Act and an election held on December 8, 2018, the District has the authority to issue revenue bonds payable from the Tax Revenues.

(C) In accordance with said Act, the revenue bonds to be issued hereunder shall be secured by an irrevocable and irrepealable pledge of the Tax Revenues, all as more specifically described herein.

ARTICLE II

DEFINITIONS, CONSTRUCTION AND INTERPRETATIONS

SECTION 2.01. Definition of Resolution. This resolution may be hereafter; cited and is hereafter sometimes referred to as the “Bond Resolution;” such term shall include all resolutions amended or supplemented hereby and incorporated herein, or supplemental to, or amendatory of, this resolution.

SECTION 2.02. Defined Terms. In this Bond Resolution, including Article I, unless a different meaning clearly appears from the context, the following terms shall have the following respective meanings:

“Act” shall mean Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and all other constitutional and statutory authorities, authorizing and enabling the Issuer to adopt this Bond Resolution and issue the Bonds.

“Additional Bonds” means Bonds issued pursuant to Section 3.06 hereof.

“Annual Principal and Interest Requirement” shall mean, with respect to the Bonds, the sum of the payments required to be made by the Issuer (other than from the proceeds of Bonds) in any Fiscal Year with respect to the principal of (excluding the principal amount of any term bonds scheduled for mandatory redemption), mandatory sinking fund payments, if any, and interest on such Bonds.

“Authorized Officer” shall mean the Mayor-President and Council Administrator/Treasurer of the Issuer or any person succeeding to the powers and duties of such officers and, when used with reference to any act or certificate or other document, also means any person duly authorized to perform such act or sign such document.

“Bond Insurer” shall mean the provider of the Municipal Bond Insurance.

“Bond Payment Date” shall mean each February 1 and August 1 (or such other dates as established by a Supplemental Resolution), on which interest on any of the Bonds shall be payable or on which both principal and interest shall be payable on any of the Bonds according to their respective terms.

“Bond Year” shall mean the twelve (12) month period commencing on January 1 in any year and ending on December 31 of the following year, or any other such twelve (12) month period as set forth in a Supplemental Resolution.

“Bondholders” or “owners,” or any similar term, when used with reference to a Bond or Bonds, shall mean any person who shall be the registered owner of any Outstanding Bond.
“Bonds” shall mean the Bonds issued pursuant to Section 3.01, payable from the Tax Revenues as provided in Section 3.18 hereof.

“Business Day” shall mean any day other than (i) a Saturday or Sunday, or (ii) a day on which banking institutions in Baton Rouge, Louisiana or New York, New York are authorized or obligated by law or executive order to be closed for business.

“Capital Costs” shall mean and include costs of capital outlay for the Issuer for the purpose of paying the costs of constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, improving existing corridors to increase mobility, including signal synchronization and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, and improving the Advanced Traffic Management Center, including the necessary sites, rights-of-way, machinery and equipment in connection therewith, title to which shall be in the public, or for refunding obligations of the Issuer; providing a reserve for bonds; and paying the Costs of Issuance thereof.

“Code” shall mean the Internal Revenue Code of 1986, as amended, and the Treasury Regulations issued thereunder, in each case, as from time to time in force.

“Construction Fund” shall mean the MovEBR Sales Tax Bond Construction Fund established by the provisions of Section 5.01(A)(4) hereof.

“Costs of Issuance” shall mean all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of any series of Bonds, including but not limited to, printing costs, costs of preparation and reproduction of documents, cost of preparing the preliminary and final official statement and the distribution of preliminary and final official statements, filing and recording fees, initial fees and charges of any Fiduciary, legal fees and charges, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Bonds, costs and expenses of refunding, costs of any Credit Facility, premiums for the insurance of the payment of any series of Bonds and any other cost, charge, or fee in connection with the original issuance of any series of Bonds.

“Credit Facility” shall mean any letter of credit, insurance policy, surety bond, standby bond purchase agreement or similar facility as used in connection with the Bonds.

“Credit Facility Issuer” shall mean the provider of the Credit Facility with respect to any series of Bonds.

“Date of Issue” shall mean that date established in a Supplemental Resolution from which interest shall accrue on the applicable Series of Bonds.

“Debt Service” for any period shall mean, as of the date of calculation and with respect to any Series, an amount equal to the sum of (i) interest payable during such period on Bonds of such Series, and (ii) the principal amount of Bonds of such Series which are payable at maturity or upon mandatory redemption on any future date in such period.

“Debt Service Fund” shall mean the fund herein so designated and designed to provide for the payment of the principal of and interest on all Bonds issued pursuant to this Bond Resolution, as the same respectively fall due at maturity or on any mandatory redemption date, as established by the provisions of Section 5.01(A)(2) hereof.

“DTC” shall mean The Depository Trust Company, New York, New York, a limited-purpose trust company organized under the laws of the State of New York, and its successors or assigns.

“Fiduciary” shall mean the Fiscal Agent or Paying Agent/Registrar.

“Fiscal Agent” shall mean the designated fiscal agent of the City of Baton Rouge and the Parish, and its successors and assigns. At the time of adoption of this Bond Resolution, Capital One Bank has been designated as the Fiscal Agent.
“Fiscal Year” shall mean the period of twelve (12) calendar months, beginning on January 1 of each year, and ending on December 31 of such year, unless the same shall have been changed by the Governing Authority.

“Funds and Accounts” shall mean the funds, and the accounts therein established, created and established pursuant to this Bond Resolution.

“General Bond Resolution” or “Bond Resolution” shall mean this General Bond Resolution No. 54428 adopted by the Governing Authority on August 28, 2019.

“Governing Authority” shall mean the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the District.

“Government Obligations” shall mean (a) direct obligations (other than an obligation subject to variation in principal repayment) of the United States of America (“United States Treasury Obligations”), (b) obligations fully and unconditionally guaranteed as to timely payment of principal and interest by the United States of America, (c) obligations fully and unconditionally guaranteed as to timely payment of principal and interest by any agency or instrumentality of the United States of America which such obligations are backed by the full faith and credit of the United States of America, or (d) evidences of ownership of proportionate interest or future interest in principal payments on obligations described above held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor and the underlying government obligations are not available to any person planning through the custodian or to whom the custodian may be obligated.

“Interest Payment Date” shall mean February 1 and August 1 of each year (unless otherwise specified in a Supplemental Resolution), commencing on the date set forth in the applicable Supplemental Resolution.

“Issuer” or “District” shall mean the Parish of East Baton Rouge Capital Improvements District.

“Junior Lien Bonds” shall mean any revenue bonds or other obligations issued by the Issuer which are secured by pledges of and liens on the Tax Revenues which are junior and subordinate in all respects to the pledges and liens made to secure the Bonds.

“Municipal Bond Insurance” shall mean the municipal bond insurance policy, if any, guaranteeing payments of principal and interest on the Bonds.

“Outstanding,” when used with reference to the Bonds, shall mean, as of any date, all such Bonds theretofore or then being authenticated and delivered except:

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

(b) Bonds for which payment or redemption sufficient funds have been theretofore deposited in trust for the Owners of such Bonds, provided that notice of such redemption has been duly given or provided for pursuant to this Bond Resolution, to the satisfaction of the Paying Agent/Registrar, or waived;

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

(d) Bonds alleged to have been mutilated, destroyed, lost, or stolen which have been paid as provided in this Bond Resolution or by law; and

(e) Bonds which have been defeased in accordance with Article XI of this Bond Resolution.

“Parish” shall mean the Parish of East Baton Rouge, State of Louisiana.
“Paying Agent/Registrar” shall mean any paying agent and registrar for the Bonds of any Series, or its successor or successors, and any other person which may at any time be substituted in its place pursuant to this Bond Resolution.

“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 February 1 of each year (or such other date as specified in a Supplemental Resolution) with respect to the Bonds.

“Qualified Investments” shall mean those certain securities, obligations or other instruments specifically set forth in La. R.S. 33:2955, as amended from time to time, as being legal investments for political subdivisions of the State.

“Record Date” shall mean the fifteenth (15th) day of the month immediately preceding each Bond Payment Date, or such other time or times as shall be prescribed by this Bond Resolution.

“Redemption Price” shall mean, when used with respect to a Bond, the principal amount thereof plus the applicable premium, if any, payable upon redemption thereof pursuant to this Bond Resolution or a Supplemental Resolution.

“Reserve Credit Facility” shall mean any Credit Facility, insurance policy, surety bond or similar obligation, as designated in a Supplemental Resolution for each Series of Reserve Secured Bonds.

“Reserve Fund” shall mean the MovEBR Sales Tax Bond Reserve Fund established by the provisions of Section 5.01(A)(3) hereof.

“Reserve Requirement” shall mean the aggregate amount of the requirement for each Series of Bonds, each such Series requirement being an amount equal to the lesser of (i) 10% of the original proceeds of such Series of Bonds, (ii) the highest combined principal and interest requirements in any succeeding Bond Year on such Series of Bonds, or (iii) 125% of the aggregate average annual debt service on such Bonds of such Series; provided, however, that the Reserve Requirement may be satisfied with a surety bond or other Credit Facility, all as shall be determined in a Supplemental Resolution.

“Reserve Secured Bonds” shall mean a Series of Bonds for which the Supplemental Resolution related to such Series provides that the payment of the principal or Redemption Price, if any, of, and interest on, the Bonds of such Series shall be secured by amounts on deposits in investments held in a designated subaccount in the Reserve Fund.

“Sales Tax Fund” shall mean the MovEBR Sales Tax Bond Fund established by the provisions of Section 5.02 hereof.

“Series” shall mean all of the bonds issued in a simultaneous transaction pursuant to a Supplemental Resolution.

“State” shall mean the State of Louisiana.

“Supplemental Resolution” shall mean any resolution or ordinance supplemental to or amendatory of this Bond Resolution adopted by the Governing Authority in accordance with Article VIII hereof.

“Tax” shall mean the one-half of one percent (½%) sales and use tax approved by the voters within the District on December 8, 2018, as more specifically described in the preambles hereof.

“Tax Revenues” shall mean all revenues to be derived by the Issuer from the Tax, including earnings thereon while such funds are on deposit in the Sales Tax Fund.
“Term Bonds” shall mean the Bonds of any Series maturing on one principal maturity date, the principal of which is payable from fixed amounts provided to be deposited in each year in the Debt Service Fund for the payment of such principal on or prior to maturity.

SECTION 2.03. Interpretations. In this Bond Resolution, unless the context otherwise requires:

(A) Articles, sections and paragraphs referred to by number shall mean the corresponding Articles, sections and paragraphs of this Bond Resolution.

(B) Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words importing the singular number shall include the plural number and vice versa, and words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations, or other legal entities, including public bodies, as well as natural persons.

(C) The terms “hereby”, “hereof”, “hereto”, “herein”, “hereunder”, and any similar terms, as used in this Bond Resolution, refer to this Bond Resolution or sections or paragraphs of this Bond Resolution and the term “hereafter” means any date after the date of adoption of this Bond Resolution.

(D) References to the payment of principal of Bonds shall be deemed to include payment of principal both at maturity and by mandatory redemption pursuant to any sinking fund payment obligations.

(E) Any Fiduciary shall be deemed to hold a Qualified Investment in which money is invested pursuant to the provisions of this Bond Resolution, even though such Qualified Investment is evidenced only by a book entry or similar record of investment.

ARTICLE III - AUTHORIZATION AND ISSUANCE OF THE BONDS

SECTION 3.01. Authorization of Bonds. This Bond Resolution creates a series of issues of Bonds of the Issuer to be designated “MovEBR Sales Tax Revenue Bonds” and creates a continuing lien on the Tax Revenues to secure the full and final payment of the principal or Redemption Price of and interest on all the Bonds. The Bonds shall be special obligations of the Issuer payable solely from and secured by an irrevocable pledge and dedication of the Tax Revenues, subject only to the payment of the reasonable costs and expenses of collecting and administering the Tax. The aggregate principal amount of the Bonds which may be executed, authenticated and delivered under this Bond Resolution is not limited except as provided in this Bond Resolution or as limited by law. The Bonds shall not constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory limitation of indebtedness and shall contain a recital to that effect.

SECTION 3.02. The Pledge Effectuated by this Bond Resolution. There are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes herein set forth, the Tax Revenues, subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax, all as more fully provided by the Sales Tax Ordinance. It is the intention of the Issuer that, to the fullest extent permitted by law, including, but not limited to, La. R.S. 1430.1, this pledge shall be valid and binding from the time when it is made, that the Tax Revenues so pledged and then or thereafter received by the Issuer shall immediately be subject to the lien of such pledge without any physical delivery or further act, and that the lien of such pledge and the obligation to perform the contractual provisions herein contained shall have priority over any or all other obligations and liabilities of the Issuer, with the exception only of the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax, and that this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Issuer, irrespective of whether such parties have notice thereof. Said Tax Revenues shall be set aside in the Sales Tax Fund and shall be and remain pledged for the security and payment of the Bonds in principal and interest and for all other payments provided for in this Bond Resolution until the Bonds shall have been fully paid and discharged.
The Issuer, by proper resolutions and/or ordinances, hereby obligates itself to continue to impose and collect the Tax, and further obligates itself not to discontinue or decrease or permit to be discontinued or decreased such Tax in anticipation of the collection of which the Bonds are to be issued, nor in any way make any change which would diminish the amount of the Tax Revenues to be received by the Issuer until all of the Bonds payable therefrom have been fully paid and discharged.

SECTION 3.03. Authorization of Bonds in Series. In order to provide sufficient funds to pay Capital Costs or for paying the cost of refunding and/or extending any Series of Bonds or other indebtedness, to fund a reserve for any Series of Bonds and the Costs of Issuance of any Series of Bonds, Bonds of the Issuer are hereby authorized to be issued from time to time without limitation as to amount except as herein provided or as may be limited by law and such Bonds shall be issued subject to the applicable terms, conditions and limitations established by the Act and/or Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or other constitutional and statutory provisions and this Bond Resolution, and in one or more Series as hereinafter provided.

The Bonds authorized and issued pursuant to this Bond Resolution shall be issued as fixed rate obligations.

Pursuant to the Act, Bonds issued hereunder may be sold at private or negotiated sale in the manner determined by the Governing Authority, provided the issuance of the Bonds is approved by two-thirds of the members present and voting of the Louisiana State Bond Commission.

SECTION 3.04. Provisions for Issuance of Bonds. The issuance of each Series of Bonds shall be authorized by a Supplemental Resolution adopted by the Governing Authority. The Bonds of each Series shall, in addition to the title “MovEBR Sales Tax Revenue Bonds” or “MovEBR Sales Tax Revenue Refunding Bonds,” as the case may be, contain an appropriate Series designation.

Each Supplemental Resolution authorizing the issuance of a Series of Bonds shall also specify:

(i) the authorized principal amount and Series designation of such Bonds;
(ii) the purpose for which such Series is being issued;
(iii) the date, and the maturity date or dates, of the Bonds of such Series;
(iv) the interest rate or rates of the Bonds of such Series, or the manner of determining such rate or rates, and the Interest Payment Dates therefor;
(v) the denominations of, and the manner of dating, numbering and lettering, the Bonds of such Series, but such Bonds shall be in the denomination of $5,000 principal amount each within a single maturity, or in denominations of such multiple or multiples thereof as may be otherwise authorized by such Supplemental Resolution;
(vi) the Paying Agent/Registrar and the place or places of payment of the Bonds of such Series or the manner of appointing and designating the same;
(vii) the Redemption Prices, if any, and subject to the provisions of this Bond Resolution, the redemption terms for the Bonds of such Series;
(viii) the amount and due date of each mandatory redemption payment, if any, for Term Bonds of such Series, provided that the due date of any mandatory redemption payment shall be an Interest Payment Date;
(ix) provisions for the sale of the Bonds of such Series;
(x) the form of the Bonds of such Series; and
(xi) any other provisions deemed advisable by the Issuer as shall not conflict with the provisions hereof.
SECTION 3.05. Bond Resolution 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 Resolution 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. The provisions, covenants and agreements herein set forth to be performed by or on behalf of the Issuer shall be for the equal benefit, protection and security of the Owners of any and all of the Bonds, each of which Bonds, regardless of the time or times of its issue or maturity, shall be of equal rank without preference, priority or distinction over any other thereof except as expressly provided in this Bond Resolution.

SECTION 3.06. Issuance of Additional Bonds.

After the delivery of the first Series of Bonds authorized by the terms of this Bond Resolution, the Issuer shall not issue any bonds or obligations of any kind or nature payable from or enjoying a lien on the Tax Revenues having priority over or on a parity with such first Series of Bonds, except that under the following conditions the Bonds may be refunded without losing their rank of lien, or parity bonds may be issued upon compliance with the following parity provisions:

(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.

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

(1) The average annual revenues derived by the Issuer from the Tax Revenues (including any earnings on the Reserve Fund) when computed for the two (2) completed Fiscal Years immediately preceding the issuance of the Additional Bonds must have been not less than 1.25 times the highest combined Annual Principal and Interest Requirements for any succeeding Fiscal Year on all Bonds then Outstanding, including any Additional Bonds theretofore issued and then Outstanding and any other obligations whatsoever then Outstanding issued on a parity with the Bonds then Outstanding and which are payable from the Tax Revenues (but not including Bonds which have been refunded or provisions otherwise made for their full and complete payment and redemption), and the Additional Bonds so proposed to be issued. Provided, that the highest combined Annual Principal and Interest Requirements for any succeeding Fiscal Year on all Bonds then Outstanding and the Additional Bonds so proposed to be issued shall never exceed seventy-five percent (75%) of the amount of the Tax Revenues estimated by the Governing Authority to be collected in such Fiscal Year.

(2) The payments required to be made into the various funds provided in Section 5.03 hereof must have been made in full.

(3) The existence of the facts required by paragraphs (1) and (2) above must be determined and certified to by the Treasurer of the Parish, or the successor thereto.

(4) The Additional Bonds must be payable as to principal on February 1st of each year in which the principal falls due and payable as to interest on February 1st and August 1st of each year, or such other dates as set forth in a Supplemental Resolution.
(5) The proceeds of the Additional Bonds must be used solely for the purpose of (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, and (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (B) improving the Advance Traffic Management Center, or to refund obligations issued for such purposes, and (C) paying the Costs of Issuance of such Additional Bonds or refunding bonds.

(6) The Bond Insurer, if any, must be notified of the issuance of such Additional Bonds on or before the date of delivery.

SECTION 3.07. Execution of Bonds. (A) Unless otherwise prescribed by any amendment of or supplement to this Bond Resolution, the Bonds shall be executed in the name of and on behalf of the Issuer by the Authorized Officers and the seal of the Issuer shall be impressed or reproduced thereon. Such officers may employ facsimiles of their signatures.

(B) In case any officer whose signature or facsimile signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signatures or such facsimiles shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office.

SECTION 3.08. Authentication. Only such Bonds as shall have endorsed thereon a certificate of authentication duly executed by the Paying Agent/Registrar shall be entitled to any right or benefit under this Bond Resolution. No Bond shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Paying Agent/Registrar, and such executed certificate of the Paying Agent/Registrar upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Bond Resolution. The Paying Agent/Registrar's certificate of authentication on any Bond shall be deemed to have been executed by it only if manually signed by any authorized officer of the Paying Agent/Registrar.

SECTION 3.09. Place and Medium of Payment. The principal and premium, if any, of the Bonds shall be payable upon maturity or redemption at the principal corporate trust office of the Paying Agent/Registrar in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, upon presentation and surrender thereof. Interest on the Bonds shall be payable by check of the Paying Agent/Registrar mailed on or before the Interest Payment Date by the Paying Agent/Registrar to the registered owner (determined as of the Record Date) at the address as shown on the registration books of the Paying Agent/Registrar.

SECTION 3.10. Payment of Interest; Interest Rights Preserved. Interest on any Bond which is payable, and is punctually paid or duly provided for, on any Interest Payment Date shall be paid to the person in whose name such Bond is registered on the Record Date for such Interest Payment Date.
Any interest on any Bond which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date (herein called “Defaulted Interest”) shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner; and such Defaulted Interest shall be paid by the Issuer to the persons in whose names the Bonds are registered at the close of business on a special Record Date for the payment of such Defaulted Interest, which shall be fixed in the following manner: The Issuer shall notify the Paying Agent/Registrar in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment, and at the same time the Issuer shall deposit with the Paying Agent/Registrar an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent/Registrar for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest. Thereupon the Paying Agent/Registrar shall fix a special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment and not less than 10 days after the receipt by the Paying Agent/Registrar of the notice of the proposed payment. The Paying Agent/Registrar shall promptly notify the Issuer of such special Record Date and shall cause notice of the proposed payment of such Defaulted Interest and the special Record Date therefor to be mailed, first class, postage prepaid, to each Bondowner at his address as it appears in the Bond Register not less than 10 days prior to such special Record Date. Notice of the proposed payment of such Defaulted Interest and the special Record Date therefor having been mailed as aforesaid, such Defaulted Interest shall be paid to the persons in whose names the Bonds are registered on such special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered under this Bond Resolution upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

SECTION 3.11. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the Issuer may execute and the Paying Agent/Registrar may authenticate a new Bond of the same series, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed; provided, that, in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Paying Agent/Registrar, and in the case of any lost, stolen or destroyed Bond, there shall be first furnished to the Issuer and to the Paying Agent/Registrar evidence of such loss, theft or destruction satisfactory to the Issuer and the Paying Agent/Registrar together with indemnity satisfactory to them. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the Issuer may pay the same. The Issuer and the Paying Agent/Registrar may charge the owner of such Bond with their reasonable fees and expenses in this connection.

SECTION 3.12. Transfer and Registry; Persons Treated as Owners.

(A) As long as any Bonds shall be Outstanding, the Issuer shall cause books for the registration and for the transfer of Bonds to be kept. Such books shall be kept by the Paying Agent/Registrar unless there shall have been appointed a registrar other than the Paying Agent/Registrar to keep the books of registration for the Bonds. The transfer of each Bond may be registered only upon the registration books of the Issuer kept for that purpose by the owner thereof in person or by his duly authorized attorney upon surrender thereof and an assignment with a written instrument of transfer satisfactory to the Paying Agent/Registrar or the registrar, as the case may be, duly executed by the owner or his duly authorized attorney. Upon the registration or transfer of any Bond, the Issuer shall cause to be issued, subject to the provisions of Section 3.15 hereof, in the name of the transferee a new Bond or Bonds of the same aggregate principal amount, maturity and interest rate as the surrendered Bond.

(B) The Issuer, the Paying Agent/Registrar and any registrar may deem and treat the person in whose name any Bond shall be registered upon the registration books of the Issuer as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, premium, if any, and interest on such Bond and for all other purposes, and all such payments so made to any such owner or, upon his order, shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and none of the Issuer, the Paying Agent/Registrar and registrar shall be affected by any notice to the contrary.
SECTION 3.13. Date and Payment Provisions. The Bonds shall be dated and shall bear interest from the date or dates provided in a Supplemental Resolution. Each Bond shall bear interest thereafter from the Interest Payment Date next preceding its date of authentication, unless authenticated on an Interest Payment Date, in which case it shall bear interest from said Interest Payment Date, or unless any such Bond is authenticated on a date during the period from a Record Date to the Interest Payment Date immediately thereafter, in which case it shall bear interest from such Interest Payment Date. If, at the time of authentication of any Bond, the interest thereon is in default, such Bond will bear interest from the date to which interest was paid in full.

SECTION 3.14. Interchangeability of Bonds. Bonds, upon surrender thereof at the office of the Paying Agent/Registrar, with a written instrument of transfer satisfactory to the Paying Agent/Registrar, duly executed by the owner or his duly authorized attorney, may, at the option of the owner and upon payment by such owner of any charges made pursuant to Section 3.15 hereof, be exchanged for Bonds of authorized denominations of the same maturity and like aggregate principal amount and interest rate thereon.

SECTION 3.15. Regulations With Respect to Exchanges and Transfer. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Issuer shall execute and the Paying Agent/Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution. All Bonds surrendered in any such exchanges or transfers shall forthwith be cancelled and destroyed and shall not be reissued, and a counterpart of the certificate of destruction evidencing such destruction shall be furnished by the Paying Agent/Registrar to the Issuer. All Bonds so destroyed shall thereafter no longer be considered Outstanding for any purposes of this Bond Resolution. There shall be no charge to the owner for such exchange or transfer of Bonds except that the Paying Agent/Registrar may make a charge sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer. Neither the Issuer nor the Paying Agent/Registrar shall be required to register, transfer or exchange Bonds after the Record Date or after the mailing of any notice of redemption or to register, transfer or exchange any Bonds called for redemption.

SECTION 3.16. Cancellation and Destruction of Mutilated, Paid or Surrendered Bonds. Upon the surrender of mutilated Bonds pursuant to Section 3.11 hereof, or Bonds paid or surrendered, the same shall be cancelled and destroyed and shall not be reissued, and a counterpart of the certificate evidencing such destruction shall be furnished by the Paying Agent/Registrar to the Issuer. All Bonds so destroyed shall thereafter no longer be considered Outstanding for any purposes of this Bond Resolution.

SECTION 3.17. Purchase of Bonds. The Paying Agent/Registrar shall, if and to the extent practicable, purchase Bonds at the written direction of the Issuer at such time, in such manner and at such price as may be specified by the Issuer. The Paying Agent/Registrar may so purchase Bonds with any money then held by the Paying Agent/Registrar which is available for the redemption or purchase of Bonds and in excess of that set aside for the payment of Bonds called for redemption; provided that the Paying Agent/Registrar is provided with an opinion of counsel (who must be acceptable to the Paying Agent/Registrar) to the effect that such redemption or purchase complies with any limitations or restrictions on such redemption or purchase contained in this Bond Resolution.

SECTION 3.18. Security for Payment of Bonds. The Bonds shall be payable from, and shall be secured by a pledge of and a lien upon, the Tax Revenues.


SECTION 3.20. Regularity of Proceedings. The Governing Authority, 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 this State.”
SECTION 3.21. Temporary Bonds. Until the definitive Bonds are ready for delivery the Issuer may execute and the Paying Agent/Registrar will authenticate temporary Bonds substantially in the form of the definitive Bond, with appropriate variations. The Issuer will, without unreasonable delay, prepare and the Paying Agent/Registrar will authenticate definitive Bonds in exchange for the temporary Bonds. Such exchange will be made by the Paying Agent/Registrar without charge.

SECTION 3.22. Municipal Bond Insurance. In the event the Issuer makes a finding that substantial benefits will accrue from the purchase of municipal bond insurance or other Credit Facility, the Issuer may contract for such insurance or Credit Facility and the premium therefor may be paid from the proceeds of the Bonds.

SECTION 3.23. Book-Entry System of Bonds. The Issuer has executed and delivered a Blanket Letter of Representations with The Depository Trust Company, New York, New York (the “Securities Depository”), and the terms and provisions of said Letter of Representations shall govern in the event of any inconsistency between the provisions of this Bond Resolution and said Letter of Representations. All Bonds issued hereunder will be issued as a single Bond for each maturity in the name of The Depository Trust Company, New York, New York (the “Securities Depository”), or its nominee, which will act as depository for the Bonds. Bonds issued to the Securities Depository pursuant to the terms hereof shall constitute “Book-Entry Bonds.” During the term of the Book-Entry Bonds, ownership and subsequent transfers of ownership will be reflected by book entry on the records of the Securities Depository and those financial institutions for whom the Securities Depository effects book-entry transfers (collectively, the “DTC Participants”). No person for whom a DTC Participant has an interest in any Book-Entry Bond (a “Beneficial Owner”) shall receive a bond certificate representing an interest in the Book-Entry Bonds except in the event that the Securities Depository or the Issuer shall determine, at its option, to terminate the book-entry system described in this section. Payment of principal of and interest on Book-Entry Bonds will be made by the Paying Agent/Registrar to the Securities Depository which will in turn remit such payment of principal and interest to its DTC Participants which will in turn remit such principal and interest to the Beneficial Owners of the Book-Entry Bonds until and unless the Securities Depository or the Issuer elects to terminate the book-entry system, whereupon the Issuer shall deliver bond certificates to the Beneficial Owners of the Book-Entry Bonds or their nominees. Bond certificates issued under this section may not be transferred or exchanged except as provided in this section.

For so long as the Securities Depository shall continue to serve as securities depository for the Bonds as provided herein, all transfers of beneficial ownership interests will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds is to receive, hold or deliver any Bond certificate.

For every transfer and exchange of the Bonds, the Beneficial Owner may be charged a sum sufficient to cover such Beneficial Owner’s allocable share of any tax, fee or other governmental charges that may be imposed in relation thereto.

The Issuer and the Paying Agent/Registrar will recognize DTC or its nominee as the Bondholder for all purposes, including notices and voting.

Neither the Issuer nor the Paying Agent/Registrar are responsible for the performance by DTC of any of its obligations, including, without limitation, the payment of moneys received by DTC, the forwarding of notices received by DTC or the giving of any consent or proxy in lieu of consent.

Whenever during the term of the Bonds the beneficial ownership thereof is determined by a book-entry at DTC, the requirements of this Bond Resolution of holding, delivering or transferring Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book-entry to produce the same effect.
Upon the reduction of the principal amount of any Book-Entry Bonds, in accordance with the Letter of Representations, the Securities Depository (or the Paying Agent/Registrar on behalf of the Securities Depository through the Fast Automated Transfer delivery services of the Securities Depository) may either (i) make a notation of such redemption on the Book-Entry Bond, stating the amount so redeemed, or (ii) may return the Book-Entry Bond to the Paying Agent/Registrar for exchange for a new Book-Entry Bond, authenticated by the Paying Agent/Registrar in a proper principal amount. The Securities Depository makes a notation on the Book-Entry Bond, such notation may be made for reference only, and may not be relied upon by any other person as being in any way determinative of the principal amount of such Book-Entry Bond Outstanding, unless the Paying Agent/Registrar has initialed the notation on the Book-Entry Bond.

Upon delivery of Book-Entry Bonds to the purchasers thereof on the delivery date, such purchasers shall deposit the bond certificates representing all of those Bonds with the Securities Depository (or the Paying Agent/Registrar on behalf of the Securities Depository through the Fast Automated Security Transfer delivery services of the Securities Depository). The Securities Depository, or its nominee, will be the sole Bondowner of the Book-Entry Bonds so delivered, and no investor or other party purchasing, selling or otherwise transferring ownership of any Book-Entry Bonds will receive, hold or deliver any bond certificates as long as the Securities Depository holds Book-Entry Bonds immobilized from circulation.

The Book-Entry Bonds may not be transferred or exchanged except:

(i) to any successor of the Securities Depository (or its nominee) or any substitute depository ("Substitute Depository") designated pursuant to (ii) below, provided that any successor of the Securities Depository or any Substitute Depository must be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(ii) to a Substitute Depository designated by or acceptable to the Issuer upon (A) the determination by the Securities Depository that the Bonds shall no longer be eligible for depository services or (B) determination by the Issuer that the Securities Depository is no longer able to carry out its functions, provided that any such Substitute Depository must be qualified to act as such, as provided in subparagraph (i) above; or

(iii) to those persons to whom transfer is requested in written transfer instructions in the event that:

(A) the Securities Depository shall resign or discontinue its services for the Bonds and, only if the Issuer is unable to locate a qualified successor within two months following the resignation or determination of noneligibility; or

(B) upon a determination by the Issuer that the continuation of the book-entry system described herein, which precludes the issuance of certificates to any Bondowner other than the Securities Depository (or its nominee), is no longer in the best interest of the Beneficial Owners of the Bonds.

If at any time DTC ceases to hold the Bonds, all references herein to DTC or the Securities Depository shall be of no further force or effect.
ARTICLE IV - REDEMPTION OF BONDS

SECTION 4.01. Privilege of Redemption and Redemption Price. Bonds subject to redemption prior to maturity pursuant to a Supplemental Resolution shall be redeemable, upon notice as provided in this Section, at such times, at such Redemption Prices and upon such terms (in addition to and consistent with the terms contained in this Section) as may be specified in a Supplemental Resolution.

SECTION 4.02. Notice to Paying Agent/Registrar. In the case of any redemption of Bonds otherwise than as provided in Section 4.03, the Issuer shall give written notice to the Paying Agent/Registrar of the election so to redeem, of the redemption date, of the Series, and of the principal amounts of the Bonds of each maturity of such Series to be redeemed (which Series, maturities and principal amounts thereof to be redeemed shall be determined by the Issuer in its sole discretion, subject to any limitations with respect thereto contained in any Supplemental Resolution authorizing a Series of Bonds). Such notice shall be given at least thirty days prior to the redemption date. In the event notice of redemption shall have been given as provided in Section 4.05 hereof, the Issuer shall, on the date fixed for redemption of any Bonds, funds for the payment thereof shall be made available to the appropriate Paying Agent/Registrar in an amount which, in addition to other amounts, if any, available therefor held by such Paying Agent/Registrar, sufficient to redeem on the redemption date at the Redemption Price thereof together with accrued interest to the redemption date, all of the Bonds to be redeemed.

In the case of an optional redemption, the notice may state (i) that it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent no later than the redemption date, or (ii) that the Issuer retains the right to rescind such notice at any time prior to the scheduled redemption date if the Issuer delivers a certificate of an Authorized Officer to the Paying Agent instructing the Paying Agent to rescind the redemption notice (in either case, a “Conditional Redemption”), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described below.

Any Conditional Redemption may be rescinded in whole or in part at any time prior to the redemption date if the Issuer delivers a certificate of an Authorized Officer to the Paying Agent instructing the Paying Agent to rescind the redemption notice. The Paying Agent shall give prompt notice of such rescission to the affected Bondowners. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain Outstanding.

SECTION 4.03. Redemption Otherwise than at Issuer’s Election. Whenever by the terms of this Bond Resolution or a Supplemental Resolution, Bonds are required to be redeemed other than at the election of the Issuer, the Paying Agent/Registrar shall select the Bonds to be redeemed, give the notice of redemption and pay out of moneys available therefor the Redemption Price, together with accrued interest to the redemption date, in accordance with the terms of this Article IV.

SECTION 4.04. Selection of Bonds to be Redeemed by Lot. In the event of redemption of less than all the Outstanding Bonds of like Series and maturity, such Bonds to be redeemed will be selected by DTC or any successor security depository pursuant to its rules and procedures or, if the book-entry system is discontinued, will be selected by the Paying Agent/Registrar by lot in such manner as the Paying Agent/Registrar in its discretion may determine.

SECTION 4.05. Notice of Redemption. Notice of any such redemption shall be given by the Paying Agent/Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed in whole or in part at the address shown on the registration books maintained by the Paying Agent/Registrar. Failure to give such notice by mailing to any Bondowner, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds. All notices of redemption shall state (i) the redemption date; (ii) the redemption price; (iii) in the case of partial redemption, the respective principal amounts of the Bonds to be redeemed; (iv) that on the redemption date the redemption price will become due and payable on each such Bond and interest thereon will cease to accrue thereon from and after said date; and (v) the place where such Bonds are to be surrendered for payment. Any notice
mailed as provided in this Section shall be conclusively presumed to have been duly given, whether or not the owner of such Bonds receives the notice.

On or before any redemption date the Issuer shall cause the Fiscal Agent to segregate and hold in trust funds in the Debt Service Fund for the payment of the Bonds or portions thereof called, together with accrued interest thereon to the redemption date. Upon the giving of notice and the deposit of funds with the Paying Agent/Registrar for redemption, interest on the Bonds or portions thereof thus called shall no longer accrue after the date fixed for redemption. No payment shall be made by the Paying Agent/Registrar upon any Bond or portion thereof called for redemption until such Bond or portion thereof shall have been delivered for payment or cancellation or the Paying Agent/Registrar shall have received the items required by Section 3.11 with respect to any mutilated, lost, stolen or destroyed Bond.

Upon surrender of any Bond for redemption in part only, the Paying Agent/Registrar shall register and deliver to the owner thereof a new Bond or Bonds of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered.

SECTION 4.06 Payment of Redeemed Bonds. Notice having been given in the manner provided in Section 4.05, the Bonds so called for redemption shall become due and payable on the redemption date so designated at the Redemption Price, plus interest accrued and unpaid to the redemption date, and, upon presentation and surrender thereof at the office specified in such notice, such Bonds shall be paid at the Redemption Price plus interest accrued and unpaid to the redemption date. If, on the redemption date, moneys for the redemption of all the Bonds of any like Series and maturity to be redeemed, together with interest to the redemption date, shall be held by the Paying Agent/Registrar so as to be available therefor on said date and if notice of redemption shall have been given as aforesaid, then, from and after the redemption date interest on the Bonds of such Series and maturity so called for redemption shall cease to accrue and become payable. If said moneys shall not be so available on the redemption date, such Bonds shall continue to bear interest until paid at the same rate as they would have borne had they not been called for redemption.
ARTICLE V - ESTABLISHMENT OF FUNDS AND ACCOUNTS

SECTION 5.01. Establishment of Funds and Accounts.

(A) The Issuer hereby establishes and creates the following special accounting funds to be held by the Fiscal Agent of the Issuer:

1. MovEBR Sales Tax Fund (the “Sales Tax Fund”);
2. MovEBR Sales Tax Bond Debt Service Fund (the “Debt Service Fund”);
3. MovEBR Sales Tax Bond Reserve Fund (the “Reserve Fund”); and
4. MovEBR Sales Tax Bond Construction Fund (the “Construction Fund”).

(B) All moneys or securities deposited in the Debt Service Fund and the Reserve Fund pursuant to this Resolution shall be held in trust by the Fiscal Agent and applied only in accordance with the provisions hereof and shall be considered trust funds for the purpose of this Resolution.

SECTION 5.02. Sales Tax Fund. The collector of the Tax Revenues shall remit monthly the avails or proceeds derived from the levy and collection thereof to the Issuer. The Issuer shall deposit such proceeds from time to time, as the same may be received, in the Sales Tax Fund created and established by the Issuer pursuant to Section 5.01(A)(1) hereof and maintained with the Fiscal Agent of the Issuer. So long as any Bonds issued under this Bond Resolution remain Outstanding, the Issuer shall cause all such avails or proceeds to be deposited as promptly as possible after receipt thereof in the Sales Tax Fund and disbursed by the Issuer in the manner provided in Section 5.03 of this Bond Resolution.

SECTION 5.03. Deposit and Disposition of Tax Revenues.

From the Sales Tax Fund, the following payments shall be made at the times, in the amounts and in the order as follows:

First: To the appropriate party the monthly amount (which need not be the same in every month) sufficient to provide for the payment of the reasonable costs and expenses of collecting and administering the Tax in the event said costs were not deducted by the collector before transferring said funds to the Issuer.

Second: To the Fiscal Agent of the Issuer for deposit in the Debt Service Fund, an amount sufficient to pay promptly and fully the principal of and the interest on the Bonds, including any pari passu Bonds issued thereafter in the manner provided by this Bond Resolution, as they severally become due and payable, by transferring on or before the last day of each month beginning with the month designated in a Supplemental Resolution, such sums as may be designated by the Supplemental Resolution to provide sufficient monies to pay promptly the interest falling due on each Interest Payment Date, the principal falling due on each Principal Payment Date, together with such additional proportionate sums as may be required to pay said principal and interest as the same respectively become due. Said Fiscal Agent shall transfer from the Debt Service Fund to the Paying Agent/Registrar for all Bonds payable from said fund, at least one (1) Business Day in advance of the date on which payment of principal, interest falls due, funds fully sufficient to pay promptly the principal and interest falling due on such date.

Third: To the Fiscal Agent of the Issuer for the establishment of the Reserve Fund by transferring from said Sales Tax Fund into the Reserve Fund monthly or annually, and/or capitalizing and paying from the proceeds of any Series of Bonds, such amounts (as may be designated in the Supplemental Resolution authorizing the issuance of such Series of Bonds) as will cause to be deposited in said Reserve Fund within a period not exceeding five (5) years from the date of original issuance of any
Series of Bonds a sum equal to the Reserve Requirement on all Outstanding Bonds issued pursuant to the terms of this Resolution, including such Series of Bonds being then issued, said moneys to be retained solely for the purpose of paying the principal of and the interest on Bonds payable from the aforesaid Debt Service Fund as to which there would otherwise be default.

If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on the Bonds Outstanding payable from the applicable Debt Service Fund as to which there would otherwise be default, then the moneys so used shall be replaced from the Tax Revenues first thereafter received, not hereinabove required to pay the costs and expenses of collecting the Tax or to pay current principal and interest requirements, it being the intention hereof that there shall as nearly as possible be at all times in the Reserve Fund the Debt Service Reserve Fund Requirement.

All or any part of the moneys in the Reserve Fund shall, at the written request of the Issuer, be invested in Qualified Investments, maturing in ten years or less, and such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the Reserve Fund was created. All income or earnings from such investments, to the extent that such income or earnings exceeds the amount required to be on deposit in the Reserve Fund, shall be deposited in the Sales Tax Fund to apply toward the payments required to be made therefrom. Monies in the Sales Tax Fund and Debt Service Fund may be invested and the proceeds thereof may be applied in accordance with law.

Notwithstanding the foregoing, the Issuer has reserved the right to substitute a Reserve Credit Facility as security for the Bonds in lieu of depositing cash into the Debt Service Reserve Fund.

Fourth: Provision shall then be made for the payment of Junior Lien Bonds, if any, or any other indebtedness which is junior and subordinate to the Bonds in the order of priority contemplated by the proceedings authorizing their issuance.

Fifth: Any moneys remaining in the Sales Tax Fund on the last day of each month in excess of all reasonable and necessary costs and expenses of collection and administration of the Tax and after making the required payments into the Debt Service Fund and Reserve Fund for the current month and for prior months during which the required payments may not have been made shall be considered surplus. Such surplus may be used by the Issuer for any of the purposes for which the imposition of the Tax is authorized or for the purpose of retiring Bonds Outstanding in advance of their maturities, either by purchase of Bonds Outstanding at prices not greater than the Redemption Price of the Bonds Outstanding or by redeeming such Bonds Outstanding at the price and in the manner set forth in this Bond Resolution.

SECTION 5.04. Debt Service Fund.

(A) The Debt Service Fund created and established by the Issuer pursuant to Section 5.01(A)(2) hereof and maintained with the Fiscal Agent of the Issuer is intended to provide for the ratable payment of the principal of, premium, if any, and interest on all Bonds as the same respectively fall due. Payments into the Debt Service Fund shall be made by the Issuer in the manner prescribed by this Bond Resolution, and, except as herein provided, all money in the Debt Service Fund shall be used solely to pay the principal of, premium, if any, and interest on the Bonds and for no other purpose.

(B) The Debt Service Fund shall be kept in the complete custody and control of the Fiscal Agent, on behalf of the Issuer, and withdrawals from the Debt Service Fund shall be made by the Fiscal Agent, on behalf of the Issuer, to the Paying Agent/Registrar who shall transmit to
each Bondholder, at such times as may be appropriate, the sums required to pay the principal of, premium, if any, and interest on the Bonds.

(C) Money in the Debt Service Fund shall be invested and reinvested at the direction of the Issuer in Qualified Investments, maturing not later than the date on which such money is required to pay the interest and/or the principal and interest next maturing. All earnings from such investments shall be added to and become a part of the Debt Service Fund, together with other moneys transferred into the Debt Service Fund from other funds as provided herein, shall be credited against payments that would otherwise be made to the Debt Service Fund pursuant to the provisions of Section 5.03 (Second) hereof.

SECTION 5.05. Debt Service Reserve Fund. The Reserve Fund created and established by the Issuer pursuant to Section 5.01(A)(3) hereof, shall be maintained by the Fiscal Agent, on behalf of the Issuer, so long as Bonds shall be Outstanding, for the equal and ratable benefit of all Bonds. The Reserve Fund is intended to insure the timely payment of the principal of, premium, if any, and interest on the Bonds, or to provide for the redemption of Bonds prior to their stated maturities. The Issuer may in its discretion, substitute a Reserve Credit Facility as additional security for the Bonds in place of the Reserve Fund. The issuer of the Reserve Credit Facility, if any, and the terms and provisions thereof shall be established in a Supplemental Resolution. Money in the Reserve Fund, or, if there is a Reserve Credit Facility in place in lieu of funds on deposit in the Reserve Fund, then in such case, moneys made available from the Reserve Credit Facility, shall be used for the following purposes and for no other purpose:

(1) to prevent a default in the payment of the principal of or interest on the Bonds, by reason of the fact that money in the Debt Service Fund is insufficient for such purposes;

(2) to pay the principal of, interest on, and redemption premium of the Bonds in the event that all Outstanding Bonds are to be redeemed as a whole;

(3) to effect partial redemption of the Bonds; provided that subsequent to said partial redemption, the market value of the cash and securities in the Reserve Fund shall be not less than the Reserve Requirement; and

(4) money in the Reserve Fund shall be invested and reinvested in Qualified Investments; provided that the earnings from such investments shall be added to and become a part of the Reserve Fund, except that whenever, and as of any date of calculation, the value of the securities and money in the Reserve Fund shall exceed the Reserve Requirement, such excess shall either be used to effect partial redemption of Bonds or shall be removed from the Reserve Fund and transferred into the Debt Service Fund.

SECTION 5.06. Construction Fund.

(A) The Construction Fund is hereby established and shall be maintained by the Fiscal Agent, on behalf of the Issuer. There shall be deposited into the Construction Fund the balance of the proceeds of the issuance and delivery of the Bonds remaining after the deposits into the Debt Service Fund, if any, and the Reserve Fund, if any, as required by Section 5.03 hereof have been made. All interest earnings on the Construction Fund shall remain in the Construction Fund except as provided by (B) of this Section and Section 5.07. It is hereby recognized and understood that the Issuer may establish a new Construction Fund for each Series of Bonds authorized pursuant to this Bond Resolution as shall be established by a Supplemental Resolution.
(B) The Issuer shall disburse moneys in the Construction Fund for the payment of all costs incurred in connection with (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, and (iv) improving the Advanced Traffic Management Center, and paying all costs incurred in connection with the issuance, sale and delivery of the Bonds. Upon certification by an Authorized Officer that all costs incurred in connection with (i) constructing or improving roads, including drainage projects and traffic synchronization, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, (ii) improving existing corridors to increase mobility, including signal synchronization and sidewalks, (iii) constructing community enhancement projects, including drainage, lights and sidewalks, within the cities of Baton Rouge, Baker, Central and Zachary and the Parish, and (iv) improving the Advanced Traffic Management Center, and all costs associated with the issuance, sale and delivery of the Bonds have been paid, any balance remaining in the Construction Fund shall be deposited without further authorization into the Debt Service Fund.

SECTION 5.07. Investment of Certain Fund and Accounts.

(A) Moneys held in any fund or account created and established pursuant to this Bond Resolution shall be invested and reinvested, to the fullest extent practicable, in Qualified Investments which mature not later than such times as shall be necessary to provide moneys for payments to be made from such funds and accounts, as required herein; provided however, that any such investment shall be made only in accordance with any instructions received from the Issuer.

(B) In computing the amount in the Debt Service Fund and the Reserve Fund held under the provisions of this Bond Resolution, obligations purchased as an investment of money therein shall be valued at the cost or market value thereof, whichever is lower, inclusive of accrued interest. The value of moneys and Qualified Investments on deposit in the Reserve Fund shall be determined as of December 31 in each year.

(C) Except as otherwise provided herein, the Fiscal Agent shall sell at the best price obtainable, using reasonable diligence to determine such best price, or present for redemption, any obligation so purchased as an investment whenever it shall be so requested in writing by the Issuer or whenever it shall be necessary in order to provide moneys to meet any payment or transfer from any fund held by it.

(D) Investments purchased as an investment of moneys in the Debt Service Fund and the Reserve Fund shall be deemed at all times to be a part of such fund and any losses suffered due to the investment thereof shall be charged to such fund.

(E) Investment earnings shall be credited as follows:

(1) all amounts earned from the investment of moneys in the Debt Service Fund and, to the extent described in Section 5.03 (Third) hereof, Reserve Fund, if any, shall be transferred to the Debt Service Fund to be used for the payment of Debt Service on the next Interest Payment Date and for such purpose, Debt Service due from the Issuer on such date shall be credited by an amount equal to the amount so transferred and

(2) amounts attributable to earnings from investment moneys in the respective accounts of the Construction Fund shall be credited to such respective accounts.
ARTICLE VI - JUNIOR LIEN BONDS

SECTION 6.01. Right to Issue Junior Lien Bonds.

Notwithstanding that Bonds may be Outstanding, the Issuer may, at any time, and without limitation and free of all conditions, issue Junior Lien Bonds, in such amount as it may from time to time determine, payable from the Tax Revenues, provided that the pledge of the Tax Revenues and any lien upon the Tax Revenues granted for the protection of said Junior Lien Bonds shall at all times be and remain subordinate and inferior in all respects to the pledge of Tax Revenues and liens upon such Tax Revenues made or authorized for the Bonds.

ARTICLE VII - PARTICULAR COVENANTS

SECTION 7.01. Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall hold the same from time to time, the provisions of this Bond Resolution shall be a part of the contract of the Issuer with the registered Owners of Bonds and shall be deemed to be and shall constitute a contract between the Issuer and the registered Owners from time to time of the Bonds. The pledge thereof and hereof and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the Issuer shall be for the equal benefit, protection and security of the owners of any and all the Bonds Outstanding, each of which, regardless of the time or times of its issue or maturity, shall be of equal rank without preference, priority or distinction over any other thereof except as expressly provided in this Bond Resolution.

SECTION 7.02. Payment of Bonds. The Issuer shall duly and punctually pay or cause to be paid (but solely from the sources herein provided) the principal or Redemption Price, if any, of every Bond and the interest thereon, at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof.

SECTION 7.03. Power to Issue Bonds and Pledge Tax Revenues and Funds. The Issuer is duly authorized under all applicable laws to authorize and issue the Bonds and to adopt this Bond Resolution and to pledge the Tax Revenues pledged hereby in the manner and to the extent herein provided. The Tax Revenues so pledged are and will be free and clear of any pledge, lien, charge or encumbrance thereon or with respect thereto prior to, or of equal rank with, the pledge created hereby, and all action on the part of the Issuer to that end has been and will be duly and validly taken. The Bonds and the provisions of this Bond Resolution are and will be the valid and legally enforceable obligations of the Issuer in accordance with their terms and the terms of this Bond Resolution, subject to bankruptcy, insolvency or other laws affecting creditors' rights generally. The Issuer shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Tax Revenues, including rights therein pledged under this Bond Resolution and all the rights of the Owners of the Bonds under this Bond Resolution against all claims and demands of all persons whomsoever. The Issuer does hereby obligate itself and is bound under the terms and provisions of law, to levy, impose, enforce and collect the Tax Revenues and to provide for all reasonable and necessary rules and regulations, procedures and penalties in connection therewith, including the proper application of the Tax Revenues, until all of the Bonds Outstanding have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary the ordinance adopted by the Issuer providing for the levying, imposition, enforcement and collection of the Tax Revenues or any subsequent ordinance providing therefor, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners of the Bonds Outstanding with respect to the Tax Revenues. More specifically, there shall be no amendment to the ordinance or resolution levying the Tax regarding exemptions thereto by subsequent ordinance or resolution levying the Tax unless the Finance Director certifies that if such change were in effect for the prior two (2) fiscal years, the Tax Revenues in each year would have been at least three (3) times the total principal and interest falling due on the Bonds Outstanding and any pari passu bonds in any future fiscal years. Subject to such provision, the ordinance of the Issuer imposing the Tax and pursuant to which the Tax is being levied, collected and allocated, and the obligation of the Issuer to continue to levy, collect and allocate the Tax and to apply the Tax Revenues therefrom in accordance with the provisions of this Bond Resolution, shall be irrevocable until the Bonds Outstanding have been paid in full as to both principal and interest, and shall not be subject to amendment in any manner which would impair the rights of the owners from time to time of the
Bonds Outstanding, or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Issuer may discontinue or decrease the Tax or permit to be discontinued or decreased the Tax in anticipation of the collection of which Bonds are to be issued, or in any way make any change in the allocation of the proceeds of the Tax which would diminish the amount of the Tax Revenue to be received by the Issuer, except as provided above, until all of the Bonds Outstanding have been paid as to both principal and interest.

SECTION 7.04. 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 Internal Revenue Code of 1986 and any amendment thereto (the “Code”) 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 any of 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 of 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 Mayor-President of the Issuer and Council Administrator-Treasurer of the Governing Authority are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 7.05. Maintenance of Books and Records. The Issuer will maintain and keep proper books of record and accounts separate from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the Tax Revenues, including specifically but without limitation, all reasonable and necessary costs and expenses of collection. After the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by a recognized independent firm of certified public accountants showing the revenues and expenditures made from the account of the Sales Tax Fund and other funds or accounts herein required. Such audit shall be available for inspection upon request by the owners of any of the Bonds. The Issuer further agrees that any Paying Agent/Registrar and the owner of any of the Bonds shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Tax Revenues.

SECTION 7.06. Other Indebtedness and Liens. The Issuer shall not issue any bonds, notes or other evidences of indebtedness, other than a Series of Bonds as permitted herein, secured by a pledge of or other lien or charge on the Tax Revenues equal to the lien of the Bonds. Any Series of Bonds may, however, be additionally secured by Municipal Bond Insurance, letters of credit, surety bonds or other credit enhancement devices.

SECTION 7.07. Fidelity Bonds. So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Tax, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company providing for indemnity of losses totaling a minimum of $250,000 annually.

SECTION 7.08. General. The Issuer shall do and perform or cause to be done and performed all acts and things required to be done or performed by or on behalf of the Issuer under the provisions of law, including the Act, and this Bond Resolution in accordance with the terms of such provisions.
ARTICLE VIII - MODIFICATION OF RESOLUTION

SECTION 8.01. Modification Without Bondholder Approval. Provided always that the security of the Bonds shall not be lessened or in any manner impaired, the Governing Authority may for any one or more of the following purposes at any time, or from time to time, adopt a resolution supplementing this Bond Resolution without the consent of the Owners of the Bonds, which resolution shall be fully effective in accordance with its terms:

(A) to provide for the issuance of the first series of Bonds or Additional Bonds in accordance with Section 3.06 of this Bond Resolution;

(B) to add to the covenants and agreements of the Issuer in this Bond Resolution other covenants and agreements thereafter to be observed;

(C) to surrender any right, power or privilege reserved to or conferred upon the Issuer by this Bond Resolution;

(D) to cure, correct and remove any ambiguity or inconsistent provisions contained in this Bond Resolution;

(E) to confirm, as further assurance, any pledge under, and the subjection to a lien or pledge created or to be created by, this Bond Resolution, of the Tax Revenues or of any other moneys, securities or funds:

(F) to insert such provisions clarifying matters or questions arising under this Bond Resolution as are necessary or desirable and are not contrary to or inconsistent with this Bond Resolution;

(G) to revise the procedures pursuant to which moneys are drawn on a Surety Bond or other Credit Facility and moneys are reimbursed to the provider of such Surety Bond or other Credit Facility; and

(H) to make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Code or otherwise as may be necessary to assure exemption from federal income taxation of interest on the Bonds.

SECTION 8.02. Modification With Bondholder Approval. Unless otherwise specifically set forth in Section 8.01 hereof, any Supplemental Resolution which amends or modifies this Bond Resolution, at any time or from time to time may be adopted subject to the prior written consent of the Bond Insurer, if any, and consent by Bondowners in accordance with and subject to the provisions of Section 8.04 hereof, which Supplemental Resolution, certified by an Executive Officer and upon compliance with the provisions of Sections 8.03 and 8.04 hereof, shall become fully effective in accordance with its terms as provided hereinbelow.

SECTION 8.03. Powers of Amendment.

Except as otherwise expressly provided for in Section 8.01 hereof, any modification or amendment of this Bond Resolution or of the rights and obligations of the Issuer and of the owners of the Bonds hereunder, in any particular, may be made by a Supplemental Resolution, with, in the case of any Supplemental Resolution which amends or modifies this Bond Resolution, the prior written consent of the Bond Insurer, if any, and with the written consent of the owners of at least two-thirds of the aggregate Bonds Outstanding of all Series affected at the time such consent is given. No such modification or amendment shall permit a change in the terms of redemption or maturity of the principal of any Outstanding Bond or of any installment of interest thereon or a reduction in the principal amount or the Redemption Price thereof or in the rate of interest thereon without the consent of the owner of such Bond affected, or shall reduce the percentages or otherwise affect the classes of Bonds the consent of the owners of which is required to effect any such modification or amendment, or shall change or modify any of the rights or obligations of the Paying Agent/Registrar without its written assent thereto, without the consent of the owners of all of the Bonds then Outstanding.
SECTION 8.04. Consent of Bondholders. The Issuer may at any time adopt a Supplemental Resolution making a modification or amendment permitted by the provisions of Section 8.03, to take effect when and as provided in this Section 8.04. A copy of such Supplemental Resolution (or brief summary thereof or reference thereto) together with a request to Bondholders for their consent thereto shall promptly after adoption, be mailed by the Issuer to Bondholders (but failure to mail such copy and request shall not affect the validity of the Supplemental Resolution when consented to as in this Section provided). Such Supplemental Resolution shall not be effective unless and until there shall have been filed with the Issuer (i) written consent of the Bond Insurer, if any, and the written consent of owners of the percentages of Outstanding Bonds specified in Section 8.03 and (ii) a Bond Counsel's opinion stating that such Supplemental Resolution has been duly and lawfully adopted and filed by the Issuer in accordance with the provisions of this Bond Resolution, is authorized or permitted by this Bond Resolution, and is valid and binding upon the Issuer and enforceable in accordance with its terms. Any such consent shall be binding upon the owner of the Bonds giving such consent and upon any subsequent owner of such Bonds and of any Bonds issued in exchange therefor (whether or not such subsequent owner thereof has notice thereof), unless such consent is revoked in writing by the owner of such Bonds giving such consent or a subsequent owner thereof by filing with the Issuer. At any time after the owners of the required percentages of Bonds shall have filed their consents to the Supplemental Resolution, notice, stating in substance that the Supplemental Resolution (which may be referred to as a Supplemental Resolution adopted by the Issuer on a stated date), has been consented to by the owners of the required percentages of Bonds and will be effective as provided in this Section 8.04, shall be given to Bondholders by the Issuer by mailing such amendment or modification shall be deemed conclusively binding upon the Issuer, the Paying Agent/Registrar and the owners of all Bonds at the expiration of thirty (30) days after the mailing by the Issuer of such last mentioned notice, except in the event of a final decree of a court of competent jurisdiction setting aside such Supplemental Resolution in a legal action or equitable proceeding for such purpose commenced with such thirty (30) day period; provided, however, that the Issuer, and any Paying Agent/Registrar during such thirty (30) day period and any such further period during which any such action or proceeding may be pending shall be entitled in their reasonable discretion to take such action, or to refrain from taking such action, with respect to such Supplemental Resolution as they may deem expedient. The Bond Insurer, if any, shall be provided with a full transcript of all proceedings related to the adoption of the Supplemental Resolution.

Any provision for the mailing of a notice or other document to Bondholders shall be fully complied with if it is mailed postage prepaid only to each registered owner of Bonds then Outstanding at his address, if any, appearing upon the Register of the Paying Agent/Registrar.

Bonds authenticated and delivered after the effective date of any action taken as provided in Sections 8.03 and 8.04 may, and if the Paying Agent/Registrar so determines shall, bear a notation by endorsement or otherwise in form approved by the Issuer as to such action, and in that case upon demand of the owner of any Bond Outstanding at such effective date and upon presentation of his Bond for such purpose at the principal office of the Paying Agent/Registrar, suitable notation shall be made on such Bond by the Paying Agent/Registrar as to any such action. If the Issuer shall so determine, new Bonds so modified as in the opinion of the Issuer to conform to such action shall be prepared and delivered, and upon demand of the owner of any Bond then Outstanding shall be exchanged, without cost to such Bondholder, for Bonds of the maturity then Outstanding, upon surrender of such Bonds.

ARTICLE IX - EVENTS OF DEFAULT

SECTION 9.01. Events of Default.

Each of the following events is hereby declared an “Event of Default”:

(1) the failure to make the due and punctual payment of the principal or Redemption Price of any Bond when and as the same shall become due and payable, whether at maturity or upon call for redemption, or otherwise; or

(2) the failure to make the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or
(3) the failure of the Issuer to comply with the performance or observance of any other of the covenants, agreements or conditions on its part in this Resolution, any Supplemental Resolution or in the Bonds contained, and such failure shall continue for a period of forty-five days after written notice thereof to the Issuer by the Paying Agent/Registrar or by the owners of not less than 25% of the Bond Obligation; or

(4) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law;

then, upon the happening and continuance of any Event of Default the owners of the Bonds, or the Paying Agent/Registrar on their behalf, shall be entitled to exercise all rights and powers for which provision is made in the Act or in any provision of law.
ARTICLE X - CONCERNING FIDUCIARIES

SECTION 10.01. Paying Agent/Registrar; Appointment and Acceptance of Duties.

(A) The Issuer may appoint a Paying Agent/Registrar for the Bonds issued pursuant to this Bond Resolution and any Supplemental Resolution.

(B) Each Paying Agent/Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Bond Resolution and any Supplemental Resolution by executing and delivering to the Issuer a written acceptance thereof.

(C) The principal offices of the Paying Agent/Registrar for a particular Series of Bonds are designated as the respective offices or agencies of the Issuer for the payment of the interest on and principal or Redemption price of such Bonds.

(D) The Mayor-President and the Council Administrator/Treasurer of the Issuer are hereby empowered to execute on behalf of the Issuer appropriate contracts with the Paying Agent/Registrar as may be appointed from time to time by the Governing Authority.

SECTION 10.02. Responsibilities of Fiduciaries. The recitals of fact in this Bond Resolution and in the Bonds contained shall be taken as the statements of the Issuer and no Fiduciary assumes any responsibility for the correctness of the same. No Fiduciary makes any representations as to the validity or sufficiency of this Bond Resolution or of any Bonds or in respect of the security afforded by this Bond Resolution, and no Fiduciary shall incur any liability in respect thereof. No Fiduciary shall be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof or the application of any moneys paid to the Issuer or for any losses incurred upon the sale or redemption of any securities purchased for or held in any fund or account under this Bond Resolution. No Fiduciary shall be under any responsibility or duty with respect to the application of any moneys paid to any other Fiduciary. No Fiduciary shall be liable in connection with the performance of its duties under this Bond Resolution except for its own misconduct, negligence or default.

SECTION 10.03. Evidence on which Fiduciaries may Act.

(A) Each Fiduciary shall be protected in acting upon any notice, resolution, request, consent, order, certificate, report, opinion, bond, or other paper or document believed by it to be genuine, and to have been signed or presented by the proper party or parties. Each Fiduciary may consult with counsel, who may or may not be counsel to the Issuer, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by such Fiduciary under this Bond Resolution in good faith and in accordance therewith.

(B) Whenever any Fiduciary shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action under this Bond Resolution, such matter (unless other evidence in respect thereof be therein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of an Executive Officer, and such certificate shall be full warrant for any action taken or suffered in good faith under the provisions of this Bond Resolution upon the faith thereof; but in its discretion the Fiduciary may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as to it may deem reasonable.

(C) Except as otherwise expressly provided in this Bond Resolution, any request, order, notice or other direction required or permitted to be furnished pursuant to any provision thereof by the Issuer to any Fiduciary shall be sufficiently executed if executed in the name of the Issuer by an Authorized Officer.

SECTION 10.04. Certain Permitted Acts. Any Fiduciary may become the owner of any Bonds or any other obligations of the Issuer with the same rights it would have if it were not a Fiduciary. To the extent permitted by law, any Fiduciary may act as depositary for, and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of Bondowners or the owners of any other obligations of the Issuer or to effect or aid in the enforcement of the Bonds or any other obligations of the Issuer or this Bond Resolution.
SECTION 10.05. **Resignation or Removal of Paying Agent/Registrar and Appointment of Successor Paying Agent/Registrar.**

(A) Any Paying Agent/Registrar may at any time resign and be discharged of the duties and obligations created by this Bond Resolution by giving at least sixty days' written notice to the Issuer. Any Paying Agent/Registrar may be removed at any time by an instrument filed with such Paying Agent/Registrar and signed by the Issuer. Any successor Paying Agent/Registrar shall be appointed by the Issuer and shall be a bank or trust company organized under the laws of any state of the United States or a national banking association, having a capital and surplus aggregating at least $50,000,000, and willing and able to accept the office on reasonable and customary terms and authorized by law to perform all the duties imposed upon it by this Bond Resolution.

(B) In the event of the resignation or removal of any Paying Agent/Registrar, such Paying Agent/Registrar shall pay over, assign and deliver any moneys held by it as Paying Agent/Registrar to its successor, or if there be no successor, to the Fiscal Agent. In the event that for any reason there shall be a vacancy in the office of any Paying Agent/Registrar, the Fiscal Agent shall act as such Paying Agent/Registrar.

**ARTICLE XI - DEFEASANCE**

SECTION 11.01. **Deeference.**

(A) If the Issuer shall pay or cause to be paid to the owners of all Bonds of a Series then Outstanding, the principal or Redemption Price, if any, and interest to become due thereon, at the times and in the manner stipulated therein and in this Resolution, then the covenants, agreements and other obligations of the Issuer to the Bondowners of such Series shall be discharged or satisfied. In such event, the Paying Agent/Registrar 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/Registrar shall pay over or deliver to the Issuer all moneys, securities and funds held by them pursuant to this Bond Resolution which are not required for the payment or redemption of Bonds not theretofore surrendered for such payment or redemption.

(B) Bonds or interest installments for the payment or redemption of which moneys 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 a maturity or redemption date thereof shall be deemed to have been paid within the meaning and with the effect expressed in paragraph (A) of this Section. Any Bond shall, prior to maturity or redemption date thereof, be deemed to have been paid within the meaning and with the effect expressed in paragraph (A) of this Section if (i) in case such Bond is to be redeemed on any date prior to its maturity, the Issuer shall have given to the Paying Agent/Registrar in form satisfactory to it irrevocable instructions to give, as provided in Section 4.05 of this Bond Resolution, notice of redemption on said date of such Bond, and (ii) there shall have been deposited in trust either moneys or Government Obligations in the amounts and having such terms as are necessary to provide moneys (whether as principal or interest) in an amount sufficient to pay when due the principal or applicable Redemption Price thereof, together with all accrued interest. Neither Government Obligations, obligations secured thereby, or moneys deposited with the Paying Agent/Registrar pursuant to this Section nor principal or interest payments on any such securities shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal or Redemption Price, if applicable, and interest on said Bonds; provided that any cash received from such principal or interest payments on such direct obligations of the United States of America deposited with the Paying Agent/Registrar shall, to the extent practicable, be reinvested in direct obligations of the United States of America maturing at the times and in the amounts sufficient to pay when due the principal or Redemption Price, if applicable, and interest to become due on said Bonds on and prior to such redemption date or maturity date thereof, as the case may be.
ARTICLE XII - MISCELLANEOUS

SECTION 12.01. **Purpose of Covenants in Bond Resolution.** Every covenant, undertaking and agreement made on behalf of the Issuer, as set forth in this Bond Resolution is made, undertaken and agreed to, for the proper securing of the payment of the principal of and interest on the Bonds. Each shall be deemed to partake of the obligation of the contract between the Issuer and the Bondholders and shall be enforceable accordingly.

SECTION 12.02. **Effect of Remedies Granted by Resolution not Being Available to Owners of Other Bonds.** If it shall be held by any court of competent jurisdiction that any right or remedy granted by this Bond Resolution to the owners of any Bond is not available to the owners of all other Bonds, then such rights and remedies are herewith conferred upon the owners of such other Bonds.

SECTION 12.03. **Effect of Invalidity of Provisions of Bond Resolution.** If any section, paragraph, clause or provision of this Bond Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Bond Resolution.

SECTION 12.04. **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 Resolution against any elected official or officer of the Issuer or any person executing the Bonds.

SECTION 12.05. **Publication of Bond Resolution.** A copy of this Bond Resolution shall be published immediately after its adoption in one issue of *The Advocate*, the official journal of the Issuer, as soon as possible after its adoption. For a period of thirty (30) days from the date of the publication of this Bond Resolution, any person in interest may contest the legality of the Bonds or of the pledge and dedication of revenues for payment thereof or the provisions of the Bond Resolution providing for the security and payment of such Bonds, or for any cause, after which time no one shall have any cause or right of action to contest the legality, formalities or regularity of the proceedings, the Bonds or this Bond Resolution for any cause whatsoever. If the question of the validity of any proceedings, the Bonds or this Bond Resolution is not raised within such thirty (30) days, the authority to issue the Bonds, the legality thereof, the validity of the revenues pledged and dedicated to provide for the payment of principal, premium, if any, and interest on the Bonds and the enforceability of the pledge thereof shall be conclusively presumed and no court may inquire into such matters.

SECTION 12.06. **Repealing Clause.** All ordinances and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 12.07. **Filing of Bond Resolution.** A certified copy of this Bond Resolution shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of East Baton Rouge, State of Louisiana.

SECTION 12.08 **Governing Law.** This Bond Resolution shall be governed by the laws of the State of Louisiana.

SECTION 12.09. **Introduction of Bond Resolution.** This Bond Resolution, having been duly introduced at a duly convened meeting on August 14, 2019, and notice of introduction having been published in the official journal at least seven (7) days prior to the date of adoption hereof and having been duly adopted by this Governing Authority on August 28, 2019, shall take effect immediately.
YEAS: Trae Welch, Chauna Banks, Scott Wilson, Erika L. Green, Donna Collins-Lewis, LaMont Cole, Denise Amoroso, Dwight Hudson, Chandler Loupe, Matt Watson, Barbara Freiburg

NAYS: None.

ABSTAIN: None.

ABSENT: Tara Wicker

Done, approved and adopted on this the 28th day of August, 2019.

/s/ Ashley Beck  /s/ Sharon Weston Broome
Council Administrator  Mayor - President
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, ASHLEY BECK, certify that I am the duly qualified and acting Council Administrator of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, the governing authority of the Parish of East Baton Rouge Capital Improvements District.

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of said Metropolitan Council held August 28, 2019, and of a General Sales Tax Bond Resolution authorizing and providing for the issuance from time to time of MovEBR Sales Tax Revenue Bonds, in one or more series, of the Parish of East Baton Rouge Capital Improvements District, payable from the proceeds of the one-half of one percent (½%) sales and use tax authorized at an election held on December 8, 2018; prescribing the form, fixing the details and providing for the payment of principal of and interest on such Bonds and for the rights of the registered owners thereof; and providing for other matters related thereto.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish of East Baton Rouge, Louisiana, on this, the 28th day of August, 2019.

Ashley Beck, Council Administrator
(SEAL)

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Green and seconded by Mr. Hudson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54431

RESCINDING AND DIRECTING THE CLERK OF COURT TO CANCEL THE DECISION AND ORDER RECORDED ON MAY 24, 2019 AT ORIGINAL 513 OF BUNDLE 12959 IN THE MATTER OF "CITY OF BATON ROUGE VS. LEONARD ALVIN ROBINSON AND LEONARD ALVIN ROBINSON" - CONDEMNATION PROCEEDING NO. 10041 (1684 NORTH 40TH STREET, LOT 74, PARK ADDITION SUBDIVISION (PARCEL ID NO. 406422)).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Decision and Order in the matter of “City of Baton Rouge vs. Leonard Alvin Robinson and Leonard Alvin Robinson” – Condemnation Proceeding No. 10041 (1684 North 40th Street, Lot 74, Park Addition Subdivision (Parcel ID No. 406422)) is hereby rescinded in its entirety.

Section 2. The Clerk of Court of Baton Rouge is directed to cancel the Decision and Order recorded on May 24, 2019 at Original 513 of Bundle 12959 in its official records.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Cole and seconded by Ms. Collins-Lewis to adopt the proposed resolution. A “Yea” and “Nay” vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54432


BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Decision and Order in the matter of “City of Baton Rouge vs. Leonard Michael Jones” – Abatement Proceeding No. AB 07-2014-06-11 (3534 Lanier Drive, Lot 246, Kildare Subdivision) is hereby rescinded in its entirety.

Section 2. The Clerk of Court of Baton Rouge is directed to cancel the Decision and Order recorded on June 13, 2014 at Original 809 of Bundle 12584 in its official records.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Green and seconded by Mr. Watson to adopt the proposed resolution. A “Yea” and “Nay” vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54433

AUTHORIZING SETTLEMENT OF THE CLAIM OF KRISTOPHER STAGG FOR DAMAGES RESULTING FROM AN AUTO ACCIDENT WITH A DEPARTMENT OF PUBLIC WORKS (DPW) CODE ENFORCEMENT OFFICER, IN THE AMOUNT OF $24,436.12, WHICH AMOUNT SHALL BE PAID FROM THE ACCOUNT DESIGNATED "INSURANCE - AUTO LIABILITY" (1000.4700.10.0550.0000.000000.644120). *THIS MATTER MAY BE DISCUSSED IN EXECUTIVE SESSION.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Parish Attorney is hereby authorized to settle the claim of Kristopher Stagg for damages resulting from an auto accident with a Department of Public Works (DPW) Code Enforcement Officer, in the amount of $24,436.12.

Section 2. Said settlement in the total amount herein authorized shall be paid from the account designated "Insurance – Auto Liability" (1000.4700.10.0550.0000.000000.644120).

Section 3. Notice was given on the agenda that this matter may be discussed in Executive Session.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Recusing: Loupe

Absent: Wicker

With 10 yeas, 0 nays, 0 abstains, 0 not voting, 1 recusing, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54434

AUTHORIZING SETTLEMENT OF THE CLAIM OF STATE FARM INSURANCE COMPANY AS SUBROGEE OF PATRICIA HO FOR DAMAGES RESULTING FROM AN AUTO ACCIDENT WITH A DEPARTMENT OF PUBLIC WORKS (DPW) TRAFFIC ENGINEERING EMPLOYEE, IN THE AMOUNT OF $11,524.86, WHICH AMOUNT SHALL BE PAID FROM THE ACCOUNT DESIGNATED “INSURANCE - AUTO LIABILITY” (1000.4700.10.0550.0000.0000.000000.644120). “THIS MATTER MAY BE DISCUSSED IN EXECUTIVE SESSION.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Parish Attorney is hereby authorized to settle the claim of State Farm Insurance Company as Subrogee of Patricia Ho for damages resulting from an auto accident with a Department of Public Works (DPW) Traffic Engineering employee, in the amount of $11,524.86.

Section 2. Said settlement in the total amount herein authorized shall be paid from the account designated “Insurance – Auto Liability” (1000.4700.10.0550.0000.0000.000000.644120).

Section 3. Notice was given on the agenda that this matter may be discussed in Executive Session.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Hudson and seconded by Mr. Watson to adopt the proposed resolution. A “Yea” and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54435

AUTHORIZING SETTLEMENT OF THE CLAIM OF PATRICIA FOX FOR DAMAGES RESULTING FROM A SEWER BACK-UP IN THE CLAIMANT’S HOUSE, FOR A TOTAL AMOUNT OF $18,441.15, WHICH AMOUNT SHALL BE PAID FROM THE ACCOUNT DESIGNATED “INSURANCE – GENERAL LIABILITY” (1000.4700.10.0550.0000.000000.644110). *THIS MATTER MAY BE DISCUSSED IN EXECUTIVE SESSION.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Parish Attorney is hereby authorized to settle the claim of Patricia Fox for property damage resulting from a sewer back-up in the claimant’s house, on June 6, 2019, for a total amount of $18,441.15.

Section 2. Said settlement in the total amount herein authorized shall be paid from the account designated “Insurance – General Liability” (1000.4700.10.0550.0000.000000.644110).

Section 3. Notice was given on the agenda that this matter may be discussed in Executive Session.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Freiberg and seconded by Mr. Hudson to adopt the proposed resolution. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54436

GRANTING SPECIAL PERMISSION AS REQUIRED UNDER SECTION 8:400 OF THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE TO SUN COAST RESOURCES LOCATED AT 9250 WILBUR ROAD, BATON ROUGE, LA 70807 FOR THE CONSTRUCTION OR INSTALLATION AND MAINTENANCE OF AN ELECTRIC FENCE.

WHEREAS, a request has been received for permission to construct, install, or maintain an electric fence around property located at 9250 Wilbur Road, Baton Rouge, LA 70807; and

WHEREAS, Title 8, Chapter 4, Section 400 of the Code or Ordinances of the City of East Baton Rouge and Parish of East Baton Rouge permits the erection of electric fences around undeveloped areas by granting special permission of the Council when they may be necessary for the proper use or protection of property and do not create a hazard to the public; and

WHEREAS, this Council desires to grant the request pursuant to said Code provisions;

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. Pursuant to the provisions of Title 8, Chapter 4, Section 400 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, this Council hereby authorizes Sun Coast Resources to construct, install, and maintain an electric fence around the property located at 9250 Wilbur Road, Baton Rouge, LA 70807 and finds that the fence is needed for the protection of property or for reasons of safety.

Section 2. The Building Official is hereby authorized to issue an appropriate permit for construction, installation, and maintenance of said fence pursuant to the provisions of Section 1 hereof, provided all other requirements for obtaining same have been complied with.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Banks and seconded by Ms. Green to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54437

AUTHORIZING THE MAYOR-PRESIDENT TO ACCEPT A GRANT AWARD IN THE AMOUNT OF $59,719.41 UNDER THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG), FY2019 PROGRAM FOR EAST BATON ROUGE PARISH. EMPG IS A 100% FEDERALLY FUNDED GRANT PROGRAM THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to accept a grant award in the amount of $59,719.41 under the Emergency Management Performance Grant (EMPG), FY2019 Program for East Baton Rouge Parish. EMPG is a 100% federally funded grant program through the Federal Emergency Management Agency (FEMA).

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution. A motion was made by Mr. Wilson and seconded by Mr. Loupe to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

PROPOSED RESOLUTION

AUTHORIZE THE MAYOR-PRESIDENT TO EXECUTE A PROJECT PARTNERSHIP AGREEMENT BETWEEN THE DEPARTMENT OF ARMY, CITY OF CENTRAL, AND CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE, FOR THE AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED (FLOOD RISK MANAGEMENT PROJECT) AT A COST NOT TO EXCEED $65,593,304.80 (ACCOUNT NO. 9307100012-4620-000000000000-653240).

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Wilson and seconded by Ms. Freiberg to delete the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54438

AUTHORIZE THE MAYOR-PRESIDENT TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MICHAEL J. DEFELICE, FOR APPRAISAL SERVICES ASSOCIATED WITH GREEN LIGHT PROJECT PECUE LANE/I-10 INTERCHANGE, BEING CITY-PARISH PROJECT NO. 09-CS-US-0041, RFQ NO. 09-ES-US-021, STATE PROJECT (DOTD) NO. H.004104, FEDERAL AID NO. IM-1709(507), NOT TO EXCEED $8,050.00.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute Supplemental Agreement No. 1 to the contract with Michael J. DeFelice, for appraisal services associated with Green Light Project Pecue Lane/I-10 Interchange, being City-Parish Project No. 09-CS-US-0041, RFQ No. 09-ES-US-021, State Project (DOTD) No. H.004104, Federal Aid No. IM-1709(507), not to exceed $8,050.00.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

Section 3. Payment of all accounts due under the said contract shall be made by the Director of Finance out of any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Freiberg and seconded by Mr. Loupe to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54439

AUTHORIZE THE MAYOR-PRESIDENT TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH ROBERTO J AGUILAR, FOR APPRAISAL SERVICES ASSOCIATED WITH GREEN LIGHT PROJECT PECUE LANE/I-10 INTERCHANGE, BEING CITY-PARISH PROJECT NO. 09-CS-US-0041, RFQ NO. 09-ES-US-021, STATE PROJECT (DOTD) NO. H.004104, FEDERAL AID NO. IM-1709(507), NOT TO EXCEED $17,000.00.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute Supplemental Agreement No. 1 to the contract with Roberto J Aguilar, for appraisal services associated with Green Light Project Pecue Lane/I-10 Interchange, being City-Parish Project No. 09-CS-US-0041, RFQ No. 09-ES-US-021, State Project (DOTD) No. H.004104, Federal Aid No. IM-1709(507), not to exceed $17,000.00.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

Section 3. Payment of all accounts due under the said contract shall be made by the Director of Finance out of any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Hudson and seconded by Mr. Watson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

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The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54440

AUTHORIZE THE MAYOR-PRESIDENT TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH THE LAKVOLD GROUP, LLC., FOR APPRAISAL SERVICES ASSOCIATED WITH GREEN LIGHT PROJECT PECUE LANE/I-10 INTERCHANGE, BEING CITY-PARISH PROJECT NO. 09-CS-US-0041, RFQ NO. 09-ES-US-021, STATE PROJECT (DOTD) NO. H.004104, FEDERAL AID NO. IM-1709(507), NOT TO EXCEED $17,000.00.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute Supplemental Agreement No. 1 to the contract with The Lakvold Group, LLC., for appraisal services associated with Green Light Project Pecue Lane/I-10 Interchange, being City-Parish Project No. 09-CS-US-0041, RFQ No. 09-ES-US-021, State Project (DOTD) No. H.004104, Federal Aid No. IM-1709(507), not to exceed $17,000.00.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

Section 3. Payment of all accounts due under the said contract shall be made by the Director of Finance out of any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Loupe and seconded by Ms. Collins-Lewis to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54441

AUTHORIZE THE MAYOR-PRESIDENT TO EXECUTE AN AGREEMENT TO CONTRACT WITH ENTERGY LOUISIANA, LLC FOR UTILITY RELOCATIONS ASSOCIATED WITH MOVEBR PECUE LANE/I-10 INTERCHANGE, BEING CITY-PARISH PROJECT NO. 09-CS-US-0041, STATE PROJECT (DOTD) NO. H.003047, FEDERAL AID NO. H003047 IN AN AMOUNT NOT TO EXCEED $1,924,532 BASED ON THE CLASS 5 COST ESTIMATE WITH -50%, +100% ACCURACY. (ACCOUNT NO. 9217100032-4650-*-*-*653580).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute an agreement to contract with Entergy Louisiana, LLC for Utility Relocations associated with MovEBR Pecue Lane/I-10 Interchange, being City-Parish Project No. 09-CS-US-0041, State Project (DOTD) No. H.003047, Federal Aid No. H003047 in an amount not to exceed $1,924,532 based on the Class 5 Cost Estimate with -50%, +100% accuracy. (Account No. 9217100032-4650-*-*-*653580).

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Loupe and seconded by Mr. Hudson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54442

EBROSCO RESOLUTION 8419

AUTHORIZE THE MAYOR-PRESIDENT AND/OR EBROSCO TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES WITH TRUEPOINT SOLUTIONS, LLC IN CONNECTION WITH AN UPGRADE OF THE COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM, HANSEN, FOR AN AMOUNT NOT TO EXCEED $48,520.00 (ACCOUNT NO. 5100-7700-40-7710-7750-7711-000000-647300).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by the Board of Commissioners of the East Baton Rouge Sewerage Commission (EBROSCO), acting as the Authority for EBROSCO, that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge and Parish of East Baton Rouge, and/or the East Baton Rouge Sewerage Commission, represented by President of said Commission, are hereby authorized to execute a contract for professional services with TruePoint Solutions, LLC in connection with an upgrade of the computerized maintenance management system, Hansen, for an amount not to exceed $48,520.00 (Account No. 5100-7700-40-7710-7750-7711-000000-647300).

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Freiberg and seconded by Mr. Wilson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

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The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54443
AIRPORT AUTHORITY RESOLUTION 08-28-19-01


BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute a Non-Federal Limited Design and Implementation Reimbursable Agreement #AJW-FN-CSA-19-SW-003049 between the Department of Transportation Federal Aviation Administration and the City of Baton Rouge and Parish of East Baton Rouge on behalf of the Greater Baton Rouge Airport District in the amount of $99,014.45 for an Impact Assessment for the Relocation/Replacement of the (1) Localizer (LOC), (2) Approach Lights, (MALS), (3) Glideslope (GS) and (4) Threshold Lights and all associated cables/equipment on Runway 31. (Account # 5821-0900-30-0910-0918-0000-000000-653000-A0096 E 9800000096-5821000000-0000000000-653100).

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Loupe and seconded by Ms. Banks to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54444

AIRPORT AUTHORITY RESOLUTION 08-28-19-02

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE WORK AUTHORIZATION NO. 4 TO THE CONTRACT WITH AIRPORT MANAGEMENT GROUP, LLC (AMG) FOR PROGRAM MANAGEMENT SERVICES AT THE BATON ROUGE METROPOLITAN AIRPORT FOR THE PERIOD OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020 IN AMOUNT NOT TO EXCEED $2,105,501.28. (CONTINGENT ON ADEQUATE FUNDING).

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute Work Authorization No. 4 to the contract with Airport Management Group, LLC (AMG) for Program Management Services at the Baton Rouge Metropolitan Airport for the period October 1, 2019 through September 30, 2020 in amount not to exceed $2,105,501.28. (Contingent on adequate funding).

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Welch and seconded by Ms. Collins-Lewis to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

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The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54445

AIRPORT AUTHORITY RESOLUTION 08-28-19-03

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE A LEASE AGREEMENT WITH CALVIN MCMORRIS D/B/A/ MAC’S SHOE SHINE FOR A PERIOD OF ONE (1) YEAR, WITH TWO (2), ONE (1) YEAR OPTIONS TO RENEW AT A RENTAL RATE OF $100.00 PER MONTH.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute a Lease Agreement with Calvin McMorris d/b/a/ Mac’s Shoe Shine for a period of One (1) year, with Two (2), One (1) year options to renew at a rental rate of $100.00 per month.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Welch to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54446
AIRPORT AUTHORITY RESOLUTION 08-28-19-04

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE AMENDMENT NO. 1 TO THE FUEL FARM LEASE AGREEMENT WITH ROSS BATON ROUGE, LLC D/B/A SIGNATURE FLIGHT SUPPORT CORPORATION TO EXTEND THE PRIMARY TERM OF THE LEASE AGREEMENT FOR A PERIOD OF ONE (1) YEAR, WITH A ONE (1) YEAR OPTION TO RENEW.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute Amendment No. 1 to the Fuel Farm Lease Agreement with Ross Baton Rouge, LLC d/b/a Signature Flight Support Corporation to extend the primary term of the lease agreement for a period of one (1) year, with a one (1) year option to renew.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Welch to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54447

AIRPORT AUTHORITY RESOLUTION 08-28-19-05

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE AN AGREEMENT WITH THE DEPARTMENT OF HOMELAND SECURITY/ TRANSPORTATION SECURITY ADMINISTRATION (TSA) TO REIMBURSE THE AIRPORT THE COST OF UTILITIES AND JANITORIAL SERVICES USED IN THE BAGGAGE AND PASSENGER SCREENING AREAS AT THE AIRPORT.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute an Agreement with the Department of Homeland Security/ Transportation Security Administration (TSA) to reimburse the Airport the cost of utilities and janitorial services used in the baggage and passenger screening areas at the Airport.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Hudson and seconded by Mr. Wilson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Wicker

With 11 yeas, 0 nays, 0 abstains, 0 not voting, and 1 absent, the motion was adopted.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54448

AIRPORT AUTHORITY RESOLUTION 08-28-19-06

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE A LEASE AGREEMENT WITH HELIX COMMUNITY SCHOOLS TO LEASE THE AIRPORT MULTIPLEX FACILITY TO OPERATE HELIX COMMUNITY SCHOOLS, HELIX AVIATION ACADEMY AND ANY OTHER SCHOOL RELATED ACTIVITIES FOR A PRIMARY TERM OF FIVE (5) YEARS, WITH SEVEN (7), FIVE (5) YEAR MUTUAL OPTIONS TO RENEW AT A RENTAL RATE OF $201,600.00 PER YEAR.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by said Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge, Parish of East Baton Rouge and/or the Greater Baton Rouge Airport District, or the Chairman of the Board of Commissioners of said District, is hereby authorized to execute a lease agreement with Helix Community Schools to lease the Airport Multiplex Facility to operate Helix Community Schools, Helix Aviation Academy and any other school related activities for a primary term of five (5) years, with seven (7), five (5) year mutual options to renew at a rental rate of $201,600.00 per year.

Section 2. Said agreement shall be approved by the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The following proposed resolution was introduced by Mr. Wilson and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54449

AUTHORIZING THE MAYOR-PRESIDENT TO EXECUTE A CONTRACT WITH GERMAINE & CO., INC. D/B/A GERMANE SOLUTIONS IN THE AMOUNT OF $60,483.00 FOR THE CONTRACT PERIOD MARCH 1, 2019 TO FEBRUARY 29, 2020 FOR THE PROVISION OF ONGOING TECHNICAL ASSISTANCE FOR THE RYAN WHITE PROGRAM AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute a contract with Germaine & Co., Inc. D/B/A Germaine Solutions in the amount of $60,483.00 for the contract period March 1, 2019 to February 29, 2020 for the provision of ongoing technical assistance for the Ryan White Program and authorizing the execution of all documents in connection therewith.

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Amoroso and seconded by Mr. Hudson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed resolution was introduced by Mr. Wilson and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54450

AUTHORIZING THE MAYOR-PRESIDENT TO EXECUTE A CONTRACT WITH THOMAS J. HICKEY IN THE AMOUNT OF $31,900 FOR THE CONTRACT PERIOD MARCH 1, 2019 TO FEBRUARY 29, 2020 TO MONITOR SUBRECIPIENTS, AND CONDUCT QUALITY MANAGEMENT TRAINING AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President is hereby authorized to execute a contract with Thomas J. Hickey in the amount of $31,900 for the contract period March 1, 2019 to February 29, 2020 to monitor subrecipients, and conduct quality management training and authorizing the execution of all documents in connection therewith.

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Freiberg and seconded by Mr. Wilson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed resolution was introduced by Mr. Wilson and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54451

AUTHORIZING THE MAYOR-PRESIDENT, ON BEHALF OF THE BATON ROUGE POLICE DEPARTMENT, TO ENTER INTO A CONTRACTUAL AGREEMENT WITH ENVISAGE RESEARCH AND ANALYTICS LLC IN THE AMOUNT OF $53,358.00 UNDER THE AWARDED GRANT, "FY2018 BUREAU OF JUSTICE ASSISTANCE (BJA) STOP SCHOOL VIOLENCE THREAT ASSESSMENT AND TECHNOLOGY REPORTING PROGRAM." THE PURPOSE OF THE GRANT IS TO PROVIDE A SECURE AND ANONYMOUS MECHANISM FOR STUDENTS, TEACHERS, PARENTS, AND THE COMMUNITY MEMBERS AT LARGE TO REPORT VIOLENT INCIDENTS AS WELL AS BEHAVIORS AND ACTIVITIES THAT COULD LEAD TO SCHOOL VIOLENCE. THE PROGRAM WILL BE INTEGRATED INTO THE BATON ROUGE POLICE REAL TIME CRIME CENTER. ENVISAGE RESEARCH AND ANALYTICS LLC WILL SERVE AS A RESEARCH PARTNER AND EVALUATOR OF THE PROGRAM.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President, on behalf of the Baton Rouge Police Department, is hereby authorized to enter into a contractual agreement with Envisage Research and Analytics LLC in the amount of $53,358.00 under the awarded grant, "FY2018 Bureau of Justice Assistance (BJA) STOP School Violence Threat Assessment and Technology Reporting Program." The purpose of the grant is to provide a secure and anonymous mechanism for students, teachers, parents, and the community members at large to report violent incidents as well as behaviors and activities that could lead to school violence. The program will be integrated into the Baton Rouge Police Real Time Crime Center. Envisage Research and Analytics LLC will serve as a research partner and evaluator of the program.

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Cole and seconded by Mr. Welch to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The following proposed resolution was introduced by Mr. Wilson and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54452

AUTHORIZING THE MAYOR-PRESIDENT, ON BEHALF OF THE BATON ROUGE POLICE DEPARTMENT, TO ACCEPT A GRANT FROM THE BYRNE JUSTICE ASSISTANCE GRANT (JAG) 2019 IN THE AMOUNT OF $92,616.50 TO ALLOW THE BATON ROUGE POLICE DEPARTMENT TO PURCHASE LAW ENFORCEMENT EQUIPMENT. THE EAST BATON ROUGE SHERIFF'S OFFICE IS THE GRANTEE AND THE BATON ROUGE POLICE DEPARTMENT IS THE SUB-GRANTEE. THE BYRNE JUSTICE ASSISTANCE GRANT IS A CONTINUATION GRANT WITH NO MATCHING FUNDS.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President, on behalf of the Baton Rouge Police Department, is hereby authorized to accept a grant from the Byrne Justice Assistance Grant (JAG) 2019 in the amount of $92,616.50 to allow the Baton Rouge Police Department to purchase law enforcement equipment. The East Baton Rouge Sheriff's office is the grantee and the Baton Rouge Police Department is the sub-grantee. The Byrne Justice Assistance Grant is a continuation grant with no matching funds.

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Freiberg and seconded by Mr. Hudson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The following proposed resolution was introduced by Mr. Wilson and read in full at the meeting of the Metropolitan Council on August 14, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54453

AUTHORIZING THE MAYOR-PRESIDENT, ON BEHALF OF THE BATON ROUGE POLICE DEPARTMENT, TO ACCEPT A GRANT FROM THE LOUISIANA HIGHWAY SAFETY COMMISSION (LHSC) IN THE AMOUNT OF $777,000.00 SET TO BEGIN OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020. THE GRANT PROGRAM ALLOWS THE BATON ROUGE POLICE DEPARTMENT TO PARTICIPATE IN OVERTIME ENFORCEMENT OF SPEEDING, DWI, SEATBELT, AND UNDERAGE DRINKING. THIS IS A CONTINUATION Grant WITH NO MATCHING FUNDS.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. The Mayor-President, on behalf of the Baton Rouge Police Department, is hereby authorized to accept a grant from the Louisiana Highway Safety Commission (LHSC) in the amount of $777,000.00 set to begin October 1, 2019 through September 30, 2020. The grant program allows the Baton Rouge Police Department to participate in overtime enforcement of speeding, DWI, seatbelt, and underage drinking. This is a continuation grant with no matching funds.

Section 2. Said agreement shall be approved by the Grants and Contract Review Committee and the Office of the Parish Attorney as to form and legality.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Watson and seconded by Mr. Welch to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
ADJUDICATED PROPERTIES

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17145

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 33+, VILLA ASHLEY DRIVE, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO CHRISTOPHER ROBINS HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $26,000.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $1,450.00.

WHEREAS, the property described as Lot 33+, Villa Ashley Drive, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Christopher Robins to purchase said property for the consideration of $26,000.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Christopher Robins for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 33+, Villa Ashley Drive, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Christopher Robins, or his/her agent or assign for and in consideration of $26,000.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.
Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47:2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President's authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.
A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17146

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 89, BELFORT SUBDIVISION, MADISON AVENUE, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO LYDDA HUDSON GIVENS HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $17,000.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $500.00.

WHEREAS, the property described as Lot 89, Belfort Subdivision, Madison Avenue, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Lydda Hudson Givens to purchase said property for the consideration of $17,000.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Lydda Hudson Givens for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 89, Belfort Subdivision, Madison Avenue, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.
Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Lydda Hudson Givens, or his/her agent or assign for and in consideration of $17,000.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President's authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.
Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17147

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 12, JJ BURKE ESTATE, HART ALLEY, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $905.00.

WHEREAS, the property described as Lot 12, JJ Burke Estate, Hart Alley, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and
WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 12, JJ Burke Estate, Hart Alley, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney's office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.
Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney’s Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17148

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 1, SQUARE 1, HART SUBDIVISION, SOUTH BLVD., PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $905.00.

WHEREAS, the property described as Lot 1, Square 1, Hart Subdivision, South Blvd., has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and
WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 1, Square 1, Hart Subdivision, South Blvd., East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney's office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.
Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser’s rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney’s Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A “Yea” and “Nay” vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17149

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 2, SQUARE 1, HART SUBDIVISION, SOUTH BLVD., PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $3,244.00.

WHEREAS, the property described as Lot 2, Square 1, Hart Subdivision, South Blvd., has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and
WHEREAS, a request has been received by the Parish Attorney's Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 2, Square 1, Hart Subdivision, South Blvd., East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney's office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;
Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea“ and "Nay“ vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17150

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 3, SQUARE 1, HART SUBDIVISION, SOUTH BLVD., PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $905.00.

WHEREAS, the property described as Lot 3, Square 1, Hart Subdivision, South Blvd., has been adjudicated to the Parish for unpaid property taxes; and
WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator’s Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 3, Square 1, Hart Subdivision, South Blvd., East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.
Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser’s rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yea's, 0 nay's, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17151

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 5, SQUARE 1, HART SUBDIVISION, SOUTH 12TH STREET, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $855.00.

WHEREAS, the property described as Lot 5, Square 1, Hart Subdivision, South 12th Street, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney's Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 5, Square 1, Hart Subdivision, South 12th Street, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney's office has certified that all proper notices have been given and that all legal delays have elapsed.
Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President's authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.
A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17152

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 10-A, SQUARE 273, SWART SUBDIVISION, JULIA STREET, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO CLA INVESTMENTS HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $9,500.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $855.00.

WHEREAS, the property described as Lot 10-A, Square 273, Swart Subdivision, Julia Street, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from CLA Investments to purchase said property for the consideration of $9,500.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to CLA Investments for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 10-A, Square 273, Swart Subdivision, Julia Street, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.
Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to CLA Investments, or his/her agent or assign for and in consideration of $9,500.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President's authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.
Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17153

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 12, SQUARE 274, SWART SUBDIVISION, EDDIE ROBINSON DRIVE, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $3,000.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $3,205.50.

WHEREAS, the property described as Lot 12, Square 274, Swart Subdivision, Eddie Robinson Drive, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney's Office from Bright Beginnings Community Development to purchase said property for the consideration of $3,000.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and
WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 12, Square 274, Swart Subdivision, Eddie Robinson Drive, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/ her agent or assign for and in consideration of $3,000.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.
Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser’s rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney’s Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A “Yea” and “Nay” vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17154

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 11PT., SQUARE 274, SWART SUBDIVISION, EDDIE ROBINSON DRIVE, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $850.00.

WHEREAS, the property described as Lot 11pt., Square 274, Swart Subdivision, Eddie Robinson Drive, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and
WHEREAS, a request has been received by the Parish Attorney’s Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator's Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 11pt., Square 274, Swart Subdivision, Eddie Robinson Drive, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney's office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;
Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17155

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 3PT. SQUARE 276, SWART SUBDIVISION, JULIA STREET, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO BRIGHT BEGINNINGS COMMUNITY DEVELOPMENT HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $100.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $905.00.

WHEREAS, the property described as Lot 3pt., Square 276, Swart Subdivision, Julia Street, has been adjudicated to the Parish for unpaid property taxes; and
WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Bright Beginnings Community Development to purchase said property for the consideration of $100.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator’s Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Bright Beginnings Community Development for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 3pt., Square 276, Swart Subdivision, Julia Street, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor-President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Bright Beginnings Community Development, or his/her agent or assign for and in consideration of $100.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.

Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.
Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser’s rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yeas" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on July 24, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17156

AUTHORIZING THE METROPOLITAN COUNCIL TO DECLARE LOT 4-B, HECTOR YOUNG TRACT, Heck YOUNG ROAD, PREVIOUSLY ADJUDICATED TO EAST BATON ROUGE PARISH, LOUISIANA SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOT TO ANTOWN WOODALL HIS/HER AGENT OR ASSIGN FOR THE CONSIDERATION OF $60,000.00 CASH, OR TO THE HIGHEST OFFEROR WHO SUBMITS HIS/HER OFFER ALONG WITH A CERTIFIED CHECK OR MONEY ORDER IN THE AMOUNT OF $500.00.

WHEREAS, the property described as Lot 4-B, Hector Young Tract, Heck Young Road, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Department of Public Works for the City of Baton Rouge and Parish of East Baton Rouge has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, the Parish Attorney’s Office has recommended that the property be sold in accordance with the provisions of Louisiana Revised Statutes 47:2196 et seq.; and

WHEREAS, a request has been received by the Parish Attorney’s Office from Antowin Woodall to purchase said property for the consideration of $60,000.00 cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Council Administrator’s Office; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to Antowin Woodall for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Lot 4-B, Hector Young Tract, Heck Young Road, East Baton Rouge Parish, Louisiana, is hereby declared to be surplus and no longer needed for a public purpose.

Section 2. After the final adoption of this ordinance, the Mayor - President is authorized to execute an act of cash sale in which the Parish of East Baton Rouge conveys the above described property to Antowin Woodall, or his/her agent or assign for and in consideration of $60,000.00. However, the Mayor-President shall not execute the act of cash sale until the Property Section of the Parish Attorney’s office has certified that all proper notices have been given and that all legal delays have elapsed.
Section 3. Pursuant to La. R. S. 47:2206, the high bidder shall provide unto the Parish Attorney’s Office the name, address, and any and all contact information for any and all interested parties in the chain of title of the property in question; that the Parish Attorney’s Office shall then make the specific notice(s) required by La. R.S. 47:2206(A); that the Parish Attorney’s Office shall cause to be published, in the official journal for the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the written notice required by La. R. S. 47:2206(B); that the high bidder has, within thirty (30) days of the approval of his offer by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, taken the steps outlined above and that failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs; that after successfully completing the initial steps outlined above, the high bidder shall then have thirty (30) days from the expiration of either the sixty (60) day or six (6) month periods as outlined in La. R. S. 47:2206 (A) & (B), to send written notice to the Parish Attorney’s Office that the high bidder is ready to perfect the sale agreement and close the sale; failure to do so shall result in the revocation of the acceptance of the offer and forfeiture of the initial payment for costs.

Section 4. Pursuant to La. R. S. 47:2207, and subsequent to having received written notice from the high bidder to proceed with the sale, the Parish Attorney’s Office shall prepare, as soon as is reasonably practical, the sale document; that said sale document shall contain all non-warranties and provisions as detailed and described in La. R. S. 47: 2207 (A) and shall be in the form similar to that provided in La. R.S. 47:2207 (B); that after all parties have signed, the high bidder shall, that day, record the sale agreement with the Clerk and Recorder for East Baton Rouge Parish and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney’s office with a date stamped recorded copy of the sale agreement.

Section 5. On the day of the closing of the sale, the high bidder shall record with the Recorder of Mortgages for the Parish of East Baton Rouge, State of Louisiana, pursuant to La. R.S. 47:2206 (c), a copy of the notices sent to the tax debtor or current owner, as well as the proof of publication and shall be responsible for the cost of same; that the high bidder shall, that day, provide the Parish Attorney with a date stamped recorded copy of said notices and proof of publication;

Section 6. On the day of the closing, The Parish Attorney’s Office shall provide the high bidder a copy of La. R. S. 47:2208 which concerns what additional steps the high bidder may elect to take regarding the title to the subject property; that the high bidder, should he elect to comply with the provisions of La. R. S. 47:2208, shall provide the Parish Attorney’s Office with a date stamped recorded copy of that affidavit described in La. R. S. 47:2208 when/if recorded.

Section 7. If all of the requirements of Section 2 are not completed in the time frames detailed therein, the Mayor-President’s authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate; and that if the property is redeemed in accordance with law, the Mayor-President’s authority to sell and the purchaser's rights to purchase the property shall terminate.

Section 8. Once a bid has been accepted by the Metropolitan Council, no bid of a lesser amount will be accepted from the high bidder if the sale is not completed.

Section 9. This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return of or any reduction in the purchase price, but with subrogation to all rights and actions of warranty Parish of East Baton Rouge may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish Attorney's Office. Said act of sale is to be subject to any and all servitudes and street and drainage rights of way as shown or dedicated on any recorded map, plat or survey or which has previously been granted or conveyed in favor of the Parish of East Baton Rouge, the City of Baton Rouge and/or the public. The Parish of East Baton Rouge shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.
A motion was made by Ms. Collins-Lewis and seconded by Mr. Cole to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

ADMINISTRATIVE MATTERS

ADMINISTRATIVE MATTER INTRODUCTIONS

A proposed ordinance was read in full.

PROPOSED ORDINANCE

Lot: 9
Subdivision: Elm Grove Garden Farms
Applicant: Anna M. Etuk
Address: Elm Grove Drive
Metro Council District: 2 - Banks
Initial Bid Amount $500.00
Advanced costs required (certified funds): $500.00
Appraised Value: $7,000.00
Taxes Due: $22,374.13 - Adjudicated for 1987 taxes
Bids Received: 9/18/2019

A motion was made by Mr. Wilson and seconded by Ms. Collins-Lewis to waive the rules to allow this item to be introduced. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

A motion was made by Mr. Wilson and seconded by Ms. Freiberg that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 25, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
A proposed ordinance was read in full.

PROPOSED ORDINANCE

Lot: 13, Square 33
Subdivision: East Garden City
Applicant: Lamar Thomas
Address: Iberia Street
Metro Council District: 10 - Wicker
Initial Bid Amount $ 100.00
Advanced costs required (certified funds): $ 500.00
Appraised Value: $ 5,000.00
Taxes Due: $ 4,094.83 - Adjudicated for 2011 taxes
Bids Received: 9/18/2019

A motion was made by Mr. Wilson and seconded by Ms. Collins-Lewis to waive the rules to allow this item to be introduced. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

A motion was made by Mr. Wilson and seconded by Ms. Freiberg that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 25, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

A proposed ordinance was read in full.

PROPOSED ORDINANCE

Lot: 333
Subdivision: Greendale
Applicant: Russell Brent Dunn
Address: Pontotoc Street
Metro Council District: 5 - Green
Initial Bid Amount $ 100.00
Advanced costs required (certified funds): $ 905.00
Appraised Value: $ 2,500.00
Taxes Due: $ 1,584.53 - Adjudicated for 2007 taxes
Bids Received: 9/18/2019
A motion was made by Mr. Wilson and seconded by Ms. Collins-Lewis to waive the rules to allow this item to be introduced. A "Yea" and "Nay" vote was called for and resulted as follows:

Yea:

Nays:
- None

Abstains:
- None

Did Not Vote:
- None

Absent:
- None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

A motion was made by Mr. Wilson and seconded by Ms. Freiberg that the introduction of the above proposed ordinance be published in accordance with law and that a public hearing thereon be called for the council meeting on September 25, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Yea:

Nays:
- None

Abstains:
- None

Did Not Vote:
- None

Absent:
- None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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ADMINISTRATIVE MATTER ITEMS

None.

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APPOINTMENTS

None.
ITEMS

CHANGE ORDERS

A proposed resolution was read in full.

RESOLUTION 54454

AUTHORIZING EXECUTION OF A CHANGE ORDER, BEING CHANGE ORDER NO. 2, TO THE CONTRACT EXECUTED BETWEEN THE CITY OF BATON ROUGE, PARISH OF EAST BATON ROUGE AND PIPE & STEEL INDUSTRIAL FABRICATORS INC, FOR EMERGENCY RIVER DOCK REPAIR, BEING REQ NO. 10080.

BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. The Mayor-President, on behalf of the City of Baton Rouge and Parish of East Baton Rouge, is hereby authorized to execute a change order, being Change Order No. 2, to the contract executed between the City of Baton Rouge, Parish of East Baton Rouge and Pipe & Steel Industrial Fabricators Inc, for Emergency River Dock Repair, being Req No. 10080, Purchase Order No. 18005756, so as to provide as follows:

Change Order No. 2 - Contractor will provide all labor, tools, supervision and material to set river dock landing fenders caused by vessel damage. In addition, retaining chains and spare dock bumpers will be attached to the dock structure. Additional repairs needed to four river dock landing fenders, due to additional structural damages noticed after the river receded, extending the contract for sixty (60) days and resulting in an ADDITION IN THE AMOUNT of $24,902.00.

Section 2. The execution of said change order as authorized herein results in a change in the total amount of said contract, the corrected amount being $88,622.00.

Section 3. All cost resulting from said change order shall be paid from the Contingency Fund established in connection with said contract.

Section 4. The Purchasing Agent is hereby authorized and directed to take such action as may be required or necessary to carry out the purpose and intent of this resolution.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Mr. Welch and seconded by Ms. Freiberg to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
FINAL ACCEPTANCES

None.

.ACCEPTANCE OF LOW BIDS

A proposed resolution was read in full.

RESOLUTION 54455

AWARDING THE CONTRACT FOR THE BOONE AVENUE PEDESTRIAN IMPROVEMENT (NELSON DRIVE TO WOODSTONE DRIVE), BEING PROJECT NO. 17-SW-HC-0010, TO THE LOWEST BIDDER THEREFOR, GRADY CRAWFORD CONSTRUCTION CO. LLC; AND DIRECTING THE EXECUTION OF THE CONTRACT COVERING SUCH WORK.

WHEREAS, the following bids for such work were received by the Purchasing Agent within the time allowed for submission in the advertisement therefor:

- Grady Crawford Construction Co. LLC: $48,654.00
- The Luster Group: $53,120.00
- LA Contracting Enterprises LLC: $55,294.00
- Industrial Enterprises, Inc.: $58,217.78
- Covenant Gen Contractors: $59,074.00
- Boone Services LLC: $71,990.00
- Gulf States Services LLC: $73,730.00
- Command Construction Ind.: $89,784.00

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. All bids for the said work received shall be filed by the Purchasing Agent.

Section 2. The lowest bid of Grady Crawford Construction Co. LLC, in the sum of $48,654.00, for the Boone Avenue Pedestrian Improvement (Nelson Drive to Woodstone Drive), being Project No. 17-SW-HC-0010, is hereby accepted and the contract therefor awarded to the lowest bidder.

Section 3. The Mayor-President is hereby authorized to execute a contract with Grady Crawford Construction Co. LLC for said construction, the contract to be approved by the Parish Attorney as to form and legality.

Section 4. Payment of all accounts due under the said contract shall be made by the Director of Finance out of Account No. 9227100019-2331-00000-0000000000-653340 or any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Watson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

August 28, 2019
A proposed resolution was read in full.

RESOLUTION 54456

AIRPORT AUTHORITY RESOLUTION 08-28-19-07

AWARDING THE CONTRACT FOR JANITORIAL SERVICES FOR THE GREATER BATON ROUGE AIRPORT DISTRICT’S DEPARTMENT OF HEALTH AND HOSPITALS FACILITY, BEING PROJECT NO. A19-1109, TO THE LOWEST BIDDER THEREFOR, BELL’S JANITORIAL; AND DIRECTING THE EXECUTION OF THE CONTRACT COVERING SUCH WORK.

WHEREAS, the following bids for such work were received by the Purchasing Agent within the time allowed for submission in the advertisement therefor:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell’s Janitorial</td>
<td>$15,511.05</td>
</tr>
<tr>
<td>Axe National Management</td>
<td>$17,457.38</td>
</tr>
<tr>
<td>Janicare</td>
<td>$28,554.85</td>
</tr>
<tr>
<td>OOK Janitorial, Inc.</td>
<td>$29,222.49</td>
</tr>
<tr>
<td>Enmon Enterprises, LLC d/b/a Jani King of BR</td>
<td>$36,632.28</td>
</tr>
<tr>
<td>Just As U Would Cleaning Service</td>
<td>$81,151.18</td>
</tr>
<tr>
<td>PAP Building Maintenance, LLC</td>
<td>$95,373.80</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by the Metropolitan Council as the Authority for the Greater Baton Rouge Airport District that:

Section 1. All bids for the said work received shall be filed by the Purchasing Agent.

Section 2. The lowest bid of Bell’s Janitorial, in the sum of $15,511.05, for Janitorial Services for the Greater Baton Rouge Airport District’s Department of Health and Hospitals Facility, being Project No. A19-1109, is hereby accepted and the contract therefor awarded to the lowest bidder.

Section 3. The Mayor-President is hereby authorized to execute a contract with Bell’s Janitorial for said construction, the contract to be approved by the Parish Attorney as to form and legality.

Section 4. Payment of all accounts due under the said contract shall be made by the Director of Finance out of Account No. 5810-0900-30-0940-0000-0000-000000-642200-, or any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Watson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nay:  None
Abstain: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
A proposed resolution was read in full.

RESOLUTION 54457

AWARDING THE CONTRACT FOR THE MARQUETTE AVENUE PEDESTRIAN IMPROVEMENT (GOVERNMENT ST TO ESPLANADE AVENUE), BEING PROJECT NO. 17-SW-HC-0010, TO THE LOWEST BIDDER THEREFOR, THE LUSTER GROUP; AND DIRECTING THE EXECUTION OF THE CONTRACT COVERING SUCH WORK.

WHEREAS, the following bids for such work were received by the Purchasing Agent within the time allowed for submission in the advertisement therefor:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Luster Group</td>
<td>$51,076.00</td>
</tr>
<tr>
<td>Grady Crawford Construction Co. LLC</td>
<td>$54,412.00</td>
</tr>
<tr>
<td>LA Contracting Enterprises LLC</td>
<td>$55,047.00</td>
</tr>
<tr>
<td>Covenant Gen Contractors</td>
<td>$56,415.00</td>
</tr>
<tr>
<td>Industrial Enterprises, Inc.</td>
<td>$58,252.02</td>
</tr>
<tr>
<td>Gulf States Services LLC</td>
<td>$60,710.00</td>
</tr>
<tr>
<td>Boone Services LLC</td>
<td>$71,405.00</td>
</tr>
<tr>
<td>Command Construction Ind.</td>
<td>$79,982.00</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. All bids for the said work received shall be filed by the Purchasing Agent.

Section 2. The lowest bid of The Luster Group, in the sum of $51,076.00, for the Marquette Avenue Pedestrian Improvement (Government St to Esplanade Avenue), being Project No. 17-SW-HC-0010, is hereby accepted and the contract therefor awarded to the lowest bidder.

Section 3. The Mayor-President is hereby authorized to execute a contract with The Luster Group for said construction, the contract to be approved by the Parish Attorney as to form and legality.

Section 4. Payment of all accounts due under the said contract shall be made by the Director of Finance out of Account No. 9227100022-2331-00000-0000000000-653340, or any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Watson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

<table>
<thead>
<tr>
<th>Vote Type</th>
<th>Name(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nays</td>
<td>None</td>
</tr>
<tr>
<td>Abstains</td>
<td>None</td>
</tr>
<tr>
<td>Did Not Vote</td>
<td>None</td>
</tr>
<tr>
<td>Absent</td>
<td>None</td>
</tr>
</tbody>
</table>

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

-------------------------
A proposed resolution was read in full.

RESOLUTION 54458

EBROSCO RESOLUTION 8420

AWARDING THE CONTRACT FOR THE PUMP STATION 141 IMPROVEMENTS, BEING PROJECT NO. 19-PS-IF-0012, TO THE LOWEST BIDDER THEREFOR, BOONE SERVICES, LLC; AND DIRECTING THE EXECUTION OF THE CONTRACT COVERING SUCH WORK.

WHEREAS, the following bids for such work were received by the Purchasing Agent within the time allowed for submission in the advertisement therefor:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boone Services, LLC</td>
<td>$443,700.00</td>
</tr>
<tr>
<td>NCMC, LLC</td>
<td>$451,000.00</td>
</tr>
<tr>
<td>Grady Crawford Construction Company, Inc.</td>
<td>$481,035.00</td>
</tr>
<tr>
<td>Magnolia Construction Company, LLC</td>
<td>$487,000.00</td>
</tr>
<tr>
<td>Command Construction Industries, LLC</td>
<td>$525,000.00</td>
</tr>
<tr>
<td>McInnis Brothers Construction, Inc.</td>
<td>$525,990.00</td>
</tr>
<tr>
<td>L.King Company, LLC</td>
<td>$548,016.00</td>
</tr>
<tr>
<td>Allen &amp; LeBlanc, LLC</td>
<td>$731,981.00</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by the Board of Commissioners of the East Baton Rouge Sewerage Commission (EBROSCO), acting as the Authority for EBROSCO, that:

Section 1. All bids for the said work received shall be filed by the Purchasing Agent.

Section 2. The lowest bid of Boone Services, LLC, in the sum of $443,700.00, for the Pump Station 141 Improvements, being Project No. 19-PS-IF-0012, is hereby accepted and the contract therefor awarded to the lowest bidder.

Section 3. The Mayor-President is hereby authorized to execute a contract with Boone Services, LLC for said construction, the contract to be approved by the Parish Attorney as to form and legality.

Section 4. Payment of all accounts due under the said contract shall be made by the Director of Finance out of Account No. 80820-5120000004-NCDPPS0045-653400 or any lawful funding source.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Watson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Objecting: Wilson
Absent: None

With 11 yeas, 0 nays, 0 abstains, 0 not voting, 1 objecting, and 0 absent, the motion was adopted.
A proposed resolution was read in full.

RESOLUTION 54459

EBROSCO RESOLUTION 8421

ACCEPTING ALL WORK DONE BY THE CONTRACTOR UNDER THE CONTRACT FOR THE CONSTRUCTION OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE WASTEWATER SYSTEM IMPROVEMENT PROGRAM – NWWTP MASTER PLAN: GENERAL ELECTRICAL REHABILITATION, PROJECT NO. 13-TP-MS-047B.

WHEREAS, the contract for construction of City of Baton Rouge and Parish of East Baton Rouge Wastewater System Improvement Program – NWWTP Master Plan: General Electrical Rehabilitation, being Project No. 13-TP-MS-047B, was awarded to Ernest P. Breaux Electrical, LLC, by the Metropolitan Council on April 26, 2017; and

WHEREAS, the Director of Environmental Services has officially advised this Council that all work required under the said contract has now been completed satisfactorily and in accordance with the plans and specifications therefor, and have recommended the acceptance of such contract:

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge and by the Board of Commissioners of the East Baton Rouge Sewerage Commission (EBROSCO), acting for the Authority for EBROSCO, that:

Section 1. All work done by the said contractor under the contract for construction of the City of Baton Rouge and Parish of East Baton Rouge Wastewater System Improvement Program – NWWTP Master Plan: General Electrical Rehabilitation, being Project No. 13-TP-MS-047B, was awarded to Ernest P. Breaux Electrical, LLC, Purchase Order No. 170744, is hereby accepted as a complete and satisfactory performance and execution of all work required under the said contract and in accordance with the plans and specifications therefor.

Section 2. Final cost of said contract, as determined by the Department of Environmental Services, is $10,601,626.15.

Section 3. The Mayor-President, on behalf of the City of Baton Rouge and the Parish of East Baton Rouge and/or the East Baton Rouge Sewerage Commission, represented by President of said Commission, is hereby authorized to execute a formal instrument evidencing this acceptance of the said contract.

The Presiding Officer announced that a public hearing on the above resolution was in order at this time. No interested citizens spoke either for or against the proposed resolution.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Wilson to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

. . . . . . . . . . . . . . . . . . . .
OTHER ITEMS
None.

OTHER ITEMS TO BE ADOPTED (EMERGENCY)
None.

ADJOURNMENT
A motion was made by Mr. Wilson and seconded by Ms. Amoroso to adjourn. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.
The Presiding Officer declared the meeting adjourned

______________________________  ________________________________
Council Administrator/Treasurer              Mayor-President Pro-Tempore