The Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge convened in regular session on Wednesday, October 23, 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: Dr. Herman O. Kelly, Jr., Pastor of Bethel AME Church

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: Mariah Clayton and Sydney Taylor

PRESENTATIONS AND RECOGNITIONS

Mayor President Sharon Weston Broome recognized Sarah Holliday James during Breast Cancer Awareness Month.

Mayor President Sharon Weston Broome recognized Mariah Clayton, Miss Louisiana USA 2020, and Sydney Taylor, Miss Louisiana Teen USA 2020.

Councilman Matt Watson recognized Warren Kron, GIS Manager and the GIS Staff in honor of GIS Day.
ADOPTION AND APPROVAL OF MINUTES

PROPOSED MINUTES

Approval and adoption of minutes of the Metropolitan Council Meeting of October 9, 2019, the Greater Baton Rouge Airport Commission Meeting of October 8, 2019, and the Metropolitan Council Zoning Meeting of October 16, 2019.

A motion was made by Ms. Freiberg and seconded by Mr. Watson 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: Banks, Welch

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

INTRODUCTIONS

SECTION 2.12 INTRODUCTIONS

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

PROPOSED RESOLUTION

Granting a five year property tax abatement estimated at $23,307 per year for Louisiana Fish Fry, LLC, located at 1450 Airway Drive. This application is referred by Louisiana Economic Development Restoration Tax Abatement Program to the City of Baton Rouge as RTA application #2018-0141 for the purpose of encouraging private investment and restoration of property.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Amending the Preliminary Current Expense Budget and Capital Budget of the City of Baton Rouge and Parish of East Baton Rouge for the year 2020 submitted by the Mayor-President; and adopting the Final Current Expense Budget and Capital Budget of the City of Baton Rouge and Parish of East Baton Rouge for the year 2020. By Mayor-President.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorization for the Mayor President and/or Chairman of the Airport Commission to appropriate $500,000 from the Airport’s cash account Capital Improvements 5810-0000-00-0000-0000-000000-100009 to be placed in the Airfield Pavement Repair Project 5821-0900-00-0910-0920-0000-0000000-647900-A0099 E 98000000099-5821000000-0000000000-647900 to fund repairs to the runways, taxiways and aprons (BS # 008658).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorization for the Mayor President and/or Chairman of the Airport Commission to appropriate $250,000 from the Airport’s cash account Capital Improvements 5810-0000-00-0000-0000-0000-000000-100009 to be placed in the Airport Aviation Business Park Project 5821-0900-30-0910-0920-0000-000000-653000-A0101 E 9800000101-5821000000-0000000000-653100 to fund design of the infrastructure components (electric, data, water, sewer, gas etc.) (BS # 008659).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED CONDEMNATION PROCEEDING

David W. Sterling Irrevocable Trust
5454 Paige Street, Lot 44 & 45, Square 38
Fortune Subdivision - Council District 5 - Green

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

PROPOSED CONDEMNATION PROCEEDING

Bernell Sims, Sr.
2927 Iroquois Street, Lot 22 PT, Square 1
Pitchford-Ourso Subdivision - Council District 7 - Cole

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

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

PROPOSED CONDEMNATION PROCEEDING

Advantage Holdings No. 1, L.L.C.
6817 Greenwell Springs Road, Lot A
Sabella Property - Council District 7 - Cole

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

PROPOSED CONDEMNATION PROCEEDING

The Estate of Harold Herbert Blunt
3914 Topeka Street, Lot 2, Square 25
Prosperity Addition Subdivision - Council District 10 - Wicker

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

ADJUDICATED PROPERTY INTRODUCTIONS

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

PROPOSED ORDINANCE

Lot: I 1
Subdivision: Ida Stewart Tract
Applicant: M & M Realty, LLC
Address: Flanacher Road
Metro Council District: 1 - Welch
Initial Bid Amount: $ 100.00
Advanced costs required (certified funds): $ 500.00
Appraised Value: $ 36,000.00
Taxes Due: $ 8,857.78 - Adjudicated for 2013 taxes
Bids Received: 11/20/2019

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 26, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Lot: 205
Subdivision: Beechwood
Applicant: M & M Realty, LLC
Address: Desoto Drive (2414)
Metro Council District: 2 - Banks
Initial Bid Amount $ 100.00
Advanced costs required (certified funds): $ 500.00
Appraised Value: $ 40,000.00
Taxes Due: $ 4,845.61 - Adjudicated for 2013 taxes
Bids Received: 11/20/2019

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 26, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Lot: 16+, Square 11
Subdivision: Fortune
Applicant: Greg Hudson
Address: Peerless Street
Metro Council District: 5 - Green
Initial Bid Amount $ 100.00
Advanced costs required (certified funds): $ 850.00
Appraised Value: $ 5,000.00
Taxes Due: $ 8,857.78 - Adjudicated for 1991 taxes
Bids Received: 11/20/2019

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 26, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Lot: 16 & 17, Square 27
Subdivision: Fortune
Applicant: Anthony C. Allen, Sr.
Address: Paige Street
Metro Council District: 5 - Green
Initial Bid Amount: $200.00
Advanced costs required (certified funds): $1,310.00
Appraised Value: $5,000.00
Taxes Due: $4,412.87 - Adjudicated for 1988 taxes

Bids Received: 11/20/2019
A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 26, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

PLANNING AND ZONING INTRODUCTIONS

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

PROPOSED ORDINANCE

PA-12-19 363 Edison Street
To amend the Comprehensive Land Use Plan from Residential Neighborhood to Compact Neighborhood on property located on the east side of Edison Street, north of Government Street, and south of North Boulevard, on Lot 13 of the Bernard Terrace Addition Subdivision, Section 81, T7S, R1E, GLD, EBRP, LA (Council District 7 - Cole)

PLANNING STAFF FINDINGS: Recommend approval, based upon a review of the area in a greater level of detail, compatibility with surrounding uses, and dimensional constraints of subject lot

COMMISSION ACTION: Motion to approve carried, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

ISPUD-9-19  Terrell Cottages (363 Edison Street)
Proposed two unit medium density single family residential
development, located east of Edison Street, north of Government
Street, and south of North Boulevard, on Lot 13 of the Bernard
Terrace Addition Subdivision. Section 81, T7S, R1E, GLD,
EBRP, LA (Council District 7 - Cole)
PLANNING STAFF FINDINGS: Staff certifies that the
proposed request meets the minimum criteria for an Infill/ Mixed
Use Small Planned Unit Development being consistent with the
Comprehensive Plan, if companion Comprehensive Plan
Amendment is approved, compatible with surrounding uses, and
conforming to Unified Development Code requirements
COMMISSION ACTION: Motion to approve carried, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except
for item 40, and that a public hearing thereon be called for the council meeting on November 13,
2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

PROPOSED ORDINANCE

Case 55-19  3976, 3990 Tyrone Drive
To rezone from Limited Residential (A3.1) to Neighborhood
Commercial (NC) on the property located on the south side of
Tyrone Drive, to the west of Valley Street, on Lots 3 and 4, Block
10 of Valley Park Subdivision. Section 94, T7S, R1E, GLD,
EBRP, LA (Council District 12 - Freiberg)
PLANNING STAFF FINDINGS: Staff cannot certify the
proposed request meets the criteria for a change of zoning. While
it conforms to UDC requirements it is inconsistent with the
Comprehensive Plan, and represents the intrusion of commercial
uses into residential area
COMMISSION ACTION: Motion to deny carried, 8-1

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except
for item 40, and that a public hearing thereon be called for the council meeting on November 20,
2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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. Wilson and read in full.

**PROPOSED ORDINANCE**

**Case 60-19  20152 Highland Road**  
To rezone from Rural to Light Industrial (M1) on the property located on the south side of Highland Road, to the east of Airline Highway, on Lot C-1 of the H. P. Armstrong Property. Section 37, T8S, R2E, GLD, EBRP, LA (Council District 9 - Hudson)  
**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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:  
**Yeas:** Amoroso, Cole, Collins-Lewis, Freiberg, Green, Hudson, Loupe, Watson, Wicker, Wilson  
**Nays:** None  
**Abstains:** None  
**Did Not Vote:** None  
**Absent:** Banks, Welch

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. Wilson and read in full.

**PROPOSED ORDINANCE**

**Case 61-19  1585 Stonegate Court**  
To rezone from Town House (A2.5) to Single Family Residential (A1) on the property located on the east side of Stonegate Court, to the north of Old Hammond Highway, on a portion of Lot G of the H. B. Harelson Tract (now part of Stonegate Subdivision) measuring 284 ft. x 172 ft. x 332 ft. Sections 62 and 87, T7S, R1E, GLD, EBRP, LA (Council District 11 - Watson)  
**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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:  
**Yeas:** Amoroso, Cole, Collins-Lewis, Freiberg, Green, Hudson, Loupe, Watson, Wicker, Wilson  
**Nays:** None  
**Abstains:** None  
**Did Not Vote:** None  
**Absent:** Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

**Case 62-19  5068 Airline Highway**
To rezone from Heavy Commercial (C2) to Commercial Alcoholic Beverage (Restaurant)(C-AB-1) on the property located on the south side of Airline Highway, to the east of North Foster Drive, on a portion of Lot F-1-A of the Lelia Opdenweyer Tract. Section 39, T6S, R1E, GLD, EBRP, LA (Council District 5 - Green)

**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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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. Wilson and read in full.

PROPOSED ORDINANCE

**Case 63-19  11294 Florida Boulevard**
To rezone from Light Commercial (C1) to Commercial Alcoholic Beverage (Restaurant)(C-AB-1) on the property located on the south side of Florida Boulevard, to the west of Sherwood Forest Boulevard, on a portion of Lot A-1 of the Holt T. Harrison Property. Section 12, T7S, R1E, GLD, EBRP, LA (Council District 6 - Collins-Lewis)

**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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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. Wilson and read in full.

PROPOSED ORDINANCE

Case 64-19  10777 Greenwell Springs Road
To rezone from General Residential (A4) to Heavy Commercial (HC1) on the property located on the north side of Greenwell Springs Road, to the west of W. Green Ridge Drive, on Lot 7-B of the H. E. Hopper Property. Section 66, T6S, R1E, GLD, EBRP, LA (Council District 5 - Green)

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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Case 65-19  5350 Perkins Road
To rezone from Traditional Neighborhood Development (TND) to Single Family Residential (A1) on the property located on the south side of Perkins Road, to the east of Congress Boulevard, on a portion of Lot RZ-3-D of the Ralph Ford Property. Section 94, T7S, R1E, GLD, EBRP, LA (Council District 12 - Freiberg)

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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Case 66-19 7560 Corporate Boulevard
To rezone from Light Commercial (C1) to Commercial Alcoholic Beverage (Bar and Lounge)(C-AB-2) on the property located on the south side of Corporate Boulevard, to the west of Jefferson Highway, on a portion of Lot A-2-B, Cedar Lodge Plantation. Section 91, T7S, R1E, GLD, EBRP, LA (Council District 11 - Watson)

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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Case 67-19  3636 S. Sherwood Forest Boulevard, 11550 New Castle Boulevard
To rezone from Rural to Heavy Commercial (HC2) on the properties located on the west side of S. Sherwood Forest Boulevard, to the south of Southfork Avenue, on Lots 1-W-3-E-1-A and 1-W-3-E-1-B of the property of T. P. Singletary. Section 51, T7S, R2E, GLD, EBRP, LA (Council District 11 - Watson)

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, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Case 68-19  Drusilla Jefferson Overlay
Expansion of overlay district boundary on property located to the west of Drusilla Lane, to the north Interstate I-12 and Jefferson Highway, to include Lots B-2-A and B-2-B of Singletary Place Subdivision. Section 39, T7S, R1E, GLD, EBRP, LA (Council District 11 - Watson)

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 deny carried unanimously, 8-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

ISPUD-8-19  Elysian III Apartments
Proposed multifamily residential development on property located South of Spanish Town Road, west of Canal Street, and east of North 11th Street, on lots 52-A, 53-A, and four undesignated lots of the Nicaragua Subdivision, Section 71, T7S, R1W, GLD, EBRP, L (Council District 10 - Wicker)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for an Infill/ Mixed Use Small Planned Unit Development being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

COMMISSION ACTION: Motion to approve carried, 9-0

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 20, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays:  None

Abstains:  None

Did Not Vote:  None

Absent:  Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President, on behalf of the Baton Rouge Police Department, to enter into a contractual agreement with Motorola Solutions in the amount of $88,629.93. Motorola Solutions will provide the Baton Rouge Police Department with the Avigilon Video Management System to include a combination of hardware, software, and services for the downtown and public safety cameras which will be tied in to the Baton Rouge Real Time Crime Center.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays:  None

Abstains:  None

Did Not Vote:  None

Absent:  Banks, Welch

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

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

**PROPOSED RESOLUTION**

Authorizing the Mayor-President, on behalf of the Baton Rouge Police Department, to accept a grant award, "FY19 Community Based Crime Reduction (Empower BR)", through the Office of Justice Programs (OJP) / Office of Civil Rights (OCR) in the amount of $1,000,000.00. This grant will fund EmpowerBR. EmpowerBR will leverage resources available in the community to reduce violent crime and group activity in some of the most affected neighborhoods in Baton Rouge. To achieve this goal, BRPD proposes to empower community leaders with detailed information about crime, drivers of crime, and risk and protective factors in the city. Once the information has been disseminated, community leaders will collaborate with government officials and law enforcement to devise a plan to address identified needs. In effect, this project will allow community leaders to have a voice in how they respond to public safety issues and how they are policed in their neighborhood. The goal of the of the grant is to establish a community member led advisory council. Once the Council is established, the Council will support and direct law enforcement efforts to reduce violent crime, dismantle gang activity, and enhance police-community relations. Funds will be used to hire a full time site coordinator for the life of the grant and provide for a researcher/evaluator. This grant is 100% funded with no match. The program is set to begin October 1, 2019 through September 30, 2023.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

**Yeas:** Amoroso, Cole, Collins-Lewis, Freiberg, Green, Hudson, Loupe, Watson, Wicker, Wilson

**Nays:** None

**Abstains:** None

**Did Not Vote:** None

**Absent:** Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President, on behalf of the Baton Rouge Police Department, to accept a grant award, "2019 Baton Rouge PSN RAPID Response Task Force", through the Office of Justice Programs (OJP) in the amount of $89,960.00. This program is headed by the United States Attorney Office (USAO) under the Project Safe Neighborhood (PSN) program to partner with BRPD, the East Baton Rouge Sheriff’s Office, and the East Baton Rouge District Attorney’s Office to disrupt gun violence in Baton Rouge. Funds will be used for officer overtime, who will respond to firearm discharges detected by the ShotSpotter technology. Funds will also be used to contract with a research partner and evaluator for the life of the grant. This grant is 100% funded with no match. The program is set to begin October 1, 2019 through September 30, 2022.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to execute an amendment to the Cooperative Endeavor, Lease and Option Agreement with Benaterra Resources, LLC, to extend the time for its scoping study of the Irene Road Red Mud Lakes Property for an additional three (3) year period from its initial termination date; and to approve additional funds for said extension in the amount of $7,500.00.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

To provide a quarterly update, as required in the Third Amended and Restated Cooperative Endeavor and Intergovernmental Agreement adopted October 24, 2018, on the current status of Build Baton Rouge, the East Baton Rouge Redevelopment Authority’s Land Bank and efforts related to target areas of redevelopment.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to execute Supplemental Agreement No. 2 to the contract with Crump Wilson Architects, LLC, for Architectural Design Services in connection with the New Fire Station #20, being City-Parish Project No. 14-ASD-CP-0872, in an amount not to exceed $31,870.00. (Account No. 4600-5100-00-0000-0000-0000-000000-652000).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

**PROPOSED RESOLUTION**

A discussion of the waste tire shredder program and the associated Cooperative Endeavor Agreement regarding the location of the waste tire shredder.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Banks, Welch

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. Wilson and read in full.

**PROPOSED RESOLUTION**

Receiving a report from the Mayor's Office on the status of the disparity study.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Parish Attorney’s Office to submit a request for an opinion from the Louisiana Attorney General regarding the proper legal representative for crime prevention districts in East Baton Rouge Parish.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor President to execute Supplemental Agreement No 1 to a contract with SJB Group, LLC, to provide professional services for the ADA Self Evaluation Plan for Public Rights-of-way, being City-Parish Project No. 17-CS-CI-0020 in an amount not to exceed $11,400.00. (Account No. 012.7120002.643550.4).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor President to execute Supplemental Agreement No 1 to a contract with C.H. Fenstermaker & Associates, LLC, to provide surveys and design services for Phase 2 of the Hanks DR/Landis DR Ped Improvements Project, being RFQ No. 15-ES-PW-002 and City-Parish Project No. 15-SW-US-0004 in an amount not to exceed $288,128.12 (Account No. 9227100007).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to enter into a Cooperative Endeavor Agreement with the Capital Area Transportation System for the expansion of Bus Rapid Transit Improvement for providing services for advancing the conceptual design and preparation of NEPA document, appropriating $220,000 of funding from CATS representing their 50% cost share for said purpose.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:


Nays: None

Abstains: None

Did Not Vote: None

Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorize the Mayor-President and/or EBROSCO to execute Supplemental Agreement No. 3 to the contract for engineering services with Stantec Consulting Services, Inc. (formerly MWH Americas, Inc.) with sub-consultants Ardaman & Associates, Inc.; Cali & LaPlace Engineers, LLC; GOTECH, Inc.; Professional Service Industries, Inc. (PSI); SJB Group, LLC and Stanley Consultants in connection with the CWWTP Decommissioning being Project No. 14-TP-MS-0016, for an amount not to exceed $45,000.00 and extend contract time to December 31, 2020 (Account No. 81403-5110000003-SSO2RMP020-643583).

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

A proposed resolution was read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to enter into a professional services agreement with American Traffic Solutions, Inc., doing business as Verra Mobility for a traffic control safety device management commencing January 2020 through December 31, 2023.

This item was not introduced.

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

PROPOSED RESOLUTION

Receiving a report from The East Baton Rouge Parish Blight Study Committee.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED ORDINANCE

Amending Ordinance 4407, adopted January 8, 1975, so as to add the 19th Judicial District Court as an agency that is authorized and empowered to coordinate meals consumed by jurors serving in criminal jury trials in the Parish of East Baton Rouge; to require documentation for reimbursement or direct payment of meals consumed by jurors; and, to delete the amounts for meals and add a provision that the expense for meals is to be set forth by the Louisiana State Travel Guide as issued and updated by the State of Louisiana Division of Administration.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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. Wilson and read in full.

PROPOSED RESOLUTION

Authorizing the Mayor-President to formally adopt the East Baton Rouge Parish All-Hazards Recovery Plan. This Plan was developed in accordance with the Federal Emergency Management Agency’s (FEMA) National Disaster Recovery Framework (NDRF) as a “Whole Community” initiative. The comprehensive planning process was geared towards “Integrating National Standards into Local Community Resiliency.” This Plan is intended to provide a framework for recovery operations and will be activated, upon need, to enable a more efficient and effective recovery process in East Baton Rouge Parish.

A motion was made by Mr. Wilson and seconded by Ms. Amoroso to introduce all items except for item 40, and that a public hearing thereon be called for the council meeting on November 13, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

CITY OF BATON ROUGE

CONDEMNATION PROCEEDING NO. 10072

VS.

LOYETTA Z. COLLINS

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 2769 Cedar Avenue, Lot 7, Square 10, Standard Heights 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 50% Deteriorated
2. Rafters 30% Deteriorated
3. Ceiling Joists 30% Deteriorated
4. Outside Walls 10% Deteriorated
5. Inside Walls 30% Deteriorated
6. Flooring 30% Deteriorated
7. Floor Joists 30% Deteriorated
8. Floor Sills 00% Deteriorated
9. Pillars 00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.
13. Lot is filled with junk, trash and debris.
14. 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. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
CITY OF BATON ROUGE       CONDEMNATION PROCEEDING NO. 10073

VS.

WILLIE LEE JELL, JR.

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 10495 Catherine Street, Lot D, Square 23, North Baton Rouge 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  40% Deteriorated
2. Rafters  00% Deteriorated
3. Ceiling Joists  00% Deteriorated
4. Outside Walls  10% Deteriorated
5. Inside Walls  30% Deteriorated
6. Flooring  10% Deteriorated
7. Floor Joists  00% Deteriorated
8. Floor Sills  00% Deteriorated
9. Pillars  00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.
13. 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. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 5524 Johnette Drive, Lot 23, Merrydale Place Subdivision (1st Filing), 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 00% Deteriorated
2. Rafters 00% Deteriorated
3. Ceiling Joists 00% Deteriorated
4. Outside Walls 20% Deteriorated
5. Inside Walls 40% Deteriorated
6. Flooring 00% Deteriorated
7. Floor Joists 00% Deteriorated
8. Floor Sills 00% Deteriorated
9. Pillars 00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Interior needs walls and ceiling.

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 Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
CITY OF BATON ROUGE       CONDEMNATION PROCEEDING NO. 10075

VS.

RANDALL C. JOHNSON

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 5729 Henagen Avenue, Lot 34, Legion Village 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 20% Fire Damaged
5. Inside Walls 70% Fire Damaged
6. Flooring 50% Fire Damaged
7. Floor Joists 10% Fire Damaged
8. Floor Sills 10% Fire Damaged
9. Pillars 00% Fire Damaged
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.
13. Lot is filled with junk, trash and debris.
15. Building materials being stored in the right of way.

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 Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

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

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CITY OF BATON ROUGE

CONDEMNATION PROCEEDING NO. 10076

VS.

PAUL PURVIS

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 1266 Harco Drive, Lot 11, West Windsor 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 10% Deteriorated
2. Rafters 05% Deteriorated
3. Ceiling Joists 00% Deteriorated
4. Outside Walls 00% Deteriorated
5. Inside Walls 30% Deteriorated
6. Flooring 10% Deteriorated
7. Floor Joists 00% Deteriorated
8. Floor Sills 00% Deteriorated
9. Pillars 00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.
13. Lot is filled with junk, trash and debris.
14. 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. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 absent, the motion was adopted.
CITY OF BATON ROUGE       CONDEMNATION PROCEEDING NO. 10077

VS.

TODD WINSTON SMITH

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 4649 Bradley Street, Lot 141, New Fairfields 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% Deteriorated
2. Rafters 60% Deteriorated
3. Ceiling Joists 60% Deteriorated
4. Outside Walls 20% Deteriorated
5. Inside Walls 20% Deteriorated
6. Flooring 30% Deteriorated
7. Floor Joists 10% Deteriorated
8. Floor Sills 10% Deteriorated
9. Pillars 00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.

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 Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

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

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CITY OF BATON ROUGE

CONDEMNATION PROCEEDING NO. 10078

VS.

THE ESTATE OF CORNELIUS M. BROWN

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 23rd day of October, 2019, and on recommendation of the Department of Development, the Metropolitan Council finds that the building located at 942 N 27th Street, West ½ of Lot 2, Square 9, Suburb Abramson 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 00% Deteriorated
2. Rafters 00% Deteriorated
3. Ceiling Joists 00% Deteriorated
4. Outside Walls 10% Deteriorated
5. Inside Walls 20% Deteriorated
6. Flooring 10% Deteriorated
7. Floor Joists 00% Deteriorated
8. Floor Sills 10% Deteriorated
9. Pillars 00% Deteriorated
10. All plumbing to comply with code.
11. All electrical to comply with code.
12. Lot is overgrown and must be cut and cleaned.
13. Lot is filled with junk, trash and debris.
14. 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. No interested citizens spoke either for or against the proposed condemnation proceeding.

A motion was made by Ms. Collins-Lewis and seconded by Ms. Freiberg 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: Banks, Welch

With 10 yeas, 0 nays, 0 abstains, 0 not voting, and 2 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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed condemnation proceeding was read in full for a second time.

MONICA PAUL SIGNATOR 650 MAXIMILLIAN STREET, NE PORTION OF LOT 6, SQUARE 59 BEAUREGARD TOWN SUBDIVISION - COUNCIL DISTRICT 10 - WICKER

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 Ms. Collins-Lewis and seconded by Ms. Freiberg to defer the proposed condemnation proceeding to the council meeting on December 11, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Welch

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

. . . . . . . . . . . . . . . . . . . .
PUBLIC HEARING / MEETING

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17179

BE IT ORDAINED, by the City of Baton Rouge and Parish of East Baton Rouge, Louisiana, that the following millage rates are hereby levied upon the dollar of the assessed valuation of all taxable property (except that the millage rate for the Downtown Development District shall be levied on real property only) subject to ad valorem taxation within the boundaries of the following taxing jurisdictions for the year 2020, for the purpose of raising revenue:

<table>
<thead>
<tr>
<th>MILLAGE</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Baton Rouge Parish Operating Tax</td>
<td>3.32</td>
</tr>
<tr>
<td>City of Baton Rouge Operating Tax</td>
<td>6.03</td>
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<tr>
<td>City of Baton Rouge Three Platoon Police Tax</td>
<td>.87</td>
</tr>
<tr>
<td>East Baton Rouge Parish Mosquito Abatement and Rodent Control District</td>
<td>1.12</td>
</tr>
<tr>
<td>East Baton Rouge Parish Mosquito Abatement and Rodent Control District (additional)</td>
<td>1.00</td>
</tr>
<tr>
<td>East Baton Rouge Parish Library</td>
<td>11.10</td>
</tr>
<tr>
<td>East Baton Rouge Council on Aging</td>
<td>2.25</td>
</tr>
<tr>
<td>Mental Health Tax</td>
<td>1.50</td>
</tr>
<tr>
<td>Emergency Medical Services</td>
<td>3.13</td>
</tr>
<tr>
<td>Baton Rouge Municipal Fire Salaries &amp; Benefits</td>
<td>6.00</td>
</tr>
<tr>
<td>Consolidated Road Lighting District No. 1</td>
<td>2.00</td>
</tr>
<tr>
<td>Alsen Fire Protection District No. 9</td>
<td>10.00</td>
</tr>
<tr>
<td>Alsen Fire Protection District No. 9 (additional)</td>
<td>5.00</td>
</tr>
<tr>
<td>Brownsfield Fire Protection District No. 3</td>
<td>10.00</td>
</tr>
<tr>
<td>Brownsfield Fire Protection District No. 3 (additional)</td>
<td>5.00</td>
</tr>
<tr>
<td>Brownsfield Fire Protection District No. 3 (additional)</td>
<td>10.00</td>
</tr>
<tr>
<td>Brownsfield Fire Protection District No. 3 (additional)</td>
<td>10.00</td>
</tr>
<tr>
<td>Downtown Development District</td>
<td>10.00</td>
</tr>
<tr>
<td>East Baton Rouge Parish Fire Protection District No. 1</td>
<td>9.00</td>
</tr>
<tr>
<td>Pride Fire Protection District No. 8</td>
<td>10.00</td>
</tr>
</tbody>
</table>
Pride Fire Protection District No. 8 (additional) 15.00
Chaneyville Fire Protection District No. 7 10.00
Chaneyville Fire Protection District No. 7 (additional) 10.00
Chaneyville Fire Protection District No. 7 (additional) 10.00

BE IT FURTHER ORDAINED that the Assessor of the Parish of East Baton Rouge, shall extend upon the assessment roll for the year 2020 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

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

YEAS:
NAYS:
ABSTAIN:
ABSENT:

Done, approved and adopted on this, the 23rd day of October, 2019.

By: /s/ Ashley Beck
By: /s/ Scott Wilson
Council Administrator President Pro Tempore

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 Ms. Wicker 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: Welch

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54547

AMENDING THE 2019 CURRENT EXPENSE BUDGET SO AS TO APPROPRIATE $600,000 FROM GENERAL FUND - FUND BALANCE ASSIGNED FOR POLICE TO FUND DRUG LAW ENFORCEMENT OVERTIME WITHIN THE POLICE DEPARTMENT.

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 $600,000 from General Fund - Fund Balance Assigned for Police to fund drug law enforcement overtime within the Police Department, as shown on Budget Supplement No. 8726, a copy of which is attached hereto and made a part hereof.
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 Ms. Wicker 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: Welch

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

PROPOSED RESOLUTION

AMENDING THE 2019 CAPITAL BUDGET SO AS TO APPROPRIATE $10,000,000 IN BOND PROCEEDS FROM THE 2019 PUBLIC IMPROVEMENT SALES TAX REVENUE BONDS FOR THE PURPOSE OF PROVIDING THE CITY-PARISH PORTION FOR THE EAST BATON ROUGE PARISH FLOOD RISK REDUCTION PROJECT AND PAYING ALL THE ASSOCIATED COSTS OF ISSUANCE. (BUDGET SUPPLEMENT NO. 8727).

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. Collins-Lewis to defer the proposed resolution to the council meeting on November 26, 2019. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54548


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 appropriate not to exceed $450,000,000 of Sewer Revenue Bonds, Series 2019A and 2019B, of the East Baton Rouge Sewerage Commission plus any bond premium and other financing resources of $4,984,973.44 for the purpose of refunding the 2010B and a portion of the 2011A Sewer Revenue Bonds, paying the costs of issuance for the transaction, as shown on Budget Supplement No. 8729, a copy of which is attached hereto and made a part hereof.
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 Ms. Amoroso to adopt the proposed resolution as amended to change the first dollar amount to $443,042,849.60, and to change the second dollar amount to $9,293,862. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54549

A SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF PUBLIC IMPROVEMENT SALES TAX REVENUE BONDS, SERIES 2019 OF THE PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA, PAYABLE FROM THE PROCEEDS OF THE TWO PERCENT (2%) SALES AND USE TAX LEVIED BY SAID PARISH; PRESCRIBING THE FORM, FIXING THE DETAILS, PROVIDING FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SUCH BONDS AND FOR THE RIGHTS OF THE REGISTERED OWNERS THEREOF; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to Ordinance 10127 adopted on December 14, 1994 (the “Sales Tax Ordinance”), by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge (the “Governing Authority”), the governing authority of the Parish of East Baton Rouge, State of Louisiana (the “Issuer”), the Issuer is now levying and collecting a two percent (2%) sales and use tax (the “Tax”) authorized by La. R.S. 47:337.5.1, with the avails or proceeds of the Tax (after first paying the reasonable and necessary costs and expenses of collecting and administering said tax) being set aside and deposited to the credit of the Issuer, and used by the Issuer for any lawful purpose; and

WHEREAS, in accordance with the Sales Tax Ordinance, the net avails or proceeds of the Tax (after the reasonable and necessary costs and expenses of collection and administration thereof have been paid therefrom) (the “Tax Revenues”) are available for appropriation and expenditure by the Issuer in accordance with Louisiana law which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, pursuant to 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, and Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (collectively, the “Act”), and other constitutional and statutory authority, the Issuer may issue bonds or other evidences of indebtedness secured by and payable solely from the Tax Revenues for the purpose of paying all or a part of the cost of acquiring, constructing, developing and improving public facilities and improvements; and

WHEREAS, on July 12, 1989, the Governing Authority adopted Resolution 29074 (the “General Bond Resolution”), which authorizes the Issuer to issue from time to time bonds payable from the Tax Revenues; and
WHEREAS, there are currently two (2) series of bonds outstanding under the General Bond Resolution payable from the Tax Revenues, specifically (i) the Public Improvement Sales Tax Revenue Bonds, Series 2013A, in the original principal amount of $11,000,000, of which $7,220,000 is currently outstanding, and (ii) the Public Improvement Sales Tax Revenue Bonds, Series 2014A, in the principal amount of $4,600,000, of which $3,000,000 is currently outstanding; and

WHEREAS, the Governing Authority adopted Resolution No. 54429 on August 28, 2019 (the “Resolution”), authorizing the issuance of Not to Exceed $10,000,000 Public Improvement Sales Tax Revenue Bonds, Series 2019, of the Issuer, on the terms and conditions set forth in the Resolution, 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 (as hereinafter defined); and

WHEREAS, the Resolution provides that the details of the Series 2019 Bonds, to the extent not set forth therein, would be specified in a supplemental resolution adopted by the Issuer subject to the terms, conditions and limitations established in the Resolution; and

WHEREAS, the Issuer proposes by this Supplemental Resolution to authorize the sale of Ten Million Dollars ($10,000,000) principal amount of its bonds to be designated “Public Improvement Sales Tax Revenue Bonds, Series 2019” (the “Series 2019 Bonds”), and to specify the terms and conditions of the Series 2019 Bonds; and

WHEREAS, the Series 2019 Bonds are being issued pursuant to the provisions of the Act and other constitutional and statutory authority; and

WHEREAS, the Series 2019 Bonds shall be payable solely from and secured by the Tax Revenues on a pari passu basis with the Outstanding Parity Bonds (as hereinafter defined); and

WHEREAS, the State Bond Commission has on October 17, 2019 given its approval of the sale and issuance of the Series 2019 Bonds.

WHEREAS, the Issuer has found and determined that all other things and requirements necessary to make this Bond Resolution valid and binding in accordance with it terms have been done; and

WHEREAS, it is necessary to prescribe the form, fix the details, provide for the payment of principal and interest on the Series 2019 Bonds and for the rights of the registered owners thereof; and

WHEREAS, it is further necessary to provide for the application of the proceeds of the Series 2019 Bonds;

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 Issuer, that:

ARTICLE I

SECTION 101. Definitions. Unless the context shall clearly indicate some other meanings, the following terms shall, for all purposes of this Bond Resolution or of any resolution or other instrument amendatory hereof or supplemental thereto, have the following meanings:

“Act” shall mean 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, and Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority supplemental thereto.

“Bonds Outstanding” shall mean, collectively, the (i) Series 2013A Bonds, (ii) the Series 2014A Bonds, (iii) the Series 2019 Bonds and (iv) any pari passu bonds issued in any future year in accordance with Section 901 of the General Bond Resolution and Section 801 hereof.
“Bloomberg Page BBAM1” means the display designated on page “BBAM1” on the Bloomberg Service (or such other page as may replace the BBAM1 page on that service, any successor service or such other service or services as may be nominated by the British Bankers’ Association for the purpose of displaying London Interbank offered rates for U.S. Dollar deposits).

“Bondholder”, “Registered Owner”, or “Owner” shall mean the Person reflected as registered owner of any of the Series 2019 Bonds on the registration books maintained by the Paying Agent/Registrar.

“Bond Counsel” shall mean an attorney or firm of attorneys whose experience in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized.

“Bond Obligation” shall mean, as of the date of computation, the principal amount of the Series 2019 Bonds then Outstanding.

“Bond Resolution” shall mean this resolution, as amended and supplemented as herein provided.

“Bond Year” shall mean the twelve (12) month period ending on February 1 of each year; provided, however, the first Bond Year hereunder shall commence on the Date of Issuance of the Series 2019 Bonds and end on February 1, 2020.

“Business Day” shall mean a day of the year other than a day on which banks located in New York, New York and the city in which the principal office of the Paying Agent/Registrar are located are required or authorized to remain closed and on which the New York Stock Exchange is closed.

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

“Construction Fund” shall mean the Parish of East Baton Rouge 2019 Sales Tax Bonds Construction Fund created by Section 401 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 the Series 2019 Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, filing and recording fees, initial fees and charges of any fiduciary, legal fees and charges, fees and charges for the preparation, printing and distribution of a preliminary official statement and final official statement, if paid by the Issuer, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Series 2019 Bonds, premiums for the insurance of the payment of the Series 2019 Bonds, if any, and any other cost, charge or fee paid or payable by the Issuer in connection with the original issuance of Series 2019 Bonds.

“Date of Issuance” shall mean October 25, 2019.

“Debt Service” for any period shall mean, as of the date of calculation, an amount equal to the sum of (i) interest payable during such period on Series 2019 Bonds and (ii) the principal amount of Series 2019 Bonds which mature during such period.

“Debt Service Fund” means the Parish Two Percent Sales Tax Bond Debt Service Fund created and established pursuant to Section 503 hereof.

“Defeasance Obligations” shall mean (a) cash or (b) Non-callable Government Securities.

“Executive Officers” shall mean collectively the Mayor-President and Council Administrator/Treasurer of the Issuer.

“Fiscal Agent” shall mean Capital One Bank, or any successor thereto.
“Fiscal Year” shall mean the one-year period commencing on January 1 of each year, or such other one-year period as may be designated by the Governing Authority as the fiscal year of the Issuer.

“General Bond Resolution” shall mean Resolution 29074 adopted by the Governing Authority on July 12, 1989, as supplemented by this Bond Resolution, and as the same may be amended and/or supplemented in the future.

“Governing Authority” shall mean the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, or its successor in function.

“Interest Payment Date” shall mean February 1 and August 1 of each year, commencing February 1, 2020.

“LIBOR” shall mean, on any date of determination, the rate for deposits in U.S. dollars for the one-month period which appears on Bloomberg Page BBAM1 at approximately 11:00 a.m., London time, on the applicable Interest Determination Date.

“Outstanding”, when used with reference to the Series 2019 Bonds, shall mean, as of any date, all Series 2019 Bonds theretofore issued under the Bond Resolution, except:

1. Series 2019 Bonds theretofore cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;
2. Series 2019 Bonds for the payment or redemption of which sufficient Defeasance Obligations have been deposited with the Paying Agent/Registrar or an escrow agent in trust for owners of such Series 2019 Bonds with the effect specified in this Bond Resolution, provided that if such Series 2019 Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for pursuant to the Bond Resolution, to the satisfaction of the Paying Agent/Registrar, or waived;
3. Series 2019 Bonds in exchange for or in lieu of which other Series 2019 Bonds have been registered and delivered pursuant to the Bond Resolution; and
4. Series 2019 Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in the Bond Resolution or by law.

“Outstanding Parity Bonds” shall mean, collectively, the Series 2013 A Bonds and the Series 2014A Bonds.

“Paying Agent/Registrar” shall mean The Bank of New York Mellon Trust Company, N.A., as initial paying agent and registrar hereunder until a successor Paying Agent/Registrar shall have become such pursuant to the applicable provisions of this Bond Resolution, and thereafter “Paying Agent/Registrar” shall mean such successor Paying Agent/Registrar.

“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.

“Project” means the drainage improvements within the Parish of East Baton Rouge financed with proceeds of the Series 2019 Bonds.

“Purchaser” shall mean DNT Asset Trust, a Delaware statutory trust and wholly owned subsidiary of JPMorgan Chase Bank, N.A.

“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, with respect to an Interest Payment Date, the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date, whether or not such day is a Business Day.
“Sales Tax Fund” shall mean the Parish Two Percent Sales Tax Fund created and established pursuant to Section 504 of the General Bond Resolution.

“Series 2013A Bonds” shall mean the Public Improvement Sales Tax Revenue Bonds, Series 2013A, in the original principal amount of $11,000,000.

“Series 2014A Bonds” shall mean the Public Improvement Sales Tax Revenue Bonds, Series 2014A, in the original principal amount of $4,600,000.

“Series 2019 Bonds” shall mean any or all of the Public Improvement Sales Tax Revenue Bonds, Series 2019, issued pursuant to the General Bond Resolution and this Bond Resolution, as the same may be amended from time to time, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any previously issued Series 2019 Bonds.

“State” shall mean the State of Louisiana.

“Tax” shall mean the two percent (2%) sales and use tax now being levied and collected by the Issuer in accordance with La. R.S. 47:337.5.1.

SECTION 102. Interpretation. In this Bond Resolution, unless the context otherwise requires, (a) words importing the singular include the plural and vice versa, (b) words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders and (c) the title of the offices used in this Bond Resolution shall be deemed to include any other title by which such office shall be known under any subsequently adopted charter.

SECTION 103. General Enlargement. All of the provisions of the General Bond Resolution are hereby enlarged and extended and all of the covenants, agreements, duties and obligations of the Issuer set forth in the General Bond Resolution and in this Bond Resolution, except as specifically provided otherwise herein, shall include and be for the equal benefit and security of the holders and registered Owners of the Series 2019 Bonds to the same extent and effect as though the provisions of the General Bond Resolution and this Bond Resolution had been incorporated in one instrument executed and delivered at the same time.

ARTICLE II

AUTHORIZATION AND ISSUANCE OF SERIES 2019 BONDS

SECTION 201. Authorization and Designation of Series 2019 Bonds. Pursuant to the provisions of the General Bond Resolution, this Bond Resolution and the Act, the heretofore authorized issuance of not to exceed Ten Million Dollars ($10,000,000) principal amount of Series 2019 Bonds of the Issuer is hereby ratified and affirmed, and said bonds are hereby designated “Public Improvement Sales Tax Revenue Bonds, Series 2019”, and shall be in an aggregate principal amount of Ten Million Dollars ($10,000,000), and issued as provided in this Bond Resolution 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 thereof. The Series 2019 Bonds shall be special and limited obligations of the Issuer payable solely from the avails and proceeds of the Tax, subject only to the payment of the reasonable costs and expenses of collecting and administering the Tax.

The Series 2019 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 each Series 2019 Bond shall contain a recital to that effect.

The Series 2019 Bonds shall be in substantially the form set forth in Exhibit A hereto, with such necessary or appropriate variations, omissions and insertions as are required or permitted by the Act and this Bond Resolution.

The Series 2019 Bonds shall be sold to DNT Asset Trust, a Delaware statutory trust and wholly owned subsidiary of JPMorgan Chase Bank, N.A.
SECTION 202. Denominations, Dates, Maturities and Interest. The Series 2019 Bonds shall be dated October 25, 2019, shall be in the denomination of $5,000 or any integral multiple thereof within a single maturity, shall bear interest, calculated on the basis of twelve 30-day months and a 360-day year, from the date thereof or from the most recent date interest has been paid at the rate of two and fifty-nine one hundredths percent (2.59%) per annum, payable semiannually on February 1 and August 1 of each year, commencing February 1, 2020, and shall mature February 1, 2034, and shall be payable annually on February 1 of each of the years and in the aggregate principal amounts as set forth below (each a “Principal Payment Date”):

<table>
<thead>
<tr>
<th>Year (February 1)</th>
<th>Principal Amount Due</th>
<th>Year (February 1)</th>
<th>Principal Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$565,000</td>
<td>2028</td>
<td>$680,000</td>
</tr>
<tr>
<td>2021</td>
<td>$565,000</td>
<td>2029</td>
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<td>$795,000</td>
</tr>
<tr>
<td>2027</td>
<td>$660,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION 203. Redemption of Series 2019 Bonds. (a) Optional Redemption. The Series 2019 Bonds are subject to redemption at the option of the Issuer prior to their stated maturities in whole at any time on and after February 1, 2022, or in part from time to time on any Interest Payment Date on or after February 1, 2022, in the order directed by the Issuer, and in the event that less than all of such Series 2019 Bonds of any maturity are called for redemption, the particular Series 2019 Bonds of such maturity to be redeemed shall be selected by lot within such maturity. Any Series 2019 Bond made the subject of such call or calls shall be redeemed at the principal amount thereof plus accrued interest to the redemption date, without premium.

If less than all of the Series 2019 Bonds of a particular maturity are called for redemption, the Series 2019 Bonds within such maturity to be redeemed will be selected by the Paying Agent/Registrar by lot in such manner as the Paying Agent/Registrar in its discretion may determine.

In the event the Series 2019 Bond to be redeemed is of a denomination larger than $5,000, a portion of such Series 2019 Bond ($5,000 or any multiple thereof) may be redeemed. Any Series 2019 Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent/Registrar and there shall be delivered to the Owner of such Series 2019 Bond, a Series 2019 Bond or Series 2019 Bonds of the same maturity and of any authorized denomination or denominations as requested by such Owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Series 2019 Bond so surrendered.

(b) Optional Redemption Upon a Determination of Taxability. The Series 2019 Bonds will be subject to redemption in whole at the option of the Issuer prior to their scheduled maturity immediately after a Determination of Taxability (as defined in Section 208 herein).

Official notice of such call of any of the Series 2019 Bonds for redemption shall be given by means of first class mail, postage prepaid, deposited in the United States mail not less than thirty (30) days prior to the redemption date and addressed to the Owner of each Series 2019 Bond to be redeemed at his address as shown on the registration books of the Paying Agent/Registrar.

Official notice of such redemption of the Series 2019 Bonds for redemption shall be given by the Paying Agent/Registrar by means of first class mail, postage prepaid, by notice deposited in the United States mail not less than thirty (30) days prior to the redemption date addressed to the owner of each Series 2019 Bond to be redeemed at his address as shown on the registration books of the Paying Agent/Registrar.
SECTION 204. Bond Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Series 2019 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 Series 2019 Bonds and shall be deemed to be and shall constitute a contract between the Issuer and the Owners from time to time of the Series 2019 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 Series 2019 Bonds, each of which Series 2019 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 205. Obligation of Series 2019 Bonds. The Series 2019 Bonds shall be secured by and payable in principal, premium, if any, and interest solely from an irrevocable pledge and dedication of the net avails or proceeds of the Tax being levied and collected by and on behalf of the Issuer pursuant to the Constitution and laws of the State of Louisiana, after there have first been paid from the gross avails or proceeds thereof the reasonable and necessary costs and expenses of collecting and administering the Tax. The net proceeds of the Tax are hereby irrevocably and irrevocably pledged and dedicated in an amount sufficient for the payment of the Series 2019 Bonds in principal, premium, if any, and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Resolution.

All of the net avails or proceeds of the Tax required to be set aside in a separate fund established on the books and records of the Issuer (as set forth in the General Bond Resolution) shall be and remain pledged for the security and payment of the Bonds Outstanding in principal, premium, if any, and interest and for all other payments provided for until all Bonds Outstanding shall have been fully paid and discharged.

SECTION 206. Place and Medium of Payment. The principal of the Series 2019 Bonds is payable in such coin or currency of the United States of America as at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of the Paying Agent/Registrar. Interest on the Series 2019 Bonds is payable by check mailed on or before the Interest Payment Date by the Paying Agent/Registrar to the Owner thereof (determined as of the Record Date) at the address of such Owner as it appears on the registration books of the Paying Agent/Registrar maintained for such purpose.

SECTION 207. Payment of Interest. Except as otherwise provided in this Section, the Series 2019 Bonds shall bear interest from date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, as the case may be, provided, however, that if and to the extent that the Issuer shall default in the payment of the interest on any Series 2019 Bonds due on any Interest Payment Date, then all such Series 2019 Bonds shall bear interest from the most recent Interest Payment Date to which interest has been paid on the Series 2019 Bonds, or if no interest has been paid on the Series 2019 Bonds, from their dated date.

The person in whose name any Series 2019 Bond is registered at the close of business on the Record Date with respect to an Interest Payment Date shall in all cases be entitled to receive the interest payable on such Interest Payment Date (unless such Series 2019 Bond has been called for redemption on a redemption date which is prior to such Interest Payment Date) notwithstanding the cancellation of such Series 2019 Bond upon any registration of transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date.

SECTION 208. Interest Rate Adjustment Upon Determination of Taxability.

(a) Upon the occurrence of a Determination of Taxability (as hereinafter defined), the interest rate on the Series 2019 Bonds shall be increased from 2.59% per annum to _____% per annum during the period beginning on the Taxability Date (as hereinafter defined) and ending on the earlier to occur of the optional redemption of the Series 2019 Bonds pursuant to Section 203(b) hereof or the date of payment in full and retirement of the Series 2019 Bonds.

(b) As used in this Section 208, the following terms shall have the meanings given in this subsection:
(i) “Determination of Taxability” shall mean the occurrence of the first to occur of the following: (A) receipt by the Issuer of written notice from the Internal Revenue Service that the interest on the Series 2019 Bonds is included in the gross income of the registered owner(s) for federal income tax purposes; or (B) receipt by the Issuer of written notice that the registered owner(s) has been issued by the Internal Revenue Service a statutory notice of deficiency or similar notice that asserts in effect that the interest on the Series 2019 Bonds received by the registered owner(s) is included in the gross income of the registered owner(s) for federal income tax purposes; or (C) receipt by the Issuer of written notice from the Internal Revenue Service that there has been issued a public or private ruling or technical advice memorandum that the interest on the Series 2019 Bonds is included in the gross income of the registered owner(s) thereof for federal income tax purposes; or (D) a final decree or judgment of any federal court or a final action of the Internal Revenue Service determining that the interest paid or payable on the Series 2019 Bonds is or was includable in the gross income of the registered owner(s) for federal income tax purposes; provided, that no such notice, decree, judgment, or action will be considered effective for this purpose, however, unless the Issuer has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of the registered owner(s), and (if contested) until the conclusion of any administrative, judicial or appellate review, if sought.

(ii) “Taxability Date” means the date on which interest on the Series 2019 Bonds is first includable in gross income of the registered owner(s) thereof as a result of a Determination of Taxability as such a date is established pursuant to either (A) the Determination of Taxability or (B) an opinion by an attorney or firm of attorneys of nationally recognized standing on the subject of tax exempt municipal finance.

SECTION 209. Waiver of Jury Trial. THE ISSUER HEREBY IRREVOCABLY WAIVES ALL RIGHTS TO TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM (WHETHER BASED ON CONTRACT, TORT OR OTHERWISE) ARISING OUT OF OR RELATING TO THE BOND RESOLUTION, THE SERIES 2019 BONDS, OR THE TRANSACTIONS CONTEMPLATED HEREBY OR THEREBY.

SECTION 210. Acceleration. The Issuer represents that it has not granted to any person holding any indebtedness issued or incurred by the Issuer which is payable from or secured solely by a lien on or on the proceeds of the Tax the right to accelerate the Issuer’s obligation to repay such indebtedness following the occurrence of a default or event of default by the Issuer with respect to such indebtedness. The Issuer covenants that it shall not grant the remedy of acceleration to any person holding any indebtedness issued or incurred by the Issuer, which is payable from or secured solely by a lien on the proceeds of the Tax, upon the occurrence of any event of default with respect to such indebtedness unless the Issuer has received prior written consent of the owners of the Series 2019 Bonds. In the event that the Issuer shall grant the remedy of acceleration to any person holding any indebtedness issued or incurred by the Issuer which is payable from or secured solely by a lien on the revenues of the Tax, upon the occurrence of a default or event of default with respect to such indebtedness or upon the occurrence and continuation of an Event of Default hereunder or under the General Bond Resolution the owners of a majority of the outstanding principal amount of the Series 2019 Bonds, in their sole discretion, may deliver a notice to the Issuer declaring all amounts outstanding hereunder and under the Series 2019 Bonds to be immediately due and payable and such amounts shall then be immediately due and payable.

ARTICLE III

GENERAL TERMS AND PROVISIONS OF THE SERIES 2019 BONDS

SECTION 301. Exchange of Bonds: Persons Treated as Owners. The Issuer shall cause books for the registration and for the registration of transfer of the Series 2019 Bonds as provided in this Bond Resolution (the “Bond Register”) to be kept by the Paying Agent/Registrar at its principal corporate trust office, and the Paying Agent/Registrar is hereby constituted and appointed the registrar for the Series 2019 Bonds.
Upon surrender for registration of transfer of any Series 2019 Bond, the Paying Agent/Registrar shall register and deliver in the name of the transferee or transferees one or more new fully registered Series 2019 Bonds of authorized denomination of the same maturity and like aggregate principal amount. At the option of the Bondholder, Series 2019 Bonds may be exchanged for other Series 2019 Bonds of authorized denominations of the same maturity and in the then outstanding principal amount of the Series 2019 Bonds, upon surrender of the Series 2019 Bonds to be exchanged at the principal corporate trust office of the Paying Agent/Registrar. Whenever any Series 2019 Bonds are so surrendered for exchange, the Paying Agent/Registrar shall register and deliver in exchange therefor the Series 2019 Bond or Series 2019 Bonds which the Bondholder making the exchange shall be entitled to receive.

All Series 2019 Bonds presented for registration of transfer or exchange shall be accompanied by a written instrument or instruments of transfer in form and with a guaranty of signature satisfactory to the Paying Agent/Registrar, duly executed by the Owner or his attorney duly authorized in writing.

No service charge to the Bondholders shall be made by the Paying Agent/Registrar for any exchange or registration of transfer of Series 2019 Bonds. The Paying Agent/Registrar may require payment by the person requesting an exchange or registration of transfer of Series 2019 Bonds of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto.

The Issuer and the Paying Agent/Registrar shall not be required (a) to issue, register the transfer of or exchange any Series 2019 Bond during a period beginning at the opening of business on the 15th calendar day of the month next preceding an Interest Payment Date or any date of selection of Series 2019 Bonds to be redeemed and ending at the close of business on the Interest Payment Date or day on which the applicable notice of redemption is given or (b) to register the transfer of or exchange any Series 2019 Bond so selected for redemption in whole or in part.

All Series 2019 Bonds delivered upon any registration of transfer or exchange of Series 2019 Bonds shall be valid obligations of the Issuer, evidencing the same debt and entitled to the same benefits under this Bond Resolution as the Series 2019 Bonds surrendered.

Prior to due presentation for registration of transfer of any Series 2019 Bond, the Issuer and the Paying Agent/Registrar, and any agent of the Issuer or the Paying Agent/Registrar may deem and treat the person in whose name any Series 2019 Bond is registered as the absolute owner thereof for all purposes, whether or not such a Series 2019 Bond shall be overdue, and shall not be bound by any notice to the contrary.

SECTION 302. Bonds Mutilated, Destroyed, Stolen or Lost. In the event any Series 2019 Bond shall become mutilated or be improperly cancelled, or be destroyed, stolen or lost, the Issuer may in its discretion deliver a new Series 2019 Bond in exchange for and substitution for such mutilated or improperly cancelled Series 2019 Bond, or in lieu of and substitution for the Series 2019 Bond destroyed, stolen or lost, but only upon the Owner (i) furnishing the Issuer and the Paying Agent/Registrar proof of his ownership thereof and proof of such mutilation, improper cancellation, destruction, theft or loss satisfactory to the Issuer and the Paying Agent/Registrar, (ii) giving to the Issuer and the Paying Agent/Registrar an indemnity bond in favor of the Issuer and the Paying Agent/Registrar in such amount as the Issuer may require, (iii) complying with such other reasonable regulations and conditions as the Issuer may prescribe and (iv) paying such expenses as the Issuer and the Paying Agent/Registrar may incur. All Series 2019 Bonds so surrendered shall be delivered to the Paying Agent/Registrar for cancellation pursuant to Section 303 hereof. If any Series 2019 Bond shall have matured or be about to mature, instead of issuing a substitute Series 2019 Bond, the Issuer may pay the same, upon being indemnified as aforesaid, and if such Series 2019 Bond be lost, stolen or destroyed, without surrender thereof.

Any such duplicate Series 2019 Bond issued pursuant to this Section shall constitute an original, additional, contractual obligation on the part of the Issuer, whether or not the lost, stolen or destroyed Series 2019 Bond be at any time found by anyone. Such duplicate Series 2019 Bond shall be in all respects identical with those replaced except that it shall bear on its face the following additional clause:
“This bond issued to replace a lost, cancelled or destroyed bond under the authority of R.S. 39:971 through 39:974.”

Such duplicate Series 2019 Bond may be signed by the facsimile signatures of the same officers who signed the original Series 2019 Bonds, provided, however, that in the event the officers who executed the original Series 2019 Bonds are no longer in office, then the new Series 2019 Bonds may be signed by the officers then in office. Such duplicate Series 2019 Bonds shall be entitled to equal and proportionate benefits and rights as to lien and source and security for payment as provided herein with respect to all other Series 2019 Bonds hereunder, the obligations of the Issuer upon the duplicate Series 2019 Bonds being identical to its obligations upon the original Series 2019 Bonds and the rights of the Owner of the duplicate Series 2019 Bonds being the same as those conferred by the original Series 2019 Bonds.

SECTION 303. Cancellation and Destruction of Bonds. All Series 2019 Bonds paid or redeemed either at or before maturity, together with all Series 2019 Bonds purchased by the Issuer, shall thereupon be promptly cancelled by the Paying Agent/Registrar. The Paying Agent/Registrar shall thereupon promptly furnish to the Council Administrator/Treasurer of the Issuer an appropriate certificate of cancellation. All cancelled Series 2019 Bonds held by the Paying Agent/Registrar shall be disposed of as directed in writing by the Issuer.

SECTION 304. Execution. The Series 2019 Bonds shall be executed in the name and on behalf of the Issuer by the manual or facsimile signature of the Mayor-President and countersigned by the manual or facsimile signature of the Council Administrator/Treasurer of the Issuer and the corporate seal of the Issuer (or a facsimile thereof) shall be thereto affixed, and printed, engraved or otherwise reproduced thereon.

SECTION 305. Registration by Paying Agent/Registrar. No Series 2019 Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Bond Resolution unless and until a certificate of registration on such Series 2019 Bond substantially in the form set forth in Exhibit A hereeto shall have been duly executed on behalf of the Paying Agent/Registrar by a duly authorized signatory, and such executed certificate of the Paying Agent/Registrar upon any such Series 2019 Bond shall be conclusive evidence that such Series 2019 Bond has been executed, registered and delivered under this Bond Resolution.

The Series 2019 Bonds shall also be registered with the Secretary of State of the State of Louisiana as provided by law and shall bear the endorsement of the Secretary of the State of Louisiana (which registration shall be by manual signature on the Series 2019 Bonds issued upon original issuance of the Series 2019 Bonds and by facsimile signature on Series 2019 Bonds exchanged therefor) and shall have endorsed thereon the following:
Incontestable. Secured by a pledge and dedication of a sales and use tax in the Parish of East Baton Rouge, State of Louisiana. Registered this 25th day of October, 2019.

SECRETARY OF STATE
STATE OF LOUISIANA
BATON ROUGE

SECTION 306. Regularity of Proceedings. The Issuer, having investigated the regularity of the proceedings had in connection with the issuance of the Series 2019 Bonds, and having determined the same to be regular, each of the Series 2019 Bonds shall contain the following recital, to-wit:

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

ARTICLE IV
APPLICATION OF PROCEEDS

SECTION 401. Application of Bond Proceeds. The net proceeds of the sale of the Series 2019 Bonds shall be deposited into a special fund designated the “Parish 2019 Sales Tax Bonds Construction Fund” for use by the custodian of such fund for the purpose of (1) providing funds to pay the costs of drainage improvements within the Parish of East Baton Rouge, and (2) paying the Costs of Issuance, and no further authority shall be necessary for the expenditure of such funds for such purposes.

ARTICLE V
PAYMENT OF BONDS; DISPOSITION OF FUNDS

SECTION 501. Deposit of Funds With Paying Agent/Registrar. The Issuer covenants that it will deposit or cause to be deposited with Paying Agent/Registrar from the moneys derived from the collection of the Tax or other funds available for such purpose, at least one (1) Business Day in advance of the date on which payment of principal and/or interest falls due on the Series 2019 Bonds, funds fully sufficient to pay promptly the principal, premium, if any, and interest so falling due on such date.
SECTION 502. Issuer Obligated to Collect Tax. In compliance with the laws of Louisiana, the Issuer, through its Governing Authority, by proper ordinances and/or resolutions, is obligated to cause the Tax to continue to be levied and collected until all of the Bonds Outstanding have been retired as to both principal and interest, and further shall not discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which the Bonds Outstanding have been 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 Outstanding have been retired as to both principal and interest, except as provided in Section 704 of the General Bond Resolution and Section 603 hereof.

SECTION 503. Establishment of Funds and Accounts.

(A) Upon delivery of and payment for the Series 2019 Bonds, the Funds and Accounts created under Article V of the General Bond Resolution, including the Sales Tax Fund, shall be held and maintained by the Fiscal Agent of the Issuer for the equal benefit and security of the holders and Owners of the Bonds Outstanding.

(B) The Debt Service Fund is hereby created and established. On each Interest Payment Date and on each February 1, commencing February 1, 2020, to and including February 1, 2034 (each, a “Principal Payment Date”), the Issuer shall cause to be deposited from the Sales Tax Fund into the Debt Service Fund an amount sufficient to pay the interest due on the Series 2019 Bonds on such Interest Payment Date and/or the principal due on the Series 2019 Bonds on such Principal Payment Date. The Issuer shall transfer from said Debt Service Fund to the Paying Agent/Registrar no later than 11:00 a.m., Central time, on such Interest Payment Date and/or Principal Payment Date, funds fully sufficient to pay the principal and interest so falling due on such dates.

SECTION 504. Sales Tax Fund. The collector of the Tax 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 maintained with the Fiscal Agent of the Issuer and established pursuant to Section 503(1) of the General Bond Resolution. The Sales Tax Fund may be maintained as part of the Issuer’s consolidated cash accounts as long as it has a separate accounting. So long as any Series 2019 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 this Section 504. 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: Into the Debt Service Fund, of the date on which payment of principal or interest falls due, funds fully sufficient to pay promptly the principal and interest so falling due on such date.

SECTION 505. Funds to Constitute Trust Funds. The Sales Tax Fund and the Debt Service Fund shall be and constitute trust funds for the purposes provided in this Bond Resolution, and the Owners of Series 2019 Bonds issued pursuant to this Bond Resolution are hereby granted a lien on all such funds until applied in the manner provided herein. The moneys in such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds in the manner required by the laws of the State pertaining to the securing of public deposits.

SECTION 506. Method of Valuation and Frequency of Valuation. In computing the amount in any fund provided for in Section 503, Qualified Investments shall be valued at the lower of the cost or the market price, exclusive of accrued interest. With respect to all funds and accounts, valuation shall occur annually.
ARTICLE VI

PARTICULAR COVENANTS,
ADDITIONAL BONDS

SECTION 601. Payment of Bonds. The Issuer shall duly and punctually pay or cause to be paid as herein provided, the principal or redemption price, if any, of every Series 2019 Bond and the interest thereon, at the dates and places and in the manner stated in the Series 2019 Bonds according to the true intent and meaning thereof.

SECTION 602. Tax Covenants. The Issuer covenants and agrees that, to the extent permitted by the laws of the State, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from gross income of interest on the Series 2019 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 Series 2019 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 Series 2019 Bonds to be “arbitrage bonds” or would result in the inclusion of the interest on any of the Series 2019 Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Series 2019 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 Series 2019 Bonds in a manner which would cause the Series 2019 Bonds to be “private activity bonds”.

The Mayor-President of the Issuer and Council Administrator 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 603. Obligation to Collect Tax. The Issuer recognizes that the Governing Authority of the Issuer is bound under the terms and provisions of law, to levy, impose, enforce and collect the Tax, to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Tax, until all of the Bonds Outstanding have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Governing Authority of the Issuer from altering, amending or repealing from time to time as may be necessary, the ordinances adopted providing for the levying, imposition, enforcement and collection of the Tax 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 revenues from the Tax. More specifically, there shall be no amendment to the ordinance or resolution levying the Tax or any change in the Tax or exemptions thereto by subsequent ordinance or resolution levying the Tax unless the Director of Finance certifies that if such change were in effect for the prior two Fiscal Years, each year’s Tax revenues would have been at least three times the highest combined total principal and interest requirement for any succeeding Fiscal Year on all Bonds Outstanding. Subject to such provision, the ordinances imposing the Tax and pursuant to which the Tax is being levied, collected and allocated, and the obligation to continue to levy, collect and allocate the Tax and to apply the revenues therefrom in accordance with the provisions of the General Bond Resolution and 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 the Bonds Outstanding have been issued, or in any way make any change in such Tax which would diminish the amount of the sales tax revenues to be received by the Issuer except as provided above, until all of such Bonds Outstanding shall have been retired as to both principal and interest.

SECTION 604. Indemnity Bonds. So long as any of the Bonds Outstanding are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Tax, to obtain
or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 605. Issuer to Maintain Books and Records. So long as any of the Bonds Outstanding are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other transactions relating to the collection and expenditure of the revenues of the Tax, including specifically, but without limitation, all reasonable and necessary costs and expenses of collection. Not later than seven (7) months after the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by the Legislative Auditor of the State of Louisiana (or his successor) or by a recognized independent firm of certified public accountants showing the receipts of and disbursements made for the account of the aforesaid Sales Tax Fund. Such audit shall be available for inspection upon request by the Owners of any of the Bonds Outstanding. The Issuer further agrees that the Paying Agent/Registrar and the Owners of any of the Bonds Outstanding shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Tax.

ARTICLE VII
SUPPLEMENTAL BOND RESOLUTION

SECTION 701. Supplemental Resolutions Effective Without Consent of Bondholders. For any one or more of the following purposes and at any time from time to time a resolution supplemental hereto may be adopted, which, upon the filing with the Paying Agent/Registrar of a certified copy thereof, but without any consent of Bondholders, shall be fully effective in accordance with its terms:

(a) to add to the limitations and restrictions contained in this Bond Resolution on the registration and delivery of Series 2019 Bonds or the issuance of other evidences of indebtedness;

(b) to add to the covenants and agreements of the Issuer in this Bond Resolution other covenants and agreements to be observed by the Issuer which are not contrary to or inconsistent with the Bond Resolution as theretofore in effect;

(c) to add to the limitations and restrictions in this Bond Resolution other limitations and restrictions to be observed by the Issuer which are not contrary to or inconsistent with the Bond Resolution as theretofore in effect;

(d) to surrender any right, power or privilege reserved to or conferred upon the Issuer by the terms of this Bond Resolution, but only if the surrender of such right, power or privilege is not contrary to or inconsistent with the covenants and agreements of the Issuer contained in this Bond Resolution;

(e) to cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision of the Bond Resolution;

(f) to insert such provisions clarifying matters or questions arising under the Bond Resolution as are necessary or desirable and are not contrary to or inconsistent with the Bond Resolution as theretofore in effect;

(g) to add the dated date of the Series 2019 Bonds and the amount and due date of each principal payment for the Series 2019 Bonds;

(h) to add, if so determined by the Issuer, provisions for the sale of the Series 2019 Bonds; and

(i) to add any other provisions deemed advisable by the Issuer as shall not conflict with the provision hereof.
SECTION 702. Supplemental Resolutions Effective With Consent of Bondholders. Except as provided in Section 701, any modification or amendment of this Bond Resolution or of the rights and obligations of the Issuer and of the Owners of the Series 2019 Bonds hereunder, in any particular, may be made by a supplemental resolution, with the written consent of the Owners of a majority of the Bond Obligation at the time such consent is given. No such modification of amendment shall permit a change in the terms of redemption or maturity of the principal of any outstanding Series 2019 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 Series 2019 Bond, or shall reduce the percentages of Series 2019 Bonds the consent of the Owner of which is required to effect any such modification or amendment, or change the obligation of the Issuer to levy and collect the Tax for the payment of the Series 2019 Bonds as provided herein, without the consent of the Owners of all the Series 2019 Bonds then Outstanding, or shall change or modify any of the rights or obligations of the Paying Agent/Registrar without its written assent thereto. For the purposes of this Section, Series 2019 Bonds shall be deemed to be effected by a modification or amendment of the Bond Resolution if the same adversely affects or diminishes the rights of the Owners of said Series 2019 Bonds.

ARTICLE VIII
PARITY BONDS

SECTION 801. Issuance of Parity Bonds. All of the Series 2019 Bonds shall enjoy complete parity of lien on the avails or proceeds of the Tax despite the fact that any of the Series 2019 Bonds may be delivered at an earlier date than any other of the Series 2019 Bonds. Other than the Outstanding Bonds, the Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the avails or proceeds of the Tax having priority over or parity with the Outstanding Bonds and Series 2019 Bonds, except that bonds may hereafter be issued on a parity with such Outstanding Bonds and Series 2019 Bonds under the following conditions.

1. The Series 2019 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 Series 2019 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 Series 2019 Bonds refunded, provided, however, that if only a portion of Series 2019 Bonds is so refunded and the refunding bonds require total principal and interest payments during any Bond Year in excess of the principal and interest which would have been required in such Bond Year to pay Series 2019 Bonds refunded thereby, then such Series 2019 Bonds may not be refunded without consent of the Owners of the unredeemed portion of the Series 2019 Bonds issued hereunder (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause 2 of this Section 801).

2. Additional bonds may also be issued on a parity with the Outstanding Bonds and the Series 2019 Bonds herein authorized if all of the following conditions are met:

(a) The average annual net revenues derived by the Issuer from the Tax when computed for the last two (2) completed Fiscal Years immediately preceding the issuance of the additional bonds must have been not less than three (3) times the highest combined principal and interest requirements for any succeeding Fiscal Year period on all bonds then outstanding, including any pari passu additional bonds theretofore issued and then outstanding and any other bonds or other obligations whatsoever then outstanding which are payable from the Tax (but not including bonds which have been refunded or provision otherwise made for their full and complete payment and redemption) and the bonds so proposed to be issued. “Net revenues” for the purpose of this subsection shall be understood to refer to gross revenues of the Tax after there shall have been deducted therefrom the reasonable and necessary expenses of collection and administration of the Tax; and

(b) The payments to be made into the various funds provided for in Section 503 hereof must be current; and
(c) The existence of the facts required by paragraphs (a) and (b) above must be
determined and certified to by the Treasurer of the Parish of East Baton Rouge
and City of Baton Rouge; and

(d) The additional bonds must be payable on February 1st of each year in which
principal falls due and payable as to interest on February 1st and August 1st of
each year; and

3. Section 901(2)(c) of the General Bond Resolution is hereby amended to provide
that the existence of the facts required by paragraphs 801(2)(c) and 801(2)(b) may be determined
and certified to by the Treasurer of the Parish of East Baton Rouge and City of Baton Rouge. In
addition, Section 901(2)(d) of the General Bond Resolution is hereby amended to provide that
the Series 2019 Bonds shall be payable on February 1 of each year in which principal falls due.

ARTICLE IX

REMEDIES ON DEFAULT

SECTION 901. Events of Default. If one or more of the following events (in this Bond
Resolution called “Events of Default”) shall happen,

(a) if default shall be made in the due and punctual payment of the principal of any
Series 2019 Bond when and as the same shall become due and payable, whether
at maturity or otherwise; or

(b) if default shall be made in the due and punctual payment of any installment of
interest on any Series 2019 Bond when and as such interest installment shall
become due and payable; or

(c) if default shall be made by the Issuer in the performance or observance of any
other of the covenants, agreements or conditions on its part in this Bond
Resolution, any supplemental resolution or in the Series 2019 Bonds contained
and such default shall continue for a period of forty-five (45) days after written
notice thereof to the Issuer by the Owners of not less than 25% of the Series 2019
Bonds; or

(d) 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 Series 2019
Bonds shall be entitled to exercise all rights and powers for which provision is made under
Louisiana law.

Upon an Event of Default, interest will be computed at the Default Rate (defined below).

The Default Rate shall mean the Base Rate plus 4.00%.

The Base Rate shall mean the higher of (i) the Bank’s Prime Rate and (ii) 2.5% plus the
one month adjusted LIBOR rate.

In the event that the Purchaser determines, based upon certain prescribed triggering
circumstances, that LIBOR is no longer available or deemed to be an appropriate reference rate
upon which to determine the interest rate on Eurodollar loans, then the rate for each Interest
Period for LIBOR-based loans will be determined by such alternate method designed to measure
interest rates, as selected by Purchaser, giving due consideration to the then prevailing market
convention for determining a rate of interest for bank loans in the United States. Adjustments
may be taken into account in the replacement rate in order to preserve the economic yield of the
Purchaser in effect as of, and as contemplated on the closing date. If such alternate rate of
interest as so determined would be less than zero, such rate shall be deemed to be zero. Any
successor rate or alternate methodology must be an interest-based index, variations in the value
of which can reasonably be expected to measure contemporaneous variations in the cost of newly
borrowed funds in United States dollars.
The Purchaser does not warrant or accept any responsibility for, and shall not have any liability with respect to, the administration, submission or any other matter related to LIBOR or with respect to any alternative, successor rate thereto, or replacement rate thereof, including without limitation, whether the composition or characteristics of any such alternative, successor or replacement reference rate will be similar to, or produce the same value or economic equivalence of the LIBOR rate or have the same volume or liquidity as did LIBOR prior to its discontinuance or unavailability.

ARTICLE X

CONCERNING FIDUCIARIES

SECTION 1001. Paying Agent/Registrar; Appointment and Acceptance of Duties. The Issuer will at all times maintain a Paying Agent/Registrar having the necessary qualifications for the performance of the duties described in this Bond Resolution. The Paying Agent/Registrar shall signify its acceptance of the duties and obligations imposed on it by this Bond Resolution by executing and delivering an acceptance of its rights, duties and obligations as Paying Agent/Registrar set forth herein in form and substance satisfactory to the Issuer. The initial Paying Agent/Registrar is The Bank of New York Mellon Trust Company, N.A.

SECTION 1002. Successor Paying Agent/Registrar. Any successor Paying Agent/Registrar shall (i) be a trust company or bank in good standing, located in or incorporated under the laws of the State, duly authorized to exercise trust powers and subject to examination by federal or state authority and (ii) have a reported capital and surplus of not less than $50,000,000 and shall be subject to the same provisions of this Bond Resolution as its predecessor in function.

ARTICLE XI

MISCELLANEOUS

SECTION 1101. Defeasance. (a) If the Issuer shall pay or cause to be paid to the Owners of all Series 2019 Bonds then Outstanding, the principal and interest and redemption premium, if any, to become due thereon, at the times and in the manner stipulated therein and in the Bond Resolution, then the covenants, agreements and other obligations of the Issuer to the Bondholders shall be discharged and 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 it pursuant to the Bond Resolution which are not required for the payment or redemption of Series 2019 Bonds not theretofore surrendered for such payment or redemption.
(b) Series 2019 Bonds or interest installments for the payment or redemption of which Defeasance Obligations shall have been set aside and shall be held in trust by the Paying Agent/Registrar or an escrow agent (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 Series 2019 Bond shall, prior to maturity or the 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 Series 2019 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 notice of redemption as provided in Section 203 of this Bond Resolution, (ii) there shall have been deposited with the Paying Agent/Registrar or an escrow agent Defeasance 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 and (iii) the adequacy of the Defeasance Obligations so deposited to pay when due the principal or applicable redemption price and all accrued interest shall have been verified by an independent certified public accountant. Neither Defeasance Obligations 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 to become due on the Series 2019 Bonds; provided that any cash received from such principal or interest payments on such Defeasance Obligations shall, if permitted by the Code, and to the extent practicable, be reinvested in Defeasance Obligations maturing at times and in amounts sufficient to pay when due the principal or redemption price, if applicable, and interest to become due on said Series 2019 Bonds on and prior to such redemption date or maturity date thereof, as the case may be.

SECTION 1102. Evidence of Signatures of Bondholders and Ownership of Bonds. (a) Any request, consent, revocation of consent or other instrument which the Bond Resolution may require or permit to be signed and executed by the Owners may be in one or more instruments of similar tenor, and shall be signed or executed by such Owners in person or by their attorneys-in-fact appointed in writing. Proof of (i) the execution of any such instrument, or of an instrument appointing any such attorney, or (ii) the ownership by any person of the Series 2019 Bonds shall be sufficient for any purpose of the Bond Resolution (except as otherwise therein expressly provided) if made in the following manner, or in any other manner satisfactory to the Paying Agent/Registrar, which may nevertheless in its discretion require further or other proof in cases where it deems the same desirable.

(1) the fact and date of the execution by any Owner or his attorney-in-fact of such instrument may be proved by the certificate, which need not be acknowledged or verified, of an officer of a bank or trust company or of any notary public or other officer authorized to take acknowledgments of deeds, that the person signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of witness of such execution, duly sworn to before such notary public or other officer. Where such execution is by an officer of a corporation or association or a member of a partnership, on behalf of such a corporation, association or partnership, such certificate or affidavit shall also constitute sufficient proof of his authority;

(2) the ownership of Series 2019 Bonds and the amount, numbers and other identification, and date of owning the same shall be proved by the registration books of the Paying Agent/Registrar.

(b) Any request of consent by the Owner of any Series 2019 Bond shall bind all future Owners of such Series 2019 Bond in respect of anything done or suffered to be done by the Issuer or the Paying Agent/Registrar in accordance therewith.

SECTION 1103. Moneys Held for Particular Bonds. The amounts held by the Paying Agent/Registrar for the payment due on any date with respect to particular Series 2019 Bonds shall, on and after such date and pending such payment, be set aside on its books and held in trust by it, without liability for interest, for the Owners of the Series 2019 Bonds entitled thereto.
SECTION 1104. Parties Interested Herein. Nothing in this Bond Resolution expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Issuer, the insurer, the Paying Agent/Registrar and the Owners of the Series 2019 Bonds any right, remedy or claim under or by reason of the Bond Resolution or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in the Bond Resolution contained by and on behalf of the Issuer shall be for the sale and exclusive benefit of the Issuer, the Paying Agent/Registrar and the Owners of the Series 2019 Bonds.

SECTION 1105. No Recourse on the Bonds. No recourses shall be had for the payment of the principal of or interest on the Series 2019 Bonds or for any claim based thereon or on this Bond Resolution against any member of the Governing Authority or officer of the Issuer or any person executing the Series 2019 Bonds.

SECTION 1106. Successors and Assigns. Whenever in this Bond Resolution the Issuer is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Bond Resolution contained by or on behalf of the Issuer shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 1107. Subrogation. In the event the Series 2019 Bonds herein authorized to be issued, or any of them, should ever be held invalid by any court of competent jurisdiction, the Owner or Owners thereof shall be subrogated to all the rights and remedies against the Issuer had and possessed by the Owner.

SECTION 1108. Severability. In case any one or more of the provisions of this Bond Resolution or of the Series 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Resolution or of the Series 2019 Bonds, but this Bond Resolution and the Series 2019 Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Bond Resolution which validates or makes legal any provision of this Bond Resolution or the Series 2019 Bonds which would not otherwise be valid or legal shall be deemed to apply to this Bond Resolution and to the Series 2019 Bonds.

SECTION 1109. Publication of Bond Resolution; Peremption. This Bond Resolution shall be published one time in the official journal of the Issuer; however, it shall not be necessary to publish any exhibits hereto if the same are available for public inspection and such fact is stated in the publication.

SECTION 1110. Execution of Documents. In connection with the issuance and sale of the Series 2019 Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such documents, certificates and instruments as they may deem necessary, upon the advice of Bond Counsel, to effect the transactions contemplated by this Bond Resolution, the signatures of the Executive Officers on such documents, certificates and instruments to be conclusive evidence of the due exercise of the authority granted hereunder.

ARTICLE XII
INTRODUCTION OF RESOLUTION

SECTION 1201. Introduction of Resolution. That this Bond Resolution, having been duly introduced at a duly convened meeting on October 9, 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 October 23, 2019, shall take effect immediately.
This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

Done, approved and adopted on this, the 23rd day of October, 2019.

/s/ Ashley Beck
Council Administrator

/s/ Scott Wilson
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 the City of Baton Rouge, State of Louisiana, the governing authority thereof.

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 October 23, 2019, and of a Supplemental Resolution authorizing the issuance and providing for the sale of Public Improvement Sales Tax Revenue Bonds, Series 2019 of the Parish of East Baton Rouge, State of Louisiana, payable from the proceeds of the two percent (2%) sales and use tax levied by said Parish; prescribing the form, fixing the details, 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 office seal of said Parish of East Baton Rouge and City of Baton Rouge, Louisiana, on this, the 23rd day of October, 2019.

____________________________________
Ashley Beck,
Council Administrator/ Treasurer

(Seal)
EXHIBIT A

FORM OF BOND

NO. R-1 Principal Amount $10,000,000

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

PUBLIC IMPROVEMENT SALES TAX
REVENUE BOND, SERIES 2019
OF THE
PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA

Maturity Date: Interest Rate: Bond Date:
February 1, 2034 2.59% October 25, 2019

The Parish of East Baton Rouge, State of Louisiana (the “Issuer”), for value received, promises to pay, but only from the source and as hereinafter provided, to

DNT Asset Trust, a Delaware statutory trust and wholly owned subsidiary of JPMorgan Chase Bank, N.A.

or registered assigns, on the dates and in the amounts set forth in Schedule I attached hereto, the principal of the Series 2019 Bond, together with interest thereon from the Bond Date set forth above or from the most recent interest payment date to which interest has been paid or duly provided for, payable on February 1 and August 1 of each year, commencing February 1, 2020 (each an “Interest Payment Date”), at the Interest Rate per annum set forth above, on the basis of twelve 30-day months and a 360-day year. The principal of this Series 2019 Bond is payable annually on the dates and in the amounts set forth in Schedule I attached hereto, payable in such coin or currency of the United States of America as at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., or any successor thereto (the “Paying Agent/Registrar”). Interest on this Series 2019 Bond is payable by check mailed on or before the Interest Payment Date by the Paying Agent/Registrar to the registered owner at the address as shown on the registration books of the Paying Agent/Registrar maintained for such purpose. The interest so payable on any Interest Payment Date will be paid to the person in whose name this Series 2019 Bond is registered at the close of business on the Record Date (which is the 15th calendar day of the month next preceding an Interest Payment Date). Any interest not punctually paid or duly provided for shall be payable as provided in the Bond Resolution (hereinafter defined).

REFERENCE IS MADE TO THE FURTHER PROVISIONS OF THIS SERIES 2019 BOND SET FORTH ON THE REVERSE HEREOF WHICH SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN.

This Series 2019 Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Resolution until the certificate of registration hereon shall have been signed by the Paying Agent/Registrar.

It is certified that this Series 2019 Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Series 2019 Bond and the issue of which it forms a part to constitute the same legal, binding and valid obligations of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law and that the indebtedness of the Issuer, including this Series 2019 Bond and the issue of which it forms a part, does not exceed the limitations prescribed by the Constitution and statutes of the State of Louisiana.
IN WITNESS WHEREOF, the Parish of East Baton Rouge, State of Louisiana, has caused this Series 2019 Bond to be executed in the name of the Issuer by the facsimile signatures of its Mayor-President and Council Administrator/Treasurer and a facsimile of its corporate seal to be imprinted or reproduced hereon.

PARISH OF EAST BATON ROUGE,  
STATE OF LOUISIANA

ATTEST:

Council Administrator/Treasurer  Mayor-President

(SEAL)

This bond is one of a duly authorized issue of Public Improvement Sales Tax Revenue Bonds, Series 2019, aggregating in principal the sum of Ten Million Dollars ($10,000,000) (the “Series 2019 Bonds”), all of like tenor and effect except as to interest rate, number, denomination and maturity, said Series 2019 Bonds having been issued by the Issuer pursuant to Resolution No. 29074 adopted by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge (the “Governing Authority”), the governing authority of the Issuer, on July 12, 1989 (the “General Bond Resolution”), as supplemented by a resolution adopted by the Governing Authority on October 23, 2019 (collectively, the “Bond Resolution”). The Series 2019 Bonds have been issued by 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, and Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (collectively, the “Act”), and other constitutional and statutory authority, for the purpose of providing funds to pay the costs of drainage improvements within the Parish of East Baton Rouge (the “Project”), and to pay the cost of issuance thereof.

This Series 2019 Bond and the issue of which it forms a part are payable solely from and secured by an irrevocable pledge and dedication of the avails or proceeds of the two percent (2%) sales and use tax (the “Tax”), now being levied and collected by the Issuer pursuant to La. R.S. 47:337.5.1, subject only to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax.

The Series 2019 Bonds are being issued on a pari passu basis with the (i) Public Improvement Sales Tax Revenue Bonds, Series 2013A, in the original principal amount of $11,000,000, of which $7,220,000 is currently outstanding (the “Series 2013A Bonds”), and (ii) Public Improvement Sales Tax Revenue Bonds, Series 2014A, in the original principal amount of $4,600,000 of which $3,000,000 is currently outstanding (the “Series 2014A Bonds,” and, together with the Series 2013A Bonds, the “Outstanding Parity Bonds”).

THIS SERIES 2019 BOND CONSTITUTES A BORROWING SOLELY UPON THE CREDIT OF THE TAX RECEIVED BY THE ISSUER AND DOES NOT CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE GENERAL CREDIT OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISIONS RELATING TO THE INCURRING OF INDEBTEDNESS.
The Governing Authority of the Issuer has covenanted and agreed and does hereby covenant and agree not to discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which the this Series 2019 Bond and the issue of which it forms a part, the Outstanding Parity Bonds, and any pari passu bonds issued in any future year have been issued, nor in any way make any change which would diminish the amount of said Tax revenues to be received by the Issuer until all such Series 2019 Bonds and any pari passu bonds issued in any future year have been paid in principal and interest. More specifically, there shall be no amendment to the ordinance levying the Tax or any change in the Tax or exemptions thereto by subsequent ordinance or resolution levying the Tax unless the Director of Finance certifies that if such change were in effect for the prior two fiscal years, each year's Tax revenues would have been at least three times the total principal and interest falling due on the Series 2019 Bonds, the Outstanding Parity Bonds, and any pari passu bonds issued in any future fiscal year. For a complete statement of the revenues from which and conditions under which this Series 2019 Bond is issued, and under which additional pari passu bonds may be issued, reference is hereby made to the Bond Resolution.

The Series 2019 Bonds are issuable only as fully registered bonds in the denomination of $5,000 principal amount or any integral multiple thereof within a single maturity exchangeable for an equal aggregate principal amount of Series 2019 Bonds of the same maturity of any other authorized denomination.

Subject to the limitations of and upon payment of the charges provided in the Bond Resolution, the transfer of this Series 2019 Bond may be registered on the registration books of the Paying Agent/Registrar upon surrender of this Series 2019 Bond at the principal corporate trust office of the Paying Agent/Registrar as registrar, accompanied by a written instrument or instruments of transfer in form and with a guaranty of signature satisfactory to the Paying Agent/Registrar, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new bond or bonds of the same maturity and of authorized denomination or denominations, in the then outstanding principal amount of the Series 2019 Bond, will be issued to the transferee. Prior to due presentment for registration of transfer of this Series 2019 Bond, the Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Series 2019 Bond is registered as the absolute owner hereof for all purposes, whether or not this Series 2019 Bond shall be overdue and neither the Issuer nor the Paying Agent/Registrar shall be bound by any notice to the contrary. Upon any such registration of transfer or exchange, the Paying Agent/Registrar may require payment of any amount sufficient to cover any tax or other governmental charge payable in connection therewith.

The Issuer and the Paying Agent/Registrar shall not be required (a) to issue, register the transfer of or exchange any Series 2019 Bond during a period beginning at the opening of business on the 15th calendar day of the month next preceding an Interest Payment Date or any date of selection of Series 2019 Bonds to be redeemed and ending at the close of business on the Interest Payment Date or day on which the applicable notice of redemption is given or (b) to register the transfer of or exchange any Series 2019 Bonds so selected for redemption in whole or in part.

The Series 2019 Bonds are subject to redemption at the option of the Issuer prior to their stated maturities in whole at any time on and after February 1, 2022, or in part from time to time on any Interest Payment Date on or after February 1, 2022, in the order directed by the Issuer, and in the event that less than all of such Series 2019 Bonds of any maturity are called for redemption, the particular Series 2019 Bonds of such maturity to be redeemed shall be selected by lot within such maturity, Any Series 2019 Bond made the subject of such call or calls shall be redeemed at the principal amount thereof plus accrued interest to the redemption date, without premium.

The Series 2019 Bonds will be subject to redemption in whole at the option of the Issuer prior to their scheduled maturity immediately after a Determination of Taxability (as defined below).

If less than all of the Series 2019 Bonds of a particular maturity are called for redemption, the Series 2019 Bonds within such maturity to be redeemed will be selected by the Paying Agent/Registrar by lot in such manner as the Paying Agent/Registrar in its discretion may determine.

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October 23, 2019
In the event the Series 2019 Bond to be redeemed is of a denomination larger than $5,000, a portion of such Series 2019 Bond ($5,000 or any multiple thereof) may be redeemed. Any Series 2019 Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent/Registrar and there shall be delivered to the Owner of such Series 2019 Bond, a Series 2019 Bond or Series 2019 Bonds of the same maturity and of any authorized denomination or denominations as requested by such Owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Series 2019 Bond so surrendered.

Official notice of such redemption of the Series 2019 Bonds for redemption shall be given by the Paying Agent/Registrar by means of first class mail, postage prepaid, by notice deposited in the United States mail not less than thirty (30) days prior to the redemption date addressed to the owner of each Series 2019 Bond to be redeemed at his address as shown on the registration books of the Paying Agent/Registrar.

“Determination of Taxability” shall mean the occurrence of the first to occur of the following: (A) receipt by the Issuer of written notice from the Internal Revenue Service that the interest on the Series 2019 Bonds is included in the gross income of the registered owner(s) for federal income tax purposes; or (B) receipt by the Issuer of written notice that the registered owner(s) has been issued by the Internal Revenue Service a statutory notice of deficiency or similar notice that asserts in effect that the interest on the Series 2019 Bonds received by the registered owner(s) is included in the gross income of the registered owner(s) for federal income tax purposes; or (C) receipt by the Issuer of written notice from the Internal Revenue Service that there has been issued a public or private ruling or technical advice memorandum that the interest on the Series 2019 Bonds is included in the gross income of the registered owner(s) thereof for federal income tax purposes; or (D) a final decree or judgment of any federal court or a final action of the Internal Revenue Service determining that the interest paid or payable on the Series 2019 Bonds is or was includable in the gross income of the registered owner(s) for federal income tax purposes; provided, that no such notice, decree, judgment, or action will be considered effective for this purpose, however, unless the Issuer has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of the registered owner(s), and (if contested) until the conclusion of any administrative, judicial or appellate review, if sought.

“Taxability Date” means the date on which interest on the Series 2019 Bonds is first includable in gross income of the registered owner(s) thereof as a result of a Determination of Taxability as such a date is established pursuant to either (A) the Determination of Taxability or (B) an opinion by an attorney or firm of attorneys of nationally recognized standing on the subject of tax exempt municipal finance.

In the event of an Event of Default (as defined in the Bond Resolution), the Series 2019 Bonds shall bear interest at the Default Rate (as defined in the Bond Resolution).
The Bond Resolution permits, with certain exceptions as therein provided, the amendment thereof and the modifications of the rights and obligations of the Issuer and the rights of the Owners of the Series 2019 Bonds at any time by the Issuer with consent of the Owners of a majority in aggregate principal amount of all Series 2019 Bonds issued under the Bond Resolution, to be determined in accordance with the Bond Resolution.

This Series 2019 Bond and the issue of which it forms a part have been duly registered with the Secretary of State of Louisiana.

This Series 2019 Bond is issued with the intent that the laws of the State of Louisiana shall govern its construction.

PAYING AGENT/REGISTRAR’S
CERTIFICATE OF REGISTRATION

This Series 2019 Bond is one of the Series 2019 Bonds referred to in the within-mentioned Bond Resolution.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.
Dallas, Texas
as Paying Agent/Registrar

By: ________________________________
Date: October 25, 2019
Authorized Officer

OFFICE OF SECRETARY OF STATE
STATE OF LOUISIANA
BATON ROUGE

Incontestable. Secured by a pledge and dedication of a sales and use tax in the Parish of East Baton Rouge, State of Louisiana.

Registered this 25th day of October, 2019.

__________________________________
Secretary of State
ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints ___________________________ attorney or agent to transfer the within bond on the books kept for registration thereof with full power of substitution in the premises.

Dated:_______________

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Signature Guaranteed:

__________________________

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

LEGAL OPINION CERTIFICATE

I, the undersigned Treasurer of the Parish of East Baton Rouge, State of Louisiana, do hereby certify that the attached is a true copy of the complete legal opinion of Butler Snow LLP, Bond Counsel, the original of which was manually executed, dated and issued as of the date of payment for and delivery of the original bonds of the issue described therein and was delivered to DNT Asset Trust, a Delaware statutory trust and wholly owned subsidiary of J.P. Morgan Chase Bank, N.A., the original purchaser thereof.

I further certify that an executed copy of the above legal opinion is on file in my office, and that an executed copy thereof has been furnished to the Paying Agent/Registrar for this Series 2019 Bond.

__________________________

Treasurer
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54550

A SUPPLEMENTAL BOND RESOLUTION AMENDING AND SUPPLEMENTING AMENDED AND RESTATED GENERAL BOND RESOLUTION NO. 44893 (EBROSCO NO. 7494); PROVIDING FOR THE SALE OF (I) THE REVENUE REFUNDING BONDS, SERIES 2019A OF THE EAST BATON ROUGE SEWERAGE COMMISSION AND (II) THE REVENUE REFUNDING BONDS, SERIES 2019B OF THE EAST BATON ROUGE SEWERAGE COMMISSION, PURSUANT TO AMENDED AND RESTATED GENERAL BOND RESOLUTION 44893 (EBROSCO NO. 7494); PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH SERIES 2019A REFUNDING BONDS AND SERIES 2019B REFUNDING BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Baton Rouge, State of Louisiana (the “City”), the Parish of East Baton Rouge, State of Louisiana (the “Parish”), and the Greater Baton Rouge Consolidated Sewerage District (the “District”) entered into a Local Services Agreement dated as of October 1, 1986, as amended by the Amendatory Intergovernmental Agreement dated as of June 1, 1987, the Second Amendatory Intergovernmental Agreement dated as of September 1, 1987, the Third Amendatory Intergovernmental Agreement dated May 4, 1992, and the Fourth Amendatory Intergovernmental Agreement dated December 12, 2001 (collectively, the “Local Services Agreement”) creating the East Baton Rouge Sewerage Commission (the “Commission”) and providing for the consolidation of all of the public sewer systems in the Parish and placing such combined public sewer systems (the “System”) under the jurisdiction and control of the Commission; and
WHEREAS, on June 29, 2006, the City, the Parish, the District and the Commission executed and delivered that certain Fifth Amendatory Intergovernmental Agreement (the “Fifth Amendatory Intergovernmental Agreement,” and, together with the Local Services Agreement, the “Agreement”), which Fifth Amendatory Intergovernmental Agreement provides that the revenues of the one-half of one percent (½%) sales and use tax approved by the voters of the Parish on April 16, 1988, would be used, in addition to the Sewer User Fees (as hereinafter defined) to pay the principal, premium, if any, and interest on bonds issued pursuant to the General Bond Resolution (as hereinafter defined) and further that the Net Revenues (as hereinafter defined) would be used to pay principal, premium, if any, and interest on bonds issued by the Commission pursuant to the General Bond Resolution; and

WHEREAS, the governing authority of the Commission is the Board of Commissioners (the “Board of Commissioners” or the “Governing Authority”), which is composed of the members who, from time to time, make up the membership of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge (the “Metropolitan Council”); and

WHEREAS, the Agreement further provides that the Parish, on behalf of the Commission, shall operate, maintain and administer the System as it exists and as it may be improved; and

WHEREAS, the Agreement further provides that the Commission will proceed with due diligence to sell and issue its revenue bonds secured by Revenues of the System and the Net Sales Tax Revenues (as hereinafter defined) in order to construct improvements, additions and betterments to the System; and

WHEREAS, under the provisions of Section 3.06(A) of the General Bond Resolution (as hereinafter defined) and Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the “Refunding Act”), the Commission has the express authority to issue revenue refunding bonds in its corporate name for the purpose of refunding its outstanding indebtedness or the outstanding indebtedness of the political subdivisions that created it; and

WHEREAS, pursuant to the authority granted by La. R.S. 33:1331 and La. R.S. 33:4256, the Commission is authorized to impose fees and collect rates and charges on the customers for use of the System; and

WHEREAS, in accordance with the Agreement and Ordinance 7853 adopted by the Metropolitan Council, acting as governing authority of the Parish, the City, the District and the Commission, on May 15, 1985, as amended from time to time, which Ordinance 7853 was amended and readopted by the Metropolitan Council on June 12, 2002 pursuant to Ordinance No. 12334 (EBROSCO Ordinance 2068) (collectively, the “Sewer User Fee Ordinance”), the Parish, on behalf of the Commission, levies rates and collects charges from the customers of the System, and such Agreement further provides that the Parish is required to levy sufficient rates and collect sufficient charges to meet all costs of the System and to pay all obligations of the Commission under the provisions of all covenants contained in any resolution providing for the issuance of revenue bonds, and, to the extent the Parish fails to levy such rates and collect such charges in such a fashion as to satisfy such revenue bond obligations, the Commission shall assume and exercise the power to levy such rates and collect such charges; and

WHEREAS, under the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974, as amended, Act 639 of the Regular Session of the Louisiana Legislature of 1984 (La. R.S. 33:2721.6), and other constitutional and statutory authority, and pursuant to an election held in the Parish on April 16, 1988, the Parish levies and collects a one-half of one percent (½%) sales and use tax (the “Tax”), which Tax is dedicated solely for the purpose of paying the costs of constructing and acquiring sewers and sewerage disposal works within and for the Parish, which Tax is being levied and collected pursuant to an Ordinance adopted on September 14, 1988, which Ordinance was amended and restated by Ordinance No. 8998 adopted by the Metropolitan Council on November 22, 1989, by Ordinance No. 9197 adopted by the Metropolitan Council on December 12, 1990, by Ordinance No. 9363 adopted by the Metropolitan Council on December 11, 1991, by Ordinance No. 9536 adopted by the Metropolitan Council on November 25, 1992, and by Ordinance No. 10127 adopted by the Metropolitan Council on December 14, 1994 (collectively, the “Sales Tax Ordinance”); and
WHEREAS, pursuant to the Fifth Amendatory Intergovernmental Agreement, the net avails or proceeds of the Tax, will be used to pay the principal, premium, if any, and interest on bonds issued pursuant to the provisions of the General Bond Resolution; and

WHEREAS, on August 9, 2006, the Metropolitan Council adopted a resolution amending the General Sales Tax Bond Resolution No. 28101 (pursuant to which the Parish issued sales tax revenue bonds secured by and payable from the revenues of the Tax) for the purpose of prohibiting the issuance thereunder of additional sales tax revenue bonds secured by and payable from the revenues of the Tax; and

WHEREAS, on December 12, 2001, the Board of Commissioners of the Commission, acting as governing authority of the Commission, adopted General Bond Resolution No. 41460 (the “Original General Bond Resolution”) for the purpose of authorizing and providing for the issuance from time to time of Sewer Revenue Bonds, in one or more series, of the Commission; and

WHEREAS, on August 25, 2004, the Board of Commissioners of the Commission, acting as governing authority of the Commission, adopted Amended and Restated General Bond Resolution No. 43496 (the “Original Amended and Restated General Bond Resolution”), for the purpose of amending and restating the Original General Bond Resolution; and

WHEREAS, on June 28, 2006, the Board of Commissioners of the Commission, acting as governing authority of the Commission, adopted Amended and Restated General Bond Resolution No. 44893 (EBROSCO No. 7494) (the “Amended and Restated General Bond Resolution,” and, together with the Original General Bond Resolution and the Original Amended and Restated General Bond Resolution, the “General Bond Resolution” or the “Bond Resolution”); and

WHEREAS, in accordance with the provisions of the General Bond Resolution, the Commission is authorized to issue from time to time revenue bonds secured by and payable solely from the Net Revenues; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on April 29, 2010, the Commission issued its $8,300,000 Revenue Bonds (Department of Environmental Quality Project), Series 2010, for the purpose of financing a portion of the costs of upgrading, rehabilitating, extending and improving the System (the “Series 2010 DEQ Bonds”); and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on May 27, 2010, the Commission issued $357,840,000 Revenue Bonds, Series 2010B (Taxable Direct Pay Build America Bonds), for the purpose of financing a portion of the costs of upgrading, rehabilitating, extending and improving the System (the “Series 2010B Bonds”); and

WHEREAS, the Series 2010B Bonds are being refunded with proceeds of the Series 2019A Refunding Bonds and will no longer be outstanding on and after the Date of Issuance; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on July 28, 2011, the Commission issued its $202,500,000 Revenue Bonds, Series 2011A (LIBOR Index) (the “Series 2011A Bonds”), for the purpose of financing a portion of the costs of upgrading, rehabilitating, extending and improving the System; and

WHEREAS, $79,205,000 of the Series 2011A Bonds are being refunded with proceeds of the Series 2019B Refunding Bonds, and on and after the Date of Issuance, the outstanding principal amount of the Series 2011A Bonds will be $92,500,000; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority and pursuant to the provisions of the 2011A Supplemental Bond Resolution, as supplemented by the Supplemental Resolution No. 53454 (EBROSCO No. 8290) of the Commission adopted by its Governing Authority on March 14, 2018, the Commission remarketed the outstanding principal amount of the Series 2011A Bonds ($176,155,000) to a new Index Floating Rate on March 20, 2018; and
WHEREAS, pursuant to the Act and other constitutional and statutory authority, on March 6, 2013, the Commission issued its $45,000,000 Taxable Revenue Bonds, Series 2013A (the “Series 2013A DEQ Bonds”), for the purpose of financing a portion of the costs of upgrading, rehabilitating, extending and improving the System; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on May 2, 2013, the Commission issued its $25,390,000 Taxable Revenue Refunding Bonds, Series 2013B (the “Series 2013B Bonds”) for the purpose of providing funds to advance refund and defease the Parish of East Baton Rouge, State of Louisiana Public Improvement Sales Tax Revenue Refunding Bonds, Series ST-2005A, in the original aggregate principal amount of $33,255,000, dated May 5, 2005; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on December 17, 2014, the Commission issued (i) its $127,455,000 Revenue Refunding Bonds, Series 2014A (Taxable) (the “Series 2014A Bonds”) and (ii) its $205,435,000 Revenue Refunding Bonds, Series 2014B (Tax-Exempt) (the “Series 2014B Bonds”), for the purpose of financing a portion of the cost of upgrading, rehabilitating, extending and improving the System; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on October 8, 2015, the Commission issued $20,000,000 Taxable Revenue Bonds, Series 2015A (the “Series 2015A DEQ Bonds”), for the purpose of financing a portion of the cost of upgrading, rehabilitating, extending and improving the System; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on May 17, 2016, the Commission issued its $12,000,000 Taxable Revenue Bonds, Series 2016A (the “Series 2016A DEQ Bonds” and, together with the Series 2010 DEQ Bonds, the Series 2011A Bonds, the Series 2013A DEQ Bonds, the Series 2013B Bonds, the Series 2014A Bonds, the Series 2014B Bonds, and the Series 2015A DEQ Bonds, the “Outstanding Parity Bonds”), for the purpose of financing a portion of the cost of upgrading, rehabilitating, extending and improving the System; and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on May 9, 2013, the Louisiana Local Government Environmental Facilities and Community Development Authority (the “Authority”), on behalf of the Commission, issued its $126,260,000 Subordinate Lien Revenue Bonds (East Baton Rouge Sewerage Commission Projects), Series 2013A (the “Series 2013A Subordinate Lien Bonds”), and its $92,500,000 Subordinate Lien Revenue Bonds (East Baton Rouge Sewerage Commission Projects), Series 2013B (LIBOR Index) (the “Series 2013B Subordinate Lien Bonds,” and, together with the Series 2013A Subordinate Lien Bonds, the “Series 2013 Subordinate Lien Bonds”), and in connection therewith, the Commission executed and delivered that certain Loan Agreement dated as of May 1, 2013, by and between the Authority and the Commission, which requires the Commission to make payments thereunder in an amount sufficient to pay principal and interest on the Series 2013 Subordinate Lien Bonds (the “Series 2013 Payment Obligations”); and

WHEREAS, pursuant to the Act and other constitutional and statutory authority, on April 10, 2014, the Authority, on behalf of the Commission, issued its $209,785,000 Subordinate Lien Revenue Bonds (East Baton Rouge Sewerage Commission Projects), Series 2014A (the “Series 2014A Subordinate Lien Bonds,” and, together with the Series 2013 Subordinate Lien Bonds, the “Outstanding Subordinate Lien Bonds”), and in connection therewith, the Commission executed and delivered that certain Loan Agreement dated as of April 1, 2014, by and between the Authority and the Commission, which requires the Commission to make payments thereunder in an amount sufficient to pay principal and interest on the Series 2014A Subordinate Lien Bonds (the “Series 2014A Payment Obligations”); and

WHEREAS, the Series 2013 Payment Obligations and the Series 2014A Payment Obligations are payable solely from and secured by an irrevocable pledge and dedication, on a junior and subordinate lien basis to the pledge and lien on the Pledged Revenues securing the payment obligations of the Commission under the Outstanding Parity Bonds; and
WHEREAS, the General Bond Resolution provides that the details of the Series 2019A Refunding Bonds (as hereinafter defined) and the Series 2019B Refunding Bonds (as hereinafter defined) issued thereunder, to the extent not set forth therein, would be specified in a supplemental resolution adopted by the Commission subject to the terms, conditions and limitations established in the General Bond Resolution; and

WHEREAS, the Commission proposes pursuant to this Supplemental Bond Resolution to authorize the sale of (i) $305,340,000 aggregate principal amount of its bonds to be designated “Revenue Refunding Bonds, Series 2019A” (the “Series 2019A Refunding Bonds”), and to prescribe the form, fix the details, provide for the payment of principal of and interest on the Series 2019A Refunding Bonds and for the rights of the registered owners thereof, and (ii) $79,410,000 principal amount of its bonds to be designated “Revenue Refunding Bonds, Series 2019B” (the “Series 2019B Refunding Bonds,” and, together with the Series 2019A Refunding Bonds, the “Series 2019 Refunding Bonds”), and to prescribe the form, fix the details, provide for the payment of principal of and interest on the Series 2019B Refunding Bonds and for the rights of the registered owners thereof; and

WHEREAS, the Series 2019A Refunding Bonds are being issued for the purpose of providing sufficient funds to (a) advance refund $337,435,000 in aggregate principal amount of the Series 2010B Bonds maturing February 1, 2021, and thereafter, to their first optional redemption date of February 1, 2020; (b) defease $3,520,000 of the Series 2010B Bonds maturing February 1, 2020 to its maturity date; and (c) pay the cost of issuance of the Series 2019A Refunding Bonds; and

WHEREAS, the Series 2019B Refunding Bonds are being issued for the purpose of providing sufficient funds to (a) current refund $79,205,000 in aggregate principal amount of the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, on their optional redemption date of October 29, 2019; (b) pay the termination payment to Deutsche Bank (as hereinafter defined), in connection with the termination of the Swap Transaction (as hereinafter defined), between the Commission and Deutsche Bank; and (c) pay the cost of issuance of the Series 2019B Refunding Bonds; and

WHEREAS, in connection with the refunding of Series 2010B Bonds with proceeds of the Series 2019A Refunding Bonds, certain funds on deposit in the 2010B East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to the General Bond Resolution and the 2010B Supplemental Bond Resolution will become “transferred proceeds” of the Series 2019A Refunding Bonds on the Date of Issuance and will be used after the Date of Issuance to finance a portion of the cost of upgrading, rehabilitating, improving and extending the sewerage disposal system owned and/or operated by the Commission, as the same is now or may be hereinafter constituted, whether owned by the Parish, City, District or the Commission, all property real and personal useful therefor, all apparatus and equipment used in connection therewith, and all acquisitions, replacements, enlargements, improvements, extensions, additions and betterments that may be made thereto at any time, title to which shall be in the public; and

WHEREAS, in connection with the refunding of Series 2011A Bonds with proceeds of the Series 2019B Refunding Bonds, certain funds on deposit in the 2011A East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to the General Bond Resolution and the 2011A Supplemental Bond Resolution will become “transferred proceeds” of the Series 2019B Refunding Bonds on the Date of Issuance and will be used after the Date of Issuance to finance a portion of the cost of upgrading, rehabilitating, improving and extending the sewerage disposal system owned and/or operated by the Commission, as the same is now or may be hereinafter constituted, whether owned by the Parish, City, District or the Commission, all property real and personal useful therefor, all apparatus and equipment used in connection therewith, and all acquisitions, replacements, enlargements, improvements, extensions, additions and betterments that may be made thereto at any time, title to which shall be in the public; and
WHEREAS, it is the intention of the Commission that the Series 2019 Refunding Bonds authorized herein be secured by and payable from the Net Revenues (as hereinafter defined) on a pari passu, parity basis with the Outstanding Parity Bonds, and any other bonds issued on a pari passu, parity basis in accordance with the General Bond Resolution, the 2010 DEQ Supplemental Bond Resolution, the 2011A Supplemental Bond Resolution, the 2013A DEQ Supplemental Bond Resolution, the 2013B Supplemental Bond Resolution, the 2014 Supplemental Bond Resolution, the 2015A DEQ Supplemental Bond Resolution, the 2016A DEQ Supplemental Bond Resolution, and this Supplemental Bond Resolution; and

WHEREAS, it is now desired and necessary to supplement the General Bond Resolution by adopting this Supplemental Bond Resolution No. 54550 (EBROSCO No. 8426) in order to fix the details with respect to the issuance of the Series 2019 Refunding Bonds and to provide for the authorization and issuance thereof; and

WHEREAS, it is further necessary to provide for the application of the proceeds of the Series 2019 Refunding Bonds; and

WHEREAS, the Commission has found and determined that all other things and requirements necessary to make this Supplemental Bond Resolution valid and binding in accordance with its terms have been done; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the East Baton Rouge Sewerage Commission, acting as the governing authority of said Commission:
ARTICLE I -
FINDINGS OF FACT

SECTION 1.01. Recitals and Statement of Purpose.

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

(A) The Commission is a body corporate and 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 corporate entities, including the power to own and/or operate sewer systems and to furnish sewer service for domestic, commercial and industrial use within the limits of the Parish.

(B) The Commission has been duly created in accordance with the Local Services Law (La. R. S. 33: 1321 et seq.) of the State by virtue of the Agreement for the purpose of owning and/or operating and maintaining a system for the collection and disposal of sewage in and throughout the Parish (the “System”).

(C) In an effort to bring the System into compliance with the requirements of state and federal environmental protection laws, rules, regulations and orders, it is necessary that the Commission upgrade, rehabilitate, enlarge and improve the sewage treatment facilities of the System.

(D) Pursuant to the authority of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, Article VI, Section 37 of the Louisiana Constitution of 1974 and Section 1334 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33: 1334) (collectively hereinafter sometimes referred to as the “Act”), the Commission has the authority to issue revenue bonds payable from the Net Revenues.

(E) In accordance with said resolution and the Refunding Act, the revenue refunding bonds to be issued hereunder shall be secured by (i) an irrevocable and irrepealable pledge of the revenues to be derived from the Sewer User Fees presently being collected and to be collected by the Parish, on behalf of the Commission, in accordance with the Sewer User Fee Ordinance, after payment of certain costs of operation and maintenance of the System, and (ii) the net avails and proceeds to be derived from the Tax presently being collected and to be collected by the Parish in accordance with the Sales Tax Ordinance, after payment of the reasonable and necessary expenses of collecting and administering the Tax, which Net Sales Tax Revenues are being pledged and dedicated by the Parish for the security and payment of Bonds issued hereunder pursuant to the provisions of the Agreement and the Local Services Law all as more specifically described herein.

[End of Article I]
ARTICLE II -
DEFINITIONS, CONSTRUCTION AND INTERPRETATIONS

SECTION 2.01. Defined Terms.

In this Supplemental Bond Resolution, including Article I, capitalized terms not otherwise defined herein shall have the same respective meanings assigned thereto in Section 2.02 of the General Bond Resolution (hereinafter defined) and Section 2.01 of this Supplemental Bond Resolution (hereinafter defined). The use of the terms Fund and/or Account when used herein shall be interchangeable. Unless a different meaning clearly appears from the context, the following terms shall have the following respective meanings:

“Authorized Denominations” means $5,000 or any integral multiple thereof.

“Bond Year” shall mean the twelve (12) month period ending on February 1 of each year; provided, however, the first Bond Year hereunder shall commence on the Date of Issuance of the Series 2019 Refunding Bonds and end February 1, 2020.

"Continuing Disclosure Agreement" shall mean that certain Continuing Disclosure Agreement executed by the Commission and dated the date of issuance and delivery of the Series 2019 Refunding Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

“Date of Issuance” shall mean October 29, 2019.

“Deutsche Bank” shall mean Deutsche Bank AG, New York Branch.

“Escrow Agent” shall mean The Bank of New York Mellon Trust Company, N.A., or its successor or assigns.

“Escrow Deposit Agreement” shall mean the Escrow Deposit Agreement dated as of October 1, 2019, by and between the Commission and the Escrow Agent.

“General Bond Resolution” shall mean the Amended and Restated General Bond Resolution No. 44893 (EBROSCO No. 7494) of the Commission adopted by its Governing Authority on June 28, 2006, which General Bond Resolution amends and restates the Original General Bond Resolution and the Original Amended and Restated General Bond Resolution.

“Interest Payment Date” means, with respect to the Series 2019 Refunding Bonds, each February 1 and August 1, or if any February 1 or August 1 is not a Business Day, the next succeeding Business Day, commencing February 1, 2020.

“Net Operation and Maintenance Expenses” shall mean all reasonable and necessary expenses of operating and maintaining the System which are not otherwise paid by the Parish as required by the Local Services Agreement.

“Net Sales Tax Revenues” shall mean all revenues to be derived by the Parish from the Tax after payment of the reasonable and necessary expenses of collecting and administering the Tax.

“Net Revenues” shall mean the Revenues, after payment from the Revenues of the Net Operation and Maintenance Expenses.

“Original General Bond Resolution” shall mean General Bond Resolution No. 41460 of the Commission adopted by its Governing Authority on December 12, 2001, which has been amended and restated pursuant to the General Bond Resolution.

“Original Amended and Restated General Bond Resolution” shall mean Amended and Restated General Bond Resolution No. 43496 of the Commission adopted by the Governing Authority on August 25, 2004, which is amended and restated by the Amended and Restated General Bond Resolution.
“Outstanding Parity Bonds” shall mean, collectively, (i) the Series 2010 DEQ Bonds, of which $5,467,000 is currently Outstanding, (ii) the Series 2011A Bonds, of which $92,500,000 will remain Outstanding subsequent to the issuance of the Series 2019B Refunding Bonds, (iii) the Series 2013A Bonds, of which $35,962,617 is currently Outstanding, (iv) the Series 2013B Bonds, of which $15,880,000 is currently Outstanding, (v) the Series 2014A Bonds, of which $122,230,000 is currently Outstanding, (vi) the Series 2014B Bonds, of which $205,435,000 is currently Outstanding, (vii) the Series 2015A DEQ Bonds, of which $17,376,749 is currently Outstanding, and (viii) the Series 2016A DEQ Bonds, of which $10,981,260 is currently Outstanding.

“Parish” shall mean the Parish of East Baton Rouge, State of Louisiana.

“Parish General Sales Tax Bond Resolution” shall mean General Bond Resolution No. 28101 adopted by the Metropolitan Council, acting as governing authority of the Parish, as amended from time to time.

“Parish Sewer User Fee Fund” shall mean the fund established by Ordinance 7853 adopted by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the City and Parish, on May 15, 1985.

"Participating Underwriters" shall have the meaning ascribed thereto in the Continuing Disclosure Agreement.

“Paying Agent/Registrar” shall mean The Bank of New York Mellon Trust Company, N.A., or its successor or successors, and any other person which may at any time be substituted in its place pursuant to this Bond Resolution.

“Principal Payment Date” shall mean, with respect to the Series 2019A Refunding Bonds, February 1 of each year, commencing February 1, 2020, and with respect to the Series 2019B Refunding Bonds, February 1 of each year, commencing February 1, 2020.

“Record Date” means the fifteenth day of the month immediately preceding an Interest Payment Date.

“Revenues” shall mean, collectively, (i) all revenues to be derived by the Commission from the Sewer User Fees, including earnings thereon while such funds are on deposit in the General Revenue Fund, the Series 2019 East Baton Rouge Sewerage Commission Debt Service Fund, and (ii) all revenues to be derived by the Parish and transferred to the Commission from the Net Sales Tax Revenues, including earnings thereon while such funds are on deposit in the Sewer Sales Tax Fund, and the Series 2019A Debt Service Account and the Series 2019B Debt Service Account.

“Series 2010 DEQ Bonds” shall mean the Commission’s Revenue Bonds (Department of Environmental Quality Project), Series 2010, issued under and pursuant to the General Bond Resolution and the 2010 DEQ Supplemental Bond Resolution.

“Series 2010B Bonds” shall mean the Commission’s Revenue Bonds, Series 2010B (Taxable Direct Pay Build America Bonds), issued under and pursuant to the General Bond Resolution and the 2010 Supplemental Bond Resolution.

“Series 2010B Transferred Proceeds” shall mean $2,093,754.88 on deposit in the 2010B East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to the 2010 Supplemental Bond Resolution, which will become “transferred proceeds” of the Series 2019A Refunding Bonds on the Date of Issuance.

“Series 2011A Bonds” shall mean the Commission’s Revenue Bonds, Series 2011A (LIBOR Index), issued under and pursuant to the General Bond Resolution and the Series 2011A Supplemental Bond Resolution, and remarotkeated to a new Index Floating Rate Period on March 20, 2018 pursuant to the provisions of the 2011A Supplemental Bond Resolution and the 2018 Supplemental Resolution.
“Series 2011A Transferred Proceeds” shall mean $2,530,260.54 on deposit in the 2011A East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to the 2011A Supplemental Bond Resolution, which will become “transferred proceeds” of the Series 2019B Refunding Bonds on the Date of Issuance.

“Series 2013A DEQ Bonds” shall mean the Commission’s Taxable Revenue Bonds, Series 2013A, issued under and pursuant to the General Bond Resolution and the 2013A DEQ Supplemental Bond Resolution.

“Series 2013B Bonds” shall mean the Commission’s Taxable Revenue Refunding Bonds, Series 2013B, issued under and pursuant to the General Bond Resolution and the Series 2013B Supplemental Bond Resolution.


“Series 2014A Refunding Bonds” shall mean the Commission’s Revenue Refunding Bonds, Series 2014A (Taxable), issued under and pursuant to the General Bond Resolution and the 2014A Supplemental Bond Resolution.

“Series 2014B Refunding Bonds” shall mean the Commission’s Revenue Refunding Bonds, Series 2014B (Tax-Exempt), issued under and pursuant to the General Bond Resolution and the 2014B Supplemental Bond Resolution.

“Series 2015A DEQ Bonds” shall mean the Commission’s Taxable Revenue Bonds, Series 2015A, issued under and pursuant to the General Bond Resolution and the 2015A DEQ Supplemental Bond Resolution.

“Series 2016A DEQ Bonds” shall mean the Commission’s Taxable Revenue Bonds, Series 2016A, issued under and pursuant to the General Bond Resolution and the 2016A DEQ Supplemental Bond Resolution.


“Series 2019A Construction Fund” shall mean the Series 2019A East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to Section 7.08 of the General Bond Resolution and Section 5.01 hereof.

“Series 2019A Debt Service Account” shall mean the Series 2019A East Baton Rouge Sewerage Commission Debt Service Account created and established pursuant to Section 7.05 of the General Bond Resolution and Section 5.01 hereof.

“Series 2019A Refunding Bonds” shall mean the Commission’s Revenue Refunding Bonds, Series 2019A issued under and pursuant to the General Bond Resolution and this Supplemental Bond Resolution.

“Series 2019A Refunding Proceeds Fund” shall mean the Series 2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund created and established pursuant to Section 7.08 of the General Bond Resolution and Section 5.01 hereof.

“Series 2019B Construction Fund” shall mean the Series 2019B East Baton Rouge Sewerage Commission Construction Fund created and established pursuant to Section 7.08 of the General Bond Resolution and Section 5.01 hereof.

“Series 2019B Debt Service Account” shall mean the Series 2019B East Baton Rouge Sewerage Commission Debt Service Account created and established pursuant to Section 7.05 of the General Bond Resolution and Section 5.01 hereof.

“Series 2019B Refunding Bonds” shall mean the Commission’s Revenue Refunding Bonds, Series 2019B issued under and pursuant to the General Bond Resolution and this Supplemental Bond Resolution.
“Series 2019B Refunding Proceeds Fund” shall mean the Series 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund created and established pursuant to Section 7.08 of the General Bond Resolution and Section 5.01 hereof.

“Sewer Sales Tax Fund” shall mean the East Baton Rouge Parish Sewer Sales Tax Enterprise Fund established by Ordinance No. 8823 adopted by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the Parish, on December 14, 1988, and which reflects receipt of the avails or proceeds of the Tax levied and collected pursuant to the Sales Tax Ordinance, and all interest and other income earned or received by the Parish from funds on deposit therein.

“Sewer User Fees” shall mean those certain fees and charges levied and collected from the customers of the System authorized to be imposed and collected in accordance with the authority granted in La. R.S. 33:1331 and La. R.S. 33:4256, and levied and collected in accordance with the Sewer User Fee Ordinance, and any other miscellaneous revenues of the System, including, but not limited to, interest income from operations, sale of fixed assets, sewer assessments, sewer tie-in fees, and sewer user fees.

“Sewer User Fee Ordinance” shall mean Ordinance 7853 adopted by the Board of Commissioners of the Commission, acting as governing authority of the Commission, and by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, acting as governing authority of the Parish, the City and the District, on May 15, 1985, as amended from time to time, including, but not limited to Ordinance No. 12334 (EBROSCO Ordinance No. 2068) adopted on June 12, 2002, and Ordinance No. 12647 (EBROSCO Ordinance No. 2131) adopted on May 28, 2003.

“Supplemental Bond Resolution” shall mean this Supplemental Bond Resolution No. 54550 (EBROSCO No. 8426) of the Commission adopted by its Governing Authority on October 23, 2019, which Supplemental Bond Resolution supplements the General Bond Resolution.

“Swap Transaction” shall mean that certain International Swaps and Derivatives Association, Inc. Master Agreement dated as of July 27, 2011, by and between Deutsche Bank and the Commission, as amended by the First Amendment Agreement dated as of July 27, 2011, as further revised by the letter agreement dated August 17, 2011, each between Deutsche Bank and the Commission.

“System” shall mean the sewer system owned and/or operated by the Commission as the same is now or may hereafter constituted, whether owned by the Parish, the City, the Commission or the District, all property real and personal, used and useful therefor, all apparatus and equipment used in connection therewith, and all acquisitions, replacements, enlargements, improvements, extension, additions, and betterments that may be made there to at any time hereafter.

“Tax” shall mean the one-half of one percent (½%) sales and use tax approved by the voters of the Parish on April 16, 1988, levied and collected in accordance with the Sales Tax Ordinance. The avails or proceeds of the Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax) must be used entirely and exclusively for the purpose of constructing, acquiring, operating, maintaining and administering sewers and sewage disposal works within and for the Parish. Provided, however, the voters of the Parish also approved the issuance of sales tax revenue bonds payable form the avails or proceeds of the Tax, the proceeds of such sales tax revenue bonds to be used entirely and exclusively for the purposes set forth above.

“2010 Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 47909 (EBROSCO No. 8510) of the Commission adopted by its Governing Authority on May 26, 2010, which 2010 Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2010B Bonds were issued.

“2010 DEQ Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 47855 (EBROSCO No. 8503) of the Commission adopted by its Governing Authority on April 28, 2010, which 2010 DEQ Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2010 DEQ Bonds were issued.
“2011A Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 48721 (EBROSCO No. 8626) of the Commission adopted by its Governing Authority on July 27, 2011, which 2011A Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2011A Bonds were issued.

“2013A DEQ Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 49903 (EBROSCO No. 9006) of the Commission adopted by its Governing Authority on January 23, 2013, which 2013A DEQ Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2013A DEQ Bonds were issued.

“2013B Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 50120 (EBROSCO No. 7048) of the Commission adopted by its governing authority on April 24, 2013, which 2013B Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2013B Bonds were issued.

“2014 Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 50934 (EBROSCO No. 8020) of the Commission adopted by its governing authority on December 10, 2014, which 2014 Supplemental Bond Resolution supplements the General Bond Resolution and pursuant to which the Series 2014A Bonds and the Series 2014B Bonds were issued.

“2015A DEQ Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 51651 (EBROSCO No. 8138) of the Commission adopted by its Governing Authority on August 25, 2015, which 2015A DEQ Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2015A DEQ Bonds were issued.

“2016A DEQ Supplemental Bond Resolution” shall mean the Supplemental Bond Resolution No. 52020 (EBROSCO No. 8182) of the Commission adopted by its Governing Authority on March 23, 2016, which 2016A DEQ Supplemental Bond Resolution supplements the General Bond Resolution, and pursuant to which the Series 2016A DEQ Bonds were issued.

SECTION 2.02. Interpretations.

In this Supplemental 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 Supplemental 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 Supplemental Bond Resolution, refer to this Supplemental Bond Resolution or sections or paragraphs of this Supplemental Bond Resolution and the term “hereafter” means any date after the date of adoption of this Supplemental Bond Resolution.

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

SECTION 2.03. General Enlargement.

All of the provisions of the General Bond Resolution are hereby enlarged and extended and all of the covenants, agreements, duties and obligations of the Commission set forth in the General Bond Resolution, except as specifically provided otherwise herein, shall include and be for the equal benefit and security of the holders and registered Owners of the Series 2019 Refunding Bonds to the same extent and effect as though the provisions of the General Bond Resolution and this Supplemental Bond Resolution had been incorporated in one instrument executed and delivered at the same time.

[End of Article II]
ARTICLE III -
AUTHORIZATION AND ISSUANCE OF THE SERIES 2019 REFUNDING BONDS


Pursuant to the provisions of the General Bond Resolution and the Refunding Act, and other constitutional and statutory authority, there is hereby authorized to be issued two (2) series of bonds of the Commission to be designated (i) “Revenue Refunding Bonds, Series 2019A” of the Commission, in the aggregate principal amount of $305,340,000, for the purpose of providing sufficient funds, together with original issue premium of $41,094,695.15 and other funds of the commission as set forth in Section 5.02 here to (a) advance refund $337,435,000 in aggregate principal amount of the Series 2010B Bonds maturing February 1, 2021, and thereafter, to their first optional redemption date of February 1, 2020; (b) defease $3,520,000 in aggregate principal amount of the Series 2010B Bonds maturing February 1, 2020, to its maturity date; and (c) pay the costs of issuance of the Series 2019A Refunding Bonds; and (ii) “Revenue Refunding Bonds, Series 2019B” of the Commission, the aggregate principal amount of $79,410,000, for the purpose of providing sufficient funds, together with original issue premium of $17,198,154.45, and other funds available funds of the Commission as described in Section 5.03 hereof, to (a) current refund $79,205,000 in aggregate principal amount of the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, on their optional redemption date of October 29, 2019; (b) pay the termination payment due to Deutsche Bank in connection with the termination of the Swap Transaction; and (c) pay the cost of issuance of the Series 2019B Refunding Bonds.

As a result of the refunding of the Series 2010B Bonds with proceeds of the Series 2019A Refunding Bonds, on the Date of Issuance, the Series 2010B Transferred Proceeds will be deposited into the 2019A East Baton Rouge Sewerage Commission Construction Fund and will be used to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.

In addition, as a result of the refunding of a portion of the Series 2011A Bonds with proceeds of the Series 2019B Refunding Bonds, on the Date of Issuance, the Series 2011A Transferred Proceeds will be deposited into the 2019B East Baton Rouge Sewerage Commission Construction Fund and will be used to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.

The 2019 Refunding Bonds are secured on a parity as to security and source of payment with the Outstanding Parity Bonds, and this Supplemental Bond Resolution provides for and creates a continuing lien to secure the full and final payment of the principal of or redemption price and interest on all Series 2019 Refunding Bonds.

The Series 2019 Refunding Bonds shall be special and limited obligations of the Commission payable solely from the Net Revenues. The Series 2019 Refunding Bonds shall not constitute an indebtedness or pledge of the general credit of the Commission within the meaning of any constitutional or statutory provision relating to the incurring of indebtedness, and each Series 2019 Refunding Bond shall contain a recital to that effect.

SECTION 3.02. Authorization to Terminate the Swap Transaction.

The Commission is hereby authorized to terminate the Swap Transaction and is hereby further authorized to use a portion of the proceeds of the Series 2019B Refunding Bonds, including, but not limited to, any premium paid in connection with the original issuance of the Series 2019B Refunding Bonds, to pay the termination payment due to Deutsche Bank as a result of such termination. The President, Vice President and Secretary of the Commission are hereby further authorized and directed, for and on behalf of the Commission, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the termination of the Swap Transaction.

SECTION 3.03. Denominations, Dates, Maturities and Interest of the Series 2019 Refunding Bonds.
(A) The Series 2019A Refunding Bonds shall be dated October 29, 2019, shall be in the denomination of $5,000 or any integral multiple thereof within a single maturity, shall bear interest, calculated on the basis of twelve 30-day months and a 360-day year, from the date thereof or from the most recent date interest has been paid at the following rates of interest per annum, payable semiannually on February 1 and August 1 of each year, commencing February 1, 2020, and shall become due and payable and mature on February 1 of each of the years and in the aggregate principal amounts as set forth below:

<table>
<thead>
<tr>
<th>Maturity Date (February 1)</th>
<th>Principal Amount Maturing</th>
<th>Interest Rate</th>
<th>Maturity Date (February 1)</th>
<th>Principal Amount Maturing</th>
<th>Interest Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$1,850,000</td>
<td>5.00%</td>
<td>2031</td>
<td>$3,945,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2021</td>
<td>$2,425,000</td>
<td>5.00%</td>
<td>2032</td>
<td>$4,135,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2022</td>
<td>$2,550,000</td>
<td>5.00%</td>
<td>2033</td>
<td>$7,680,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2023</td>
<td>$2,680,000</td>
<td>5.00%</td>
<td>2034</td>
<td>$8,060,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2024</td>
<td>$2,805,000</td>
<td>5.00%</td>
<td>2035</td>
<td>$8,425,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2025</td>
<td>$2,950,000</td>
<td>5.00%</td>
<td>2036</td>
<td>$8,755,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2026</td>
<td>$3,090,000</td>
<td>5.00%</td>
<td>2037</td>
<td>$9,100,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2027</td>
<td>$3,245,000</td>
<td>5.00%</td>
<td>2038</td>
<td>$9,455,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2028</td>
<td>$3,415,000</td>
<td>5.00%</td>
<td>2039</td>
<td>$9,825,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2029</td>
<td>$3,580,000</td>
<td>5.00%</td>
<td>2040</td>
<td>$30,725,000</td>
<td>4.00%</td>
</tr>
<tr>
<td>2030</td>
<td>$3,760,000</td>
<td>5.00%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(B) The Series 2019B Refunding Bonds shall be dated October 29, 2019, shall be in the denomination of $5,000 or any integral multiple thereof within a single maturity, shall bear interest, calculated on the basis of twelve 30-day months and a 360-day year, from the date thereof or from the most recent date interest has been paid at the following rates of interest per annum, payable semiannually on February 1 and August 1 of each year, commencing February 1, 2020, and shall become due and payable and mature on February 1 of each of the years and in the aggregate principal amounts as set forth below:

<table>
<thead>
<tr>
<th>Maturity Date (February 1)</th>
<th>Principal Amount Maturing</th>
<th>Interest Rate</th>
<th>Maturity Date (February 1)</th>
<th>Principal Amount Maturing</th>
<th>Interest Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$1,435,000</td>
<td>5.00%</td>
<td>2027</td>
<td>$6,570,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2021</td>
<td>$5,190,000</td>
<td>5.00%</td>
<td>2028</td>
<td>$6,830,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2022</td>
<td>$5,395,000</td>
<td>5.00%</td>
<td>2029</td>
<td>$7,105,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2023</td>
<td>$5,625,000</td>
<td>5.00%</td>
<td>2030</td>
<td>$7,385,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2024</td>
<td>$5,825,000</td>
<td>5.00%</td>
<td>2031</td>
<td>$7,680,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2025</td>
<td>$6,075,000</td>
<td>5.00%</td>
<td>2032</td>
<td>$7,980,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>2026</td>
<td>$6,315,000</td>
<td>5.00%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION 3.04. Interest on Series 2019 Refunding Bonds.

(i) Interest Payment Dates shall be February 1 and August 1 of each year, beginning February 1, 2020. Interest on the Series 2019 Refunding Bonds shall be computed on the basis of a 360-day year of twelve 30-day months. If the Interest Payment Date falls on a day that is not a Business Day, the payment will be made on the next Business Day as if it were made on the date the payment was due, and no interest will accrue on the amount so payable for the period from and after that Interest Payment Date to the date the payment is made. The Series 2019 Refunding Bonds of a given maturity shall bear interest on overdue principal and, to the extent permitted by law, overdue interest at the rate then in effect on the Series 2019 Refunding Bonds of such maturity.
(ii) Each Series 2019 Refunding Bond shall bear interest from the last Interest Payment Date preceding the date of its authentication and delivery to which interest on the Series 2019 Refunding Bonds has been paid, provided, however, that a Series 2019 Refunding Bond authenticated and delivered before the first Interest Payment Date shall bear interest from the dated date of the Series 2019 Refunding Bonds; and provided further that a Series 2019 Refunding Bond authenticated and delivered between a Record Date and the Interest Payment Date to which such Record Date relates, inclusive, shall bear interest from such Interest Payment Date, unless interest on the Series 2019 Refunding Bonds due on such Interest Payment Date is not paid, in which case such Series 2019 Refunding Bonds shall bear interest from the last Interest Payment Date preceding the date of its authentication and delivery to which interest on the Series 2019 Refunding Bonds has been paid, or if no interest has been paid, from the dated date of the Series 2019 Refunding Bonds (the “Special Record Date”).

(iii) Principal of any Series 2019 Refunding Bonds which have become due and payable, shall be payable only upon presentation and surrender of such Series 2019 Refunding Bonds at the principal corporate trust office of the Paying Agent/Registrar.

SECTION 3.05. The Pledge Effectuated by this Supplemental Bond Resolution.

There are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Series 2019 Refunding Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes herein set forth, the Net Revenues. It is the intention of the Commission that, to the fullest extent permitted by law, including, but not limited to, La. R.S. 39:1430.1, this pledge shall be valid and binding from the time when it is made, that the Net Revenues so pledged and then or thereafter received by the Commission 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 Commission, 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 Commission, irrespective of whether such parties have notice thereof. The Net Revenues shall be set aside in the General Revenue Fund and the Sewer Sales Tax Fund, as the case may be, and shall be and remain pledged for the security and payment of the Series 2019 Refunding Bonds in principal and interest, and for all other payments provided for in this Supplemental Bond Resolution until the Series 2019 Refunding Bonds shall have been fully paid and discharged.

The Commission, by proper resolutions and/or ordinances, hereby obligates itself to continue to impose and collect rates and charges on the customers for use of the System, and further obligates itself not to discontinue or decrease or permit to be discontinued or decreased such rates and charges in anticipation of the collection of which the Series 2019 Refunding Bonds are to be issued, nor in any way make any change which would diminish the amount of the Net Revenues to be received by the Commission until all of the Series 2019 Refunding Bonds payable therefrom have been fully paid and discharged. Furthermore, the Parish, through its governing authority, has covenanted in the Agreement not to discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which the Series 2019 Refunding Bonds have been issued, nor in any way make any change which would diminish the amount of the Net Sales Tax Revenues pledged to the payment of the Series 2019 Refunding Bonds until all of the Series 2019 Refunding Bonds payable therefrom shall have been paid as to both principal and interest.
SECTION 3.06. Method and Place of Payment.

The principal of and interest on the Series 2019 Refunding Bonds shall be payable in lawful money of the United States of America. Such amounts shall be paid by the Paying Agent/Registrar on the applicable Payment Dates by check mailed by the Paying Agent/Registrar to the respective Holders thereof on the applicable Record Date at their addresses as they appear as of the close of business on the applicable Record Date in the books kept by the Paying Agent/Registrar, as bond registrar, except that in the case of such a Holder of $1,000,000 or more in aggregate principal amount of such Series 2019 Refunding Bonds, upon the written request of such Holder to the Paying Agent/Registrar, specifying the account or accounts to which such payment shall be made, such payments shall be made by wire transfer of immediately available funds on the applicable Payment Date following such Record Date. Any request referred to in clause (ii) of the preceding sentence shall remain in effect until revoked or revised by such Holder by an instrument in writing delivered to the Paying Agent/Registrar.


SERIES 2019A REFUNDING BONDS

(a) Optional Redemption. The Series 2019A Refunding Bonds maturing February 1, 2030, and thereafter, are subject to redemption at the option of the Commission prior to their stated maturities in whole or in part at any time on and after February 1, 2029, in the order directed by the Commission, and in the event that less than all of such Series 2019A Refunding Bonds of any maturity are called for redemption, the particular Series 2019A Refunding Bonds of such maturity to be redeemed shall be selected as described below. Any Series 2019A Refunding Bond made the subject of such call or calls shall be redeemed at 100% of the principal amount thereof plus accrued interest to the redemption date, without premium.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]
(b) **Scheduled Mandatory Redemption.**

(i) The Series 2019A Refunding Bonds maturing February 1, 2045 shall be redeemed at a redemption price equal to 100% of the principal amount to be redeemed plus accrued interest thereon to the redemption date, on February 1 (or, if any such February 1 is not an Interest Payment Date, then on the Interest Payment Date immediately preceding such February 1) in the years and the principal amounts as follows (after credit as provided below):

<table>
<thead>
<tr>
<th>Year (February 1)</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2041</td>
<td>$31,940,000</td>
</tr>
<tr>
<td>2042</td>
<td>$33,210,000</td>
</tr>
<tr>
<td>2043</td>
<td>$34,525,000</td>
</tr>
<tr>
<td>2044</td>
<td>$35,890,000</td>
</tr>
<tr>
<td>2045 (1)</td>
<td>$37,320,000</td>
</tr>
</tbody>
</table>

(1) Final Maturity.

The Paying Agent/Registrar shall, if requested to do so by the Commission not less than 60 days in advance of a redemption date referred to above, reduce the amount of Series 2019A Refunding Bonds to be redeemed on any redemption date by the amount of Series 2019A Refunding Bonds previously redeemed pursuant to Section 3.07(a) hereof or delivered to the Paying Agent/Registrar for cancellation, and which have not previously formed the basis for such a reduction.

**SERIES 2019B REFUNDING BONDS**

The Series 2019B Refunding Bonds are not subject to redemption prior to their stated maturities.

SECTION 3.08. Selection of Series 2019A Refunding Bonds to be Redeemed.

In the case of any redemption in part of the Series 2019 Refunding Bonds, the Series 2019 Refunding Bonds to be redeemed under Section 3.07 hereof shall be selected subject to any requirements of this Section.

A redemption of Series 2019A Refunding Bonds shall be a redemption of the whole or of any part of the Series 2019 Refunding Bonds, provided, that there shall be no partial redemption of less than $5,000.

If less than all of the Series 2019A Refunding Bonds of a particular maturity are called for redemption, the Series 2019A Refunding Bonds within such maturity to be redeemed will be selected by DTC or any successor security depository pursuant to its rules or 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.

In the event a Series 2019A Refunding Bond to be redeemed is of a denomination larger than $5,000, a portion of such Series 2019a Refunding Bond ($5,000 or any multiple thereof) may be redeemed. Any Series 2019A Refunding Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent/Registrar and there shall be delivered to the Owner of such Series 2019A Refunding Bond, a Series 2019A Refunding Bond or Series 2019A Refunding Bonds of the same maturity and of any authorized denomination or denominations as requested by such Owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal for the Series 2019A Refunding Bond surrendered.

If there shall be called for redemption less than all of a Series 2019A Refunding Bond, the Commission shall execute and deliver and the Paying Agent/Registrar shall authenticate, upon surrender of such Series 2019A Refunding Bond, without charge to the owner thereof, a replacement Series 2019A Refunding Bond in the principal amount of the unredeemed balance of the Series 2019A Refunding Bond so surrendered.
SECTION 3.09. Notice of Redemption.

(a) In the event any of the Series 2019A Refunding Bonds are called for redemption, the Paying Agent/Registrar shall give notice, in the name of the Commission, of the redemption of such Series 2019A Refunding Bonds, which notice shall (i) specify the Series 2019A Refunding Bonds to be redeemed, the redemption date, the redemption price, and the place or places where amounts due upon such redemption will be payable (which shall be the principal corporate trust office of the Paying Agent/Registrar) and, if less than all of the Series 2019A Refunding Bonds are to be redeemed, the numbers of the Series 2019A Refunding Bonds, and the portions of the Series 2019A Refunding Bonds, so to be redeemed, (ii) state any condition to such redemption, and (iii) state that on the redemption date, and upon the satisfaction of any such condition, the Series 2019A Refunding Bonds to be redeemed shall cease to bear interest. CUSIP number identification shall accompany all redemption notices. Such notice may set forth any additional information relating to such redemption. Such notice shall be given by mail, postage prepaid, at least 30 days but not more than 60 days prior to the date fixed for redemption to each Holder of Series 2019A Refunding Bonds to be redeemed at its address shown on the registration books kept by the Paying Agent/Registrar; provided, however, that failure to give such notice to any Bondholder or any defect in such notice shall not affect the validity of the proceedings for the redemption of any of the other Series 2019A Refunding Bonds. The Paying Agent/Registrar shall send a second notice of redemption by certified mail return receipt requested to any registered Holder who has not submitted Series 2019A Refunding Bonds called for redemption 30 days after the redemption date, provided, however, that the failure to give any second notice by mailing, or any defect in such notice, shall not affect the validity of any proceedings for the redemption of any of the Series 2019A Refunding Bonds and the Paying Agent/Registrar shall not be liable for any failure by the Paying Agent/Registrar to send any second notice.

(b) Any Series 2019A Refunding Bonds and portions of Series 2019A Refunding Bonds which have been duly selected for redemption and which are paid as set forth herein shall cease to bear interest on the specified redemption date.

SECTION 3.10. Supplemental Bond Resolution to Constitute Contract.

In consideration of the purchase and acceptance of the Series 2019 Refunding Bonds by those who shall own the same from time to time, the provisions of this Supplemental Bond Resolution shall be a part of the contract of the Commission with the Owners of the Series 2019 Refunding Bonds and shall be deemed to be and shall constitute a contract between the Commission and the Owners from time to time of the Series 2019 Refunding Bonds. The provisions, covenants and agreements herein set forth to be performed by or on behalf of the Commission shall be for the equal benefit, protection and security of the Owners of any and all of the Series 2019 Refunding Bonds, each of which Series 2019 Refunding 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 Supplemental Bond Resolution.

SECTION 3.11. Issuance of Additional Bonds.

The Commission shall not issue any bonds or obligations of any kind or nature payable from or enjoying a lien on the Net Revenues having priority over or on a parity with the Outstanding Parity Bonds and the Series 2019 Refunding Bonds, except under the conditions set forth in Section 3.06 of the General Bond Resolution.


(A) Unless otherwise prescribed by any amendment of or supplement to this Supplemental Bond Resolution, the Series 2019 Refunding Bonds shall be executed in the name of and on behalf of the Commission by the Executive Officers and the corporate seal of the Commission 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 Series 2019 Refunding Bonds shall cease to be such officer before the delivery of any Series 2019 Refunding 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.

The Series 2019 Refunding Bonds, on a pari passu, parity basis with the Outstanding Parity Bonds, shall be payable from, and shall be secured by a pledge of and a lien upon, the Net Revenues.


The Series 2019A Refunding Bonds shall be in the form attached hereto as “Exhibit A-1,” with such variations, omissions and insertions as may be necessary to conform to the provisions hereof, and the Series 2019B Refunding Bonds shall be in the form attached hereto as “Exhibit A-2,” with such variations, omissions and insertions as may be necessary to conform to the provisions hereof.

[End of Article III]
ARTICLE IV -  
APPLICATION OF PROCEEDS

SECTION 4.01 Application of the Series 2019 Refunding Bond Proceeds.

(A) The net proceeds of the sale of the Series 2019A Refunding Bonds shall be used as follows:

Upon the delivery of the Series 2019A Refunding Bonds, $344,978,278.06 (the par amount of the Series 2019A Refunding Bonds, plus original issue premium of $41,094,695.15 less the Underwriters’ Discount of $1,456,417.09) shall be deposited into the 2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund created and established pursuant to Section 5.01(A) hereof and applied by the Commission as set forth in Section 5.02 hereof. $343,990,341.27 of funds on deposit therein are required to be deposited, together with $5,745,512.24 of funds currently on deposit in the 2010B East Baton Rouge Sewerage Commission Debt Service Fund created and established pursuant to the 2010B Supplemental Bond Resolution on the Date of Issuance into the Escrow Fund created and established pursuant to the Escrow Deposit Agreement, for the purpose of providing sufficient funds to (i) advance refund $337,435,000 in aggregate principal amount of the Series 2010B Bonds maturing February 1, 2021, and thereafter, to their first optional redemption date of February 1, 2020 and (ii) defease $3,520,000 of the Series 2010B Bonds maturing February 1, 2020, as more specifically set forth in Section 5.02 hereof. $987,936.79 on deposit in the 2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund shall be deposited into a special fund designated the “2019A East Baton Rouge Sewerage Commission Construction Fund” created and established pursuant to Section 5.01(A) hereof to pay the costs of issuance of the Series 2019A Refunding Bonds. In addition, the Series 2010B Transferred Proceeds in the amount of $2,093,754.88 shall be deposited into the 2019A East Baton Rouge Sewerage Commission Construction Fund to provide funds to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.

(B) The net proceeds of the sale of the Series 2019B Refunding Bonds shall be used as follows:

Upon the delivery of the Series 2019B Refunding Bonds, $96,320,009.10 (the par amount of the Series 2019B Refunding Bonds plus original issue premium of $17,198,154.45 less the Underwriters’ Discount of $288,145.35) shall be deposited into the 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund created and established pursuant to Section 5.01(A) hereof and applied by the Commission as set forth in Section 5.03. $79,318,477.44 of funds on deposit therein are required to be deposited Date of Issuance for the purpose of providing sufficient funds to current refund $79,205,000 aggregate principal amount of the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, on October 29, 2019. $16,741,650 of proceeds of the Series 2019B Refunding Bonds, together with $3,548,350 of funds transferred from the 2011A East Baton Rouge Sewerage Commission Debt Service Fund into the 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Funds on the Date of Issuance to pay the termination payment due to Deutsche Bank in connection with the termination of the Swap Transaction as more specifically set forth in Section 5.02 hereof. $259,881.66 of proceeds of the Series 2019B Refunding Bonds on deposit in the 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund shall be deposited on the Date of Issuance into a special fund designated the “2019B East Baton Rouge Sewerage Commission Construction Fund” created and established pursuant to Section 5.01(A) hereof to pay the costs of issuance of the Series 2019B Refunding Bonds. In addition, the Series 2011A Transferred Proceeds in the amount of $2,530,260.54 shall be deposited into the 2019B East Baton Rouge Sewerage Commission Construction Fund to provide funds to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.
[End of Article IV]
ARTICLE V
ESTABLISHMENT OF FUNDS

SECTION 5.01. Establishment of Funds and Accounts.

(A) Upon delivery of and payment for the Series 2019 Refunding Bonds, the Funds and Accounts created and established pursuant to Article VII of the General Bond Resolution, including the General Revenue Fund, the Sewer Sales Tax Fund, the Sewer Operation and Maintenance Fund and the Debt Service Fund, shall be held and maintained by the Fiscal Agent of the Commission for the equal and ratable benefit and security of the holders and Owners of the Outstanding Parity Bonds, the Series 2019 Refunding Bonds, and any Additional Bonds issued pursuant to the General Bond Resolution and this Supplemental Bond Resolution. There is hereby authorized to be created a subaccount within the Sewer Operation and Maintenance Fund to be designated as the “2019A East Baton Rouge Sewerage Commission Debt Service Account.” There is hereby authorized to be created a subaccount within the Sewer Operation and Maintenance Fund to be designated as the “2019B East Baton Rouge Sewerage Commission Debt Service Account.”

There is hereby authorized to be created a Refunding Proceeds Fund for purposes of the Series 2019A Refunding Bonds which shall be designated as the “2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund.” Certain funds deposited into the 2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund shall be transferred on the Date of Issuance to the Escrow Agent and thereafter used (i) to pay the principal and interest of the Series 2010B Bonds maturing February 1, 2020, on its maturity date, and (ii) to pay the principal and interest of the Series 2010B Bonds maturing February 1, 2021, and thereafter, to their first optional redemption date of February 1, 2020, in accordance with the provisions of Section 5.02 hereof and in accordance with the provisions of the Escrow Deposit Agreement.

There is hereby authorized to be created a Refunding Proceeds Fund for purposes of the Series 2019B Refunding Bonds which shall be designated as the “2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund.” Certain funds deposited into the 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund shall be used on the Date of Issuance to provide sufficient funds to current refund the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, to their optional redemption date of October 29, 2019, in accordance with the provisions of Section 5.03 hereof.

There is hereby authorized to be created a Construction Fund for the purposes of the Series 2019A Refunding Bonds which shall be designated as the “2019A East Baton Rouge Sewerage Commission Construction Fund.” Proceeds of the Series 2019A Refunding Funds deposited into the 2019A East Baton Rouge Sewerage Commission Construction Fund shall be used to pay the costs of issuance of the Series 2019A Refunding Bonds as more specifically set forth in Section 5.04 hereof. In addition, the Series 2010B Transferred Proceeds shall be deposited into the 2019A East Baton Rouge Sewerage Construction Fund on the Date of Issuance and shall be used to provide funds to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System. There is hereby authorized to be created a Construction Fund for the purposes of the Series 2019B Refunding Bonds which shall be designated as the “2019B East Baton Rouge Sewerage Commission Construction Fund.” Proceeds of the Series 2019B Refunding Bonds deposited into the 2019B East Baton Rouge Sewerage Commission Construction Fund shall be used to pay the cost of issuance of the Series 2019B Refunding Bonds as more specifically set forth in Section 5.04 hereof. In addition, the Series 2011A Transferred Proceeds shall be deposited into the 2019B East Baton Rouge Sewerage Commission Construction Fund on the date of issuance and shall be used to provide funds to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.

(B) All moneys or securities deposited in the Debt Service Fund pursuant to the General Bond Resolution and this Supplemental Bond Resolution shall be held in trust by the Fiscal Agent and applied only in accordance with the provisions thereof and hereof and shall be considered a trust fund for the purposes of the General Bond Resolution and this Supplemental Bond Resolution.
C) The Depreciation and Contingency Fund created and established pursuant to Section 7.07 of the General Bond Resolution will not be required to be funded in connection with the issuance of the Series 2019 Refunding Bonds.


Upon delivery of the Series 2019A Refunding Bonds, an amount of proceeds of the Series 2019A Refunding Bonds equal to $344,978,278.06 (the par amount of the Series 2019A Refunding Bonds plus original issue premium of $41,094,695.15 less Underwriters’ Discount of $1,456,417.09), shall be deposited, on the Date of Issuance, into the 2019A East Baton Rouge Sewerage Commission Refunding Proceeds Fund, together with $5,745,512.24 on deposit therein from the 2010B East Baton Rouge Sewerage Commission Debt Service Fund created and established pursuant to the 2010 Supplemental Bond Resolution. $349,735,853.51 of funds on deposit therein are required to be deposited on the Date of Issuance into the Escrow Fund created and established pursuant to the Escrow Deposit Agreement for the purpose of (i) defeasing the Series 2010B Bonds maturing February 1, 2020, on its maturity date, and (ii) advance refunding the Series 2010B Bonds maturing February 1, 2021, and thereafter, on the dates and in the amounts as set forth in the Escrow Deposit Agreement. Remaining funds on deposit therein shall be transferred as set forth in Section 5.04 hereof.

SECTION 5.03. 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund.

Upon delivery of the Series 2019B Refunding Bonds, an amount of proceeds of the Series 2019B Refunding Bonds equal to $96,320,009.10 (the par amount of the Series 2019B Refunding Bonds plus original issue premium of $17,198,154.45 less the Underwriters’ Discount of $288,145.35), together with $3,548,350 on deposit therein from the 2011A East Baton Rouge Sewerage Commission Debt Service Fund created and established pursuant to the 2011A Supplemental Bond Resolution, shall be deposited, on the Date of Issuance, into the 2019B East Baton Rouge Sewerage Commission Refunding Proceeds Fund. $79,318,477.44 of funds on deposit therein shall be used on the Date of Issuance for the purpose of current refunding $79,205,000 of the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, on October 29, 2019. $20,290,000 of the funds on deposit therein shall be used on the Date of Issuance to pay the termination payment due to Deutsche Bank as a result of the termination of the Swap Transaction.


On the Date of Issuance, the Commission will cause its Fiscal Agent (a) to transfer the 2010B Transferred Proceeds into the 2019A East Baton Rouge Sewerage Commission Construction Fund, and (b) to transfer the 2011A Transferred Proceeds into the 2019B East Baton Rouge Sewerage Commission Construction Fund, in each case to provide funds to finance a portion of the costs of upgrading, rehabilitating, improving and extending the System.


SECTION 5.05. Appointment of Paying Agent/Registrar and Escrow Agent.

The initial Paying Agent/Registrar for the Series 2019 Refunding Bonds shall be The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana. The principal and premium, if any, of each Series 2019 Refunding Bond shall be payable upon maturity or redemption at the principal corporate trust office of the Paying Agent/Registrar as provided in the Bond Resolution.

The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, is hereby appointed as Escrow Agent. The fees of the Escrow Agent are hereby authorized to be paid by the Issuer on the dates and in the amounts as set forth in the Escrow Deposit Agreement, from available funds of the Issuer.

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[End of Article V]
ARTICLE VI - DISPOSITION OF REVENUES AND BOND PROCEEDS

SECTION 6.01. Deposit and Disposition of Revenues.

From the Parish Sewer User Fee Fund and the Sewer Sales Tax Fund (after payment of the reasonable and necessary expenses of collecting and administering the Tax), the following payments and/or transfers, in addition to those payments and/or transfers required to be made in connection with the Outstanding Parity Bonds and any other bonds or other obligations issued under the General Bond Resolution, shall be made at the times, in the amounts and in the order as follows:

FIRST: (A) To the Fiscal Agent for deposit in the Series 2019A East Baton Rouge Sewerage Commission Debt Service Account of the Sewer Operation and Maintenance Fund an amount sufficient to pay promptly and fully the principal of and the interest on the Series 2019A Refunding Bonds as they severally become due and payable, by transferring from the Parish Sewer User Fee Fund and the Sewer Sales Tax Fund in the Sewer Operations and Maintenance Fund to the regularly designated Fiscal Agent of the Commission, (a) monthly in advance on or before the last Business Day of each month of each year, commencing December 31, 2019, a sum equal to one-half (1/2) of the interest falling due on the Series 2019A Refunding Bonds on February 1, 2020, and thereafter, (b) monthly in advance on or before the last Business Day of each month of each year, commencing February 28, 2020, a sum equal to one-sixth (1/6th) of the interest falling due on the Series 2019A Refunding Bonds on the next Interest Payment Date, plus (c) monthly in advance on or before the last Business Day of each month of each year, commencing December 31, 2019, a sum equal to one-half (1/2) of the principal falling due on the Series 2019A Refunding Bonds on February 1, 2020, and thereafter, (d) monthly in advance on or before the last Business Day of each month of each year commencing February 28, 2020, a sum equal to one-twelfth (1/12th) of the principal falling due on the Series 2019A Refunding Bonds on the next Principal Payment Date, together with such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due.

(B) To the Fiscal Agent for deposit in the Series 2019B East Baton Rouge Sewerage Commission Debt Service Account of the Sewer Operation and Maintenance Fund an amount sufficient to pay promptly and fully the principal of and the interest on the Series 2019B Refunding Bonds as they severally become due and payable, by transferring from the Parish Sewer User Fee Fund and the Sewer Sales Tax Fund in the Sewer Operations and Maintenance Fund to the regularly designated Fiscal Agent of the Commission, (a) monthly in advance on or before the last Business Day of each month of each year, commencing December 31, 2019, a sum equal to one-half (1/2) of the interest falling due on the Series 2019B Refunding Bonds on February 1, 2020, and thereafter, (b) monthly in advance on or before the last Business Day of each month of each year, commencing February 28, 2020, a sum equal to one-sixth (1/6th) of the interest falling due on the Series 2019B Refunding Bonds on the next Interest Payment Date, plus (c) monthly in advance on or before the last Business Day of each month of each year, commencing December 31, 2019, a sum equal to one-half (1/2) of the principal falling due on the Series 2019B Refunding Bonds on February 1, 2020, and thereafter, (d) monthly in advance on or before the last Business Day of each month of each year commencing February 28, 2020, a sum equal to one-twelfth (1/12th) of the principal falling due on the Series 2019B Refunding Bonds on the next Principal Payment Date, together with such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due.

[End of Article VI]
ARTICLE VII -  
MISCELLANEOUS

SECTION 7.01. Purpose of Covenants in the General Bond Resolution and this Supplemental Bond Resolution.

Every covenant, undertaking and agreement made on behalf of the Commission, as set forth in the General Bond Resolution and this Supplemental Bond Resolution is made, undertaken and agreed to, for the proper securing of the payment of the principal of and interest on the Series 2019 Refunding Bonds. Each shall be deemed to partake of the obligation of the contract between the Commission and the Bondholders and shall be enforceable accordingly.

SECTION 7.02. Effect of Invalidity of Provisions of Supplemental Bond Resolution.

If any section, paragraph, clause or provision of this Supplemental 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 Supplemental Bond Resolution.

SECTION 7.03. No Recourse on the Series 2019 Refunding Bonds.

No recourse shall be had for the payment of the principal of or interest on the Series 2019 Refunding Bonds or for any claim based thereon or on this Supplemental Bond Resolution against any present or former member or officer of the Commission or any person executing the Series 2019 Refunding Bonds.

SECTION 7.04. Continuing Disclosure.

The Commission hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Supplemental Bond Resolution, failure of the Commission to comply with the Continuing Disclosure Agreement shall not be considered an Event of Default; however, any Bondholder and/or a Participating Underwriter may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Commission to comply with its obligations under this Section 7.04.

SECTION 7.05. Repealing Clause.

All ordinances and resolutions, or parts thereof, inconsistent herewith be, and the same are hereby repealed to the extent of such inconsistencies.

SECTION 7.06. Publication of Supplemental Bond Resolution.

That a copy of this Supplemental Bond Resolution shall be published after its adoption in one (1) issue of the official journal of the Commission, as soon as possible after adoption.

SECTION 7.07. Introduction of Supplemental Bond Resolution.

That this Supplemental Bond Resolution, having been duly introduced at a duly convened meeting on October 9, 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 Board of Commissioners on October 23, 2019, shall take effect immediately.

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

NAYS:

ABSTAIN:

ABSENT: Trae Welch

Done, approved and adopted on this the 23rd day of October, 2019.

/s/ Ashley Beck                       /s/ Donna Collins-Lewis
Secretary                          President
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, ASHLEY BECK, certify that I am the duly qualified and acting Secretary of the East Baton Rouge Sewerage Commission (the “Commission”).

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of the Commission held October 23, 2019 and of a Supplemental Bond Resolution amending and supplementing Amended and Restated General Bond Resolution No. 44893 (EBROSCO No. 7494); providing for the sale of (i) the Revenue Refunding Bonds, Series 2019A of the East Baton Rouge Sewerage Commission and (ii) the Revenue Refunding Bonds, Series 2019B of the East Baton Rouge Sewerage Commission, pursuant to Amended and Restated General Bond Resolution 44893 (EBROSCO No. 7494); prescribing the form, fixing the details and providing for the payment of principal of and interest on such Series 2019A Refunding Bonds and Series 2019B Refunding Bonds; and providing for other matters in connection therewith, as said minutes and resolution appear officially of record in my possession.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Commission, on this the 23rd day of October, 2019.

[Signature]
Secretary

(SEAL)
EXHIBIT A-1

FORM OF SERIES 2019A REFUNDING BOND

Unless this Series 2019A Refunding Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”) to the Commission or its agent for registration of transfer, exchange, or payment, and any Series 2019A Refunding Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

As provided in the Bond Resolution referred to herein, until the termination of the system of book-entry-only transfers through The Depository Trust Company, New York, New York (together with any successor security depository appointed pursuant to the Bond Resolution), and notwithstanding any other provision of the Bond Resolution to the contrary, this Series 2019A Refunding Bond may be transferred, in whole but not in part, only to a nominee of DTC, or by a nominee of DTC to DTC or a nominee of DTC, or by DTC or a nominee of DTC to any successor securities depository or any nominee thereof.

No. R-1

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

REVENUE REFUNDING BOND,
SERIES 2019A OF THE
EAST BATON ROUGE SEWERAGE COMMISSION

Maturity Date: February 1, ___
Interest Rate: ___%  Bond Date: October 29, 2019  CUSIP:

The East Baton Rouge Sewerage Commission (the “Commission”), promises to pay, but only from the source and as hereinafter provided, to

CEDE & CO. (Tax ID #13-2555119)

or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, together with interest thereon from the date hereof, or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on February 1 and August 1 (each an “Interest Payment Date”), commencing February 1, 2020, at the Interest Rate per annum set forth above, on the basis of twelve 30-day months and a 360-day year, until said principal amount is paid. If the Interest Payment Date falls on a day that is not a Business Day, the payment will be made on the next Business Day as if it were made on the date the payment was due, and no interest will accrue on the amount so payable for the period from and after that Interest Payment Date to the date the payment is made. The principal of this Series 2019A Refunding Bond is payable in such coin or currency of the United States of America which at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., in the City of Dallas, Texas, or any successor thereto (the “Paying Agent/Registrar”), upon presentation and surrender hereof. Interest on this Series 2019A Refunding Bond is payable by check mailed by the Paying Agent/Registrar to the registered owner. The interest so payable on any interest payment date will, subject to certain exceptions provided in the Bond Resolution, be paid to the person in whose name this Series 2019A Refunding Bond is registered as of the Record Date (which is the 15th calendar day of the month next preceding an interest payment date). Any interest not punctually paid or duly provided for shall be payable as provided in the Bond Resolution.
This Series 2019A Refunding Bond is one of a duly authorized issue of Revenue Refunding Bonds, Series 2019A, aggregating in principal the sum of Three Hundred Five Million Three Hundred Forty Thousand Dollars ($305,340,000) (the “Series 2019A Refunding Bonds”), all of like tenor and effect except as to interest rate, number, denomination and maturity, said Bonds having been issued by the Commission pursuant to an Amended and Restated General Bond Resolution adopted by its governing authority June 28, 2006, a Resolution adopted by its governing authority on August 14, 2019, and a Supplemental Bond Resolution adopted by its governing authority on October 23, 2019 (collectively, the “Bond Resolution”).

This Series 2019A Refunding Bond is issued simultaneously with the Commission’s Revenue Refunding Bonds, Series 2019B, issued in the original aggregate principal amount of $79,410,000 (the “Series 2019B Refunding Bonds”).

The Series 2019A Refunding Bonds are being issued for the purpose of (1) providing sufficient funds to advance refund $337,435,000 of the Series 2010B Bonds maturing February 1, 2021, and thereafter, to their first optional redemption date of February 1, 2020; (2) defeasing $3,520,000 in aggregate principal amount of the Series 2010B Bonds maturing February 1, 2020, to its maturity date; and (3) paying the costs of issuance thereof; under the authority of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

The Series 2019A Refunding Bonds have been issued on a pari passu, parity basis as to security and source of payment with (i) the Commission’s Revenue Bonds (Department of Environmental Quality Project), Series 2010, dated April 29, 2010, in the original aggregate principal amount of $8,300,000, currently outstanding in the aggregate principal amount of $5,467,000, (ii) the Commission’s Revenue Bonds, Series 2011A (LIBOR Index), dated July 28, 2011, in the original aggregate principal amount of $202,500,000, of which $92,500,000 will remain Outstanding subsequent to the issuance of the 2019B Refunding Bonds, (iii) the Commission’s Taxable Revenue Bonds, Series 2013A, dated March 6, 2013, in the original aggregate principal amount of $45,000,000, currently outstanding in the aggregate principal amount of $35,962,617, (iv) the Commission’s Taxable Revenue Refunding Bonds, Series 2013B, dated May 2, 2013, in the original aggregate principal amount of $25,390,000, currently outstanding in the aggregate principal amount of $15,880,000, (v) the Commission’s Taxable Revenue Refunding Bonds, Series 2014A, dated December 17, 2014, in the original aggregate principal amount of $127,455,000, currently outstanding in the aggregate principal amount of $122,230,000, (vi) the Commission’s Tax-Exempt Revenue Refunding Bonds, Series 2014B, dated December 17, 2014, in the original aggregate principal amount of $205,435,000, currently outstanding in the aggregate principal amount of $205,435,000, (vii) the Commission’s Taxable Revenue Bonds (Department of Environmental Quality Project), Series 2015A, dated October 8, 2015, in the original aggregate principal amount of $20,000,000, currently outstanding in the aggregate principal amount of $17,376,749, (viii) the Commission’s Taxable Revenue Bonds (Department of Environmental Quality Project), Series 2016A, dated May 17, 2016, in the original aggregate principal amount of $12,000,000, currently outstanding in the aggregate principal amount of $10,981,260, and (ix) the Series 2019B Refunding Bonds.

THIS SERIES 2019A REFUNDING BOND AND THE ISSUE OF WHICH IT FORMS A PART ARE PAYABLE AS TO BOTH PRINCIPAL AND INTEREST SOLELY FROM THE NET REVENUES (AS DEFINED HEREIN), AND DOES NOT CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE GENERAL CREDIT OF THE COMMISSION WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISIONS RELATING TO THE INCURRING OF INDEBTEDNESS.

The Series 2019A Refunding Bonds are issuable in the denomination of $5,000, or any integral multiple thereof within a maturity. As provided in the Bond Resolution, and subject to certain limitations set forth therein, the Series 2019A Refunding Bonds are exchangeable for an equal aggregate principal amount of bonds of the same maturity of any other authorized denomination.
Subject to the limitations and upon payment of the charges provided in the Bond Resolution, the transfer of this Series 2019A Refunding Bond may be registered on the registration books of the Paying Agent/Registrar upon surrender of this Series 2019A Refunding Bond at the principal corporate office of the Paying Agent/Registrar as Bond Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new bond or bonds of the same maturity and of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee. Prior to due presentment for transfer of this Series 2019A Refunding Bond, the Commission and the Paying Agent/Registrar may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Series 2019A Refunding Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest hereon and for all other purposes, and neither the Commission nor the Paying Agent/Registrar shall be affected by any notice to the contrary. Upon any such registration of transfer or exchange, the Paying Agent/Registrar may require payment of any amount sufficient to cover any tax or other governmental charge payable in connection therewith.

The Commission and the Paying Agent/Registrar shall not be required to issue, register the transfer of or exchange any Series 2019A Refunding Bonds during the period beginning at the opening of business on the 15th day of the month next preceding an Interest Payment Date and ending at the close of business on the Interest Payment Date.

Optional Redemption

The Series 2019A Refunding Bonds maturing February 1, 2030, and thereafter, are subject to redemption at the option of the Commission prior to their stated maturities in whole or in part at any time on and after February 1, 2029, in the order directed by the Commission, and in the event that less than all of such Series 2019A Refunding Bonds of any maturity are called for redemption, the particular Series 2019A Refunding Bonds of such maturity to be redeemed shall be selected as described below. Any Series 2019A Refunding Bond made the subject of such call or calls shall be redeemed at 100% of the principal amount thereof plus accrued interest to the redemption date, without premium.

If less than all of the Series 2019A Refunding Bonds of a particular maturity are called for redemption, the Series 2019B Refunding Bonds within such maturity to be redeemed will be selected by DTC or any successor security depository pursuant to its rules or 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.

In the event a Series 2019A Refunding Bond to be redeemed is of a denomination larger than $5,000, a portion of such Series 2019A Refunding Bond ($5,000 or any multiple thereof) may be redeemed. Any Series 2019B Refunding Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent/Registrar and there shall be delivered to the Owner of such Series 2019A Refunding Bond, a Series 2019A Refunding Bond or Series 2019A Refunding Bonds of the same maturity and of any authorized denomination or denominations as requested by such Owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal for the Series 2019A Refunding Bond surrendered.

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 thirty (30) days prior to the date fixed for redemption, to the Owner of each Series 2019A Refunding Bond to be redeemed in whole or in part at the address shown on the registration books maintained by the Paying Agent/Registrar.
Scheduled Mandatory Redemption

The Series 2019A Refunding Bonds maturing February 1, 2045 shall be redeemed at a redemption price equal to 100% of the principal amount to be redeemed plus accrued interest thereon to the redemption date, on February 1 (or, if any such February 1 is not an Interest Payment Date, then on the Interest Payment Date immediately preceding such February 1) in the years and the principal amounts as follows (after credit as provided below):

<table>
<thead>
<tr>
<th>Year (February 1)</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2041</td>
<td>$31,940,000</td>
</tr>
<tr>
<td>2042</td>
<td>$33,210,000</td>
</tr>
<tr>
<td>2043</td>
<td>$34,525,000</td>
</tr>
<tr>
<td>2044</td>
<td>$35,890,000</td>
</tr>
<tr>
<td>2045(1)</td>
<td>$37,320,000</td>
</tr>
</tbody>
</table>

(1) Final Maturity.

This Series 2019A Refunding Bond and the issue of which it forms a part are payable as to both principal and interest solely from (i) the rates and charges levied and collected by the Commission pursuant to that certain Ordinance 7853 adopted by the Board of Commissioners of the Commission, as amended from time to time (the “Sewer User Fees”), and (ii) the net avails or proceeds of the one-half of one percent (½%) sales and use tax (the “Tax”), collected by the Parish pursuant to an election held in the Parish on April 16, 1988, after payment of the reasonable and necessary expenses of collecting and administering the Tax (the “Net Sales Tax Revenues”), and (iii) subject to the prior payment of the reasonable and necessary expenses of operation, maintenance and administration of the System (the “Operation and Maintenance Expenses”), all as provided in the Bond Resolution and this Series 2019A Refunding Bond. This Series 2019A Refunding Bond does not constitute an indebtedness or pledge of the general credit of the Commission within the meaning of any constitutional and statutory limitation of indebtedness. The Sewer User Fees and the Net Sales Tax Revenues, after payment of the Operation and Maintenance Expenses, are collectively referred to as the “Net Revenues.”

The governing authority of the Commission has covenanted and agreed and does hereby covenant and agree at all times to fix and collect rates and charges for all services and facilities furnished to the customers of the System, together with the proceeds of the Net Sales Tax Revenues, to provide for the payment of interest on and principal of all bonds or other obligations, payable therefrom as and when the same shall become due and payable.

Pursuant to the Fifth Amendatory Intergovernmental Agreement dated June 29, 2006, entered into among the Parish, the City, the District and the Commission, the Parish, through its governing authority, has covenanted not to discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which bonds to be issued by the Commission pursuant to the Bond Resolution have been issued, nor in any way make any change which would diminish the amount of revenues of the Tax pledged to the payment of such bonds until all such bonds payable therefrom shall have been paid as to both principal and interest.

For a more complete statement of the Net Revenues from which and conditions under which this Series 2019A Refunding Bond is payable, a statement of the conditions under which additional bonds may hereafter be issued pursuant to Bond Resolution, and the general covenants and provisions to which this Series 2019A Refunding Bond is issued, reference is hereby made to the Bond Resolution.

This Series 2019A Refunding Bond is issued with the intent that the laws of the State of Louisiana shall govern its construction.

It is certified that this Series 2019A Refunding Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Series 2019A Refunding Bond and the issue of which it forms a part to constitute the same legal, binding and valid obligations of the Commission have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Commission, including this Series 2019A Refunding Bond and the issue of which it forms a part, does not exceed the limitations prescribed by the Constitution and statutes of the State of Louisiana.
IN WITNESS WHEREOF, the Board of Commissioners of the East Baton Rouge Sewerage Commission, the governing authority of the East Baton Rouge Sewerage Commission, has caused this Series 2019A Refunding Bond to be executed in its name by the facsimile signatures of the President and the Secretary, and a facsimile of the corporate seal of said Commission to be imprinted hereon.

EAST BATON ROUGE SEWERAGE COMMISSION

________________________________________  ____________________________
Secretary                                        President

(SEAL)
PAYING AGENT/REGISTRAR'S CERTIFICATE OF REGISTRATION

This Series 2019A Refunding Bond is one of the Series 2019A Refunding Bonds referred to in the within mentioned Bond Resolution.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,
Dallas, Texas
as Paying Agent/Registrar

By: _____________________________

Authorized Officer

Registration Date: October 29, 2019
LEGAL OPINION CERTIFICATE

I, the undersigned Secretary of the Board of Commissioners of the East Baton Rouge Sewerage Commission, the governing authority of the East Baton Rouge Sewerage Commission, do hereby certify that the attached is a true copy of the complete legal opinion of Butler Snow LLP, Bond Counsel, the original of which was manually executed, dated and issued as of the date of payment for and delivery of the original bonds of the issue described therein and was delivered to J.P. Morgan Securities LLC, representing the original purchasers thereof.

I further certify that an executed copy of the above legal opinion is on file in my office, and that an executed copy thereof has been furnished to the Paying Agent/Registrar for this Series 2019A Refunding Bond.

__________________________
Secretary

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto ________________ the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints ________________ attorney or agent to transfer the within bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: ____________________

__________________________
Signature Guaranteed:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

EXHIBIT A-2

FORM OF SERIES 2019B REFUNDING BOND

Unless this Series 2019B Refunding Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”) to the Commission or its agent for registration of transfer, exchange, or payment, and any Series 2019B Refunding Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

As provided in the Bond Resolution referred to herein, until the termination of the system of book-entry-only transfers through The Depository Trust Company, New York, New York (together with any successor security depository appointed pursuant to the Bond Resolution), and notwithstanding any other provision of the Bond Resolution to the contrary, this Series 2019B Refunding Bond may be transferred, in whole but not in part, only to a nominee of DTC, or by a nominee of DTC to DTC or a nominee of DTC, or by DTC or a nominee of DTC to any successor securities depository or any nominee thereof.

No. R-1 $__________
The East Baton Rouge Sewerage Commission (the “Commission”), promises to pay, but only from the source and as hereinafter provided, to

CEDE & CO. (Tax ID #13-2555119)

or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, together with interest thereon from the date hereof, or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on February 1 and August 1 (each an “Interest Payment Date”), commencing February 1, 2020, at the Interest Rate per annum set forth above, on the basis of twelve 30-day months and a 360-day year, until said principal amount is paid. If the Interest Payment Date falls on a day that is not a Business Day, the payment will be made on the next Business Day as if it were made on the date the payment was due, and no interest will accrue on the amount so payable for the period from and after that Interest Payment Date to the date the payment is made. The principal of this Series 2019B Refunding Bond is payable in such coin or currency of the United States of America which at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., in the City of Dallas, Texas, or any successor thereto (the “Paying Agent/Registrar”), upon presentation and surrender hereof. Interest on this Series 2019B Refunding Bond is payable by check mailed by the Paying Agent/Registrar to the registered owner. The interest so payable on any interest payment date will, subject to certain exceptions provided in the Bond Resolution, be paid to the person in whose name this Series 2019B Refunding Bond is registered as of the Record Date (which is the 15th calendar day of the month next preceding an interest payment date). Any interest not punctually paid or duly provided for shall be payable as provided in the Bond Resolution.

<table>
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<th>Maturity Date:</th>
<th>Interest Rate:</th>
<th>Bond Date:</th>
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<td>February 1, ____</td>
<td>_____%</td>
<td>October 29, 2019</td>
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This Series 2019B Refunding Bond is one of a duly authorized issue of Revenue Refunding Bonds, Series 2019B, aggregating in principal the sum of Seventy Nine Million Four Hundred Ten Thousand Dollars ($79,410,000) (the “Series 2019B Refunding Bonds”), all of like tenor and effect except as to interest rate, number, denomination and maturity, said Bonds having been issued by the Commission pursuant to an Amended and Restated General Bond Resolution adopted by its governing authority June 28, 2006, a Resolution adopted by its governing authority on August 14, 2019, and a Supplemental Bond Resolution adopted by its governing authority on October 23, 2019 (collectively, the “Bond Resolution”).

This Series 2019B Refunding Bond is issued simultaneously with the Commission’s Revenue Refunding Bonds, Series 2019A, issued in the original aggregate principal amount of $305,340,000 (the “Series 2019A Refunding Bonds”).

The Series 2019B Refunding Bonds are being issued for the purpose of (i) current refunding $79,205,000 aggregate principal amount of the Series 2011A Bonds maturing February 1, 2020, to and including February 1, 2032, on October 29, 2019; (ii) paying the termination payment due to Deutsche Bank in connection with the termination of the Swap Transaction between the Commission and Deutsche Bank, which Swap Transaction is evidenced by that certain International Swaps and Derivatives Association, Inc. Master Agreement dated as of July 27, 2011, by and between Deutsche Bank and the Commission, as amended by the First Amended Agreement dated as of July 27, 2011, as further revised by the letter agreement dated August 17, 2011, each between the Deutsche Bank and the Commission; and (iii) paying the cost of issuance thereof; under the authority of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

The Series 2019B Refunding Bonds have been issued on a pari passu, parity basis as to security and source of payment with (i) the Commission’s Revenue Bonds (Department of Environmental Quality Project), Series 2010, dated April 29, 2010, in the original aggregate principal amount of $8,300,000, currently outstanding in the aggregate principal amount of $5,467,000, (ii) the Commission’s Revenue Bonds, Series 2011A (LIBOR Index), dated July 28, 2011, in the original aggregate principal amount of $202,500,000, of which $92,500,000 will remain outstanding subsequent to the issuance of the Series 2019B Refunding Bonds, (iii) the Commission’s Taxable Revenue Bonds, Series 2013A, dated March 6, 2013, in the original aggregate principal amount of $45,000,000, currently outstanding in the aggregate principal amount of $35,962,617, (iv) the Commission’s Taxable Revenue Refunding Bonds, Series 2013B, dated May 2, 2013, in the original aggregate principal amount of $25,390,000, currently outstanding in the aggregate principal amount of $15,880,000, (v) the Commission’s Taxable Revenue Refunding Bonds, Series 2014A, dated December 17, 2014, in the original aggregate principal amount of $127,455,000, currently outstanding in the aggregate principal amount of $122,230,000, (vi) the Commission’s Tax-Exempt Revenue Refunding Bonds, Series 2014B, dated December 17, 2014, in the original aggregate principal amount of $205,435,000, currently outstanding in the aggregate principal amount of $205,435,000, (vii) the Commission’s Taxable Revenue Bonds (Department of Environmental Quality Project), Series 2015A, dated October 8, 2015, in the original aggregate principal amount of $20,000,000, currently outstanding in the aggregate principal amount of $17,376,749, (viii) the Commission’s Taxable Revenue Bonds (Department of Environmental Quality Project), Series 2016A, dated May 17, 2016, in the original aggregate principal amount of $12,000,000, currently outstanding in the aggregate principal amount of $10,981,260, and (ix) the Series 2019A Refunding Bonds.

THIS SERIES 2019B REFUNDING BOND AND THE ISSUE OF WHICH IT FORMS A PART ARE PAYABLE AS TO BOTH PRINCIPAL AND INTEREST SOLELY FROM THE NET REVENUES (AS DEFINED HEREIN), AND DOES NOT CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE GENERAL CREDIT OF THE COMMISSION WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISIONS RELATING TO THE INCURRING OF INDEBTEDNESS.

The Series 2019B Refunding Bonds are issuable in the denomination of $5,000, or any integral multiple thereof within a maturity. As provided in the Bond Resolution, and subject to certain limitations set forth therein, the Series 2019B Refunding Bonds are exchangeable for an equal aggregate principal amount of bonds of the same maturity of any other authorized denomination.
Subject to the limitations and upon payment of the charges provided in the Bond Resolution, the transfer of this Series 2019B Refunding Bond may be registered on the registration books of the Paying Agent/Registrar upon surrender of this Series 2019B Refunding Bond at the principal corporate office of the Paying Agent/Registrar as Bond Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new bond or bonds of the same maturity and of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee. Prior to due presentment for transfer of this Series 2019B Refunding Bond, the Commission and the Paying Agent/Registrar may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Series 2019B Refunding Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest hereon and for all other purposes, and neither the Commission nor the Paying Agent/Registrar shall be affected by any notice to the contrary. Upon any such registration of transfer or exchange, the Paying Agent/Registrar may require payment of any amount sufficient to cover any tax or other governmental charge payable in connection therewith.

The Commission and the Paying Agent/Registrar shall not be required to issue, register the transfer of or exchange any Series 2019B Refunding Bonds during the period beginning at the opening of business on the 15th day of the month next preceding an Interest Payment Date and ending at the close of business on the Interest Payment Date.

The Series 2019B Refunding Bonds are not subject to redemption prior to their stated maturities.

This Series 2019B Refunding Bond and the issue of which it forms a part are payable as to both principal and interest solely from (i) the rates and charges levied and collected by the Commission pursuant to that certain Ordinance 7853 adopted by the Board of Commissioners of the Commission, as amended from time to time (the “Sewer User Fees”), and (ii) the net avails or proceeds of the one-half of one percent (½%) sales and use tax (the “Tax”), collected by the Parish pursuant to an election held in the Parish on April 16, 1988, after payment of the reasonable and necessary expenses of collecting and administering the Tax (the “Net Sales Tax Revenues”), and (iii) subject to the prior payment of the reasonable and necessary expenses of operation, maintenance and administration of the System (the “Operation and Maintenance Expenses”), all as provided in the Bond Resolution and this Series 2019B Refunding Bond. This Series 2019B Refunding Bond does not constitute an indebtedness or pledge of the general credit of the Commission within the meaning of any constitutional and statutory limitation of indebtedness. The Sewer User Fees and the Net Sales Tax Revenues, after payment of the Operation and Maintenance Expenses, are collectively referred to as the “Net Revenues.”

The governing authority of the Commission has covenanted and agreed and does hereby covenant and agree at all times to fix and collect rates and charges for all services and facilities furnished to the customers of the System, together with the proceeds of the Net Sales Tax Revenues, to provide for the payment of interest on and principal of all bonds or other obligations, payable therefrom as and when the same shall become due and payable.

Pursuant to the Fifth Amendatory Intergovernmental Agreement dated June 29, 2006, entered into among the Parish, the City, the District and the Commission, the Parish, through its governing authority, has covenanted not to discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which bonds to be issued by the Commission pursuant to the Bond Resolution have been issued, nor in any way make any change which would diminish the amount of revenues of the Tax pledged to the payment of such bonds until all such bonds payable therefrom shall have been paid as to both principal and interest.

For a more complete statement of the Net Revenues from which and conditions under which this Series 2019B Refunding Bond is payable, a statement of the conditions under which additional bonds may hereafter be issued pursuant to Bond Resolution, and the general covenants and provisions to which this Series 2019B Refunding Bond is issued, reference is hereby made to the Bond Resolution.

This Series 2019B Refunding Bond is issued with the intent that the laws of the State of Louisiana shall govern its construction.
It is certified that this Series 2019B Refunding Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Series 2019B Refunding Bond and the issue of which it forms a part to constitute the same legal, binding and valid obligations of the Commission have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Commission, including this Series 2019B Refunding Bond and the issue of which it forms a part, does not exceed the limitations prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, the Board of Commissioners of the East Baton Rouge Sewerage Commission, the governing authority of the East Baton Rouge Sewerage Commission, has caused this Series 2019B Refunding Bond to be executed in its name by the facsimile signatures of the President and the Secretary, and a facsimile of the corporate seal of said Commission to be imprinted hereon.

EAST BATON ROUGE SEWERAGE COMMISSION

______________________________  ______________________________
Secretary  President

(SEAL)
PAYING AGENT/REGISTRAR'S CERTIFICATE OF REGISTRATION

This Series 2019B Refunding Bond is one of the Series 2019B Refunding Bonds referred to in the within mentioned Bond Resolution.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,
Dallas, Texas
as Paying Agent/Registrar

By:_____________________________

Registration Date: October 29, 2019

Authorized Officer
LEGAL OPINION CERTIFICATE

I, the undersigned Secretary of the Board of Commissioners of the East Baton Rouge Sewerage Commission, the governing authority of the East Baton Rouge Sewerage Commission, do hereby certify that the attached is a true copy of the complete legal opinion of Butler Snow LLP, Bond Counsel, the original of which was manually executed, dated and issued as of the date of payment for and delivery of the original bonds of the issue described therein and was delivered to J.P. Morgan Securities LLC, representing the original purchasers thereof.

I further certify that an executed copy of the above legal opinion is on file in my office, and that an executed copy thereof has been furnished to the Paying Agent/Registrar for this Series 2019B Refunding Bond.

________________________________________
Secretary
ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto ______________ the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints ________________________ attorney or agent to transfer the within bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: ______________________

______________________________
NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Signature Guaranteed:

______________________________
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

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 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: Welch

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54551

CERTIFYING TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE AGREE TO CERTAIN STIPULATIONS REQUIRED BY THE LADOTD AS PREREQUISITES FOR PARTICIPATION BY THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE IN THE OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM.

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of East Baton Rouge Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to said Parish;
NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, the governing authority of said City and Parish (herein referred to as the City-Parish), in regular meeting assembled, that said Council does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period January 1, 2020 through December 31, 2020:

1. The City-Parish will perform all interim inspections on all City-Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.

2. All bridges owned or maintained by the City-Parish will be structurally analyzed and rated by the City-Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under the Louisiana state law exceeds the load permitted under operating rating as determined above will be critically reviewed by the City-Parish. Load posting information will be updated by the City-Parish to reflect all structural changes, and obsolete structural ratings or any missing structural ratings.

3. All City-Parish owned or maintained bridges which require load posting or closing shall be load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge shall be critically reviewed by the City-Parish Engineer prior to load posting.

4. All bridges owned or maintained by the City-Parish are shown on the DOTD Official Listing of Off-System Bridges, dated July 11, 2011, a copy of which is on file in the office of the Director of the Department of Public Works for the City-Parish. Corrections and/or additions to data supplied to the Parish by the LA DOTD are noted.

These stipulations are prerequisites to participation by the City-Parish in the Off-System Bridge Replacement Program.

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: Welch

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54552

REQUESTING THAT THE PLANNING COMMISSION WORK WITH THE FEDERATION OF GREATER BATON ROUGE CIVIC ASSOCIATIONS TO STUDY POTENTIAL REGULATIONS GOVERNING SHORT TERM RENTALS.

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

Section 1. The Planning Commission is hereby authorized to work with the Federation of Greater Baton Rouge Civic Associations to study potential regulations governing short term rentals.

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 Ms. Wicker to adopt the proposed resolution as amended to add the Greater Baton Rouge Association of Realtors. 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.
October 23, 2019

The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54553

AUTHORIZING SETTLEMENT OF THE MATTER ENTITLED "PEGGY MAGEE, ET AL V. CITY OF BATON ROUGE," SUIT NO. 658,946, ON THE DOCKET OF THE 19TH JUDICIAL DISTRICT COURT, IN THE AMOUNT OF $100,000.00, PLUS COURT COSTS IN THE AMOUNT OF $1,464.54, FOR A TOTAL AMOUNT OF $101,464.54; AND APPROPRIATING $101,464.54 FOR SUCH PURPOSE. "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 matter entitled “Peggy Magee, et al v. City of Baton Rouge,” Suit No. 658,946, on the docket of the 19th Judicial District Court in the amount of $100,000.00, plus court costs in the amount of $1,464.54, for a total amount of $101,464.54; and appropriating $101,464.54 for such purpose, as shown on Budget Supplement No. 8674, a copy of which is attached hereto and made a part hereof.

Section 2. 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. Cole 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: Loupe

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 October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54554

RESCINDING AND DIRECTING THE CLERK OF COURT TO CANCEL THE DECISION AND ORDER RECORDED ON AUGUST 16, 2019 AT ORIGINAL 777 OF BUNDLE 12975 IN THE MATTER OF "CITY OF BATON ROUGE VS. ELMO BROWN, SR. AND MARY N. BROWN" - CONDEMNATION PROCEEDING NO. 10059 (3130 DALTON STREET (HOUSE AND FRONT CARPORT), LOT 13, SQUARE B, CRAWFORD ADDITION SUBDIVISION).

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. Elmo Brown, Sr. and Mary N. Brown” – Condemnation Proceeding No. 10059 (3130 Dalton Street (House and Front Carport), Lot 13, Square B, Crawford Addition 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 August 16, 2019 at Original 777 of Bundle 12975 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 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.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54555

AUTHORIZING THE MAYOR-PRESIDENT, ON BEHALF OF THE DIVISION OF HUMAN DEVELOPMENT AND SERVICES/ EAST BATON ROUGE PARISH HEAD START PROGRAM TO AMEND THE CONTRACT WITH THE MANAGEMENT INSTITUTE IN AN AMOUNT OF $20,000.00 NOT TO EXCEED $60,000.00 TO PROVIDE ADDITIONAL CONSULTATION SERVICES AS NEEDED ON FINANCE, FACILITIES, HEAD START PERFORMANCE STANDARDS, AND GRANT WRITING FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019; 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 on behalf of the Division of Human Development and Services/ East Baton Rouge Parish Head Start Program is hereby authorized to amend the contract with The Management Institute in an amount of $20,000.00 not to exceed $60,000.00 to provide additional consultation services as needed on finance, facilities, Head Start Performance Standards, and grant writing for the period January 1, 2019 to December 31, 2019.

Section 2. The Mayor-President is further authorized to execute all documents in connection therewith.

Section 3. 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. Collins-Lewis 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54556

AUTHORIZING THE MAYOR-PRESIDENT, ON BEHALF OF THE DIVISION OF HUMAN DEVELOPMENT AND SERVICES/RYAN WHITE PROGRAM TO AMEND THE CONTRACT WITH GERMAINE & CO., INC. D/B/A GERMANE SOLUTIONS FOR AN INCREASE IN THE AMOUNT OF $10,000 FOR A TOTAL AMOUNT NOT TO EXCEED $70,483 FOR THE CONTRACT PERIOD MARCH 1, 2019 TO FEBRUARY 28, 2020, TO DEVELOP THE FY 2020 FEDERAL ENDING THE EPIDEMIC GRANT APPLICATION- A PLAN FOR AMERICA; AND PROVIDE TECHNICAL ASSISTANCE; 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 on behalf of the Division of Human Development and Services/Ryan White Program is hereby authorized to amend the contract with Germaine & Co., Inc. D/B/A Germane Solutions for an increase in the amount of $10,000 for a total amount not to exceed $70,483 for the contract period March 1, 2019 to February 28, 2020, to develop the FY 2020 Federal Ending The Epidemic Grant Application- A Plan for America; and provide technical assistance.

Section 2. The Mayor-President is further authorized to execute all documents in connection therewith.

Section 3. 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. Collins-Lewis and seconded by Ms. Wicker 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54557

AUTHORIZING THE FINANCE DIRECTOR TO REFUND AN ERRONEOUS REMITTANCE OF SALES AND USE TAXES TO CONN APPLIANCES, INC. IN THE AMOUNT OF $243,036.76 FOR BAD DEBTS WRITTEN OFF FOR THE AUDIT PERIOD OF FEBRUARY 1, 2013 THROUGH JANUARY 31, 2016, WITH THE COST OF SUCH REFUND TO BE CHARGED AGAINST SALES TAX REVENUES.

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

Section 1. The Finance Director is hereby authorized to refund an erroneous remittance of sales and use taxes to Conn Appliances, Inc. in the amount of $243,036.76 for bad debts written off for the audit period of February 1, 2013 through January 31, 2016, with the cost of such refund to be charged against sales tax revenues.

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. Wicker 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.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54558

AUTHORIZING THE MAYOR-PRESIDENT TO AMEND THE CONTRACT WITH MILLIMAN, INC., FOR ACTUARIAL SERVICES RELATING TO CALCULATIONS OF THE CITY-PARISH OTHER POST-EMPLOYMENT BENEFITS (OPEB) LIABILITY FOR THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR). THE AMENDMENT, RESULTING FROM NEW CALCULATION METHODS REQUIRED BY GASB 75, WILL INCREASE THE CONTRACT AMOUNT FOR ACTUARIAL SERVICES FOR THE 2018 CAFR FROM $18,000 TO $28,400, ADJUST THE SCOPE OF SERVICES TO PROVIDE FOR AN ADDITIONAL FULL ACTUARIAL VALUATION FOR THE 2019 CAFR AT THE RATE OF $21,000, AND EXTEND THE TERM OF THE CONTRACT FOR ONE ADDITIONAL YEAR AT A RATE OF $7,500 FOR THE 2020 CAFR.

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 contract with Milliman, Inc., for actuarial services relating to calculations of the City-Parish Other Post-Employment Benefits (OPEB) liability for the Comprehensive Annual Financial Report (CAFR). The amendment, resulting from new calculation methods required by GASB 75, will increase the contract amount for actuarial services for the 2018 CAFR from $18,000 to $28,400, adjust the scope of services to provide for an additional full actuarial valuation for the 2019 CAFR at the rate of $21,000, and extend the term of the contract for one additional year at a rate of $7,500 for the 2020 CAFR.

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. 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54559

AUTHORIZING THE MAYOR-PRESIDENT TO INCREASE THE CONTRACT WITH HUNT, GUILLOT & ASSOCIATES, LLC, BY $345,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $415,000, FOR PURPOSES OF PROVIDING GRANT MANAGEMENT SERVICES RELATED TO THE “DECLARED DISASTER RELIEF FUNDING (DDRF) 2019 DEVELOPER PROGRAM,” WHICH SEeks TO INCREASE THE AMOUNT OF AFFORDABLE RENTAL UNITS IN EAST BATON ROUGE PARISH. FUNDING FOR THIS CONTRACT AMENDMENT COMES FROM ADMINISTRATIVE DOLLARS SPECIFICALLY RELATED TO THE DDRF ALLOCATION RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT.

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 increase the contract with Hunt, Guillot & Associates, LLC, by $345,000, for a total contract amount not to exceed $415,000, for purposes of providing grant management services related to the “Declared Disaster Relief Funding (DDRF) 2019 Developer Program,” which seeks to increase the amount of affordable rental units in East Baton Rouge Parish. Funding for this contract amendment comes from administrative dollars specifically related to the DDRF allocation received from the U.S. Department of Housing & Urban Development.

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 Ms. Wicker 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54560

EBROSCO RESOLUTION 8427

AUTHORIZING THE EAST BATON ROUGE SEWERAGE COMMISSION (SOMETIMES REFERRED TO HEREIN AS EBROSCO), THROUGH ITS AUTHORIZED REPRESENTATIVE, TO EXECUTE ALL DOCUMENTS AS MAY BE NECESSARY FOR THE PURCHASE OF PROPERTY IN THAT SUBDIVISION KNOWN AS SABLE CHASE, FIRST FILING, AND DESIGNATED ON THE OFFICIAL PLAN THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF THE PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA, AS LOT 19, 20, AND 21 OF SAID SUBDIVISION; SAID LOTS HAVING SUCH MEASUREMENTS AND DIMENSIONS AND BEING SUBJECT TO SUCH SERVITUDES AS ARE SHOWN ON SAID SUBDIVISION MAP, AND RATIFYING THE CONDITIONAL PURCHASE AND SALE AGREEMENT PREVIOUSLY EXECUTED BY THE AUTHORIZED REPRESENTATIVE OF EBROSCO.

WHEREAS, Lots 19, 20, and 21 of SABLE CHASE, FIRST FILING are located immediately adjacent to the South Wastewater Treatment Plant, and have been damaged by sewage overflow, for which damage claims have been asserted against EBROSCO; and

WHEREAS, EBROSCO has concluded that it would be more cost effective to purchase the properties and utilize them as buffer zones for the Treatment Plant; and

WHEREAS, EBROSCO has previously executed a conditional purchase and sale agreement so as to obtain the right to purchase the property upon approval of the transaction by the Metropolitan Council, previously executed by the authorized representative of EBROSCO;

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. The authorized representative of The East Baton Rouge Parish Sewerage Commission, is hereby authorized to execute all documents as may be necessary for the purchase of property in that subdivision known as SABLE CHASE, FIRST FILING, and designated on the official plan thereof, on file and of record in the office of the Clerk and Recorder of the Parish of East Baton Rouge, State of Louisiana, as LOT 19, 20, and 21 of said subdivision, said lots having such measurements and dimensions and being subject to such servitudes as are shown on said subdivision map. Furthermore, the conditional purchase and sale agreement previously executed by the authorized representative of EBROSCO, so as to obtain the right to purchase the property upon approval of the transaction by the Metropolitan Council is hereby ratified.

Section 2. The funds needed in connection with the required acquisitions, shall be provided from account no. 80502-5110000003-NCDSTP0005-651000.

Section 3. Said agreement and all other documents necessary to conclude the acquisition of the property 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 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54561


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 Entity/State Agreement with the State of Louisiana, Department of Transportation and Development, and the Capital Region Planning Commission in connection with State Project No. H.011791, Federal Aid Project No. H011791, Cal Rd and Moss Side Ln BR Replacements, being City-Parish project number 16-BR-US-0021. Funding for construction of this project will be at an 80% Federal, 20% local cost share. (Account No. 9317100029 & 9317100030).

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. Wilson 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: 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54562

EBROSCO RESOLUTION 8428

AUTHORIZE THE MAYOR-PRESIDENT AND/OR EBROSCO TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 8 TO THE CONTRACT WITH ARCCO COMPANY SERVICES, INC. TO PROVIDE CATEGORY B - EMERGENCY PROTECTIVE MEASURES IN RESPONSE TO HURRICANE BARRY FOR A FEE NOT TO EXCEED $212,305.63 (ACCOUNT NO. 2705-7700-20-7710-7753-YR19-000000-647600-41004).

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 Supplemental Agreement No. 8 to the contract with ARCCO Company Services, Inc. to provide Category B - Emergency Protective Measures in response to Hurricane Barry for a fee not to exceed $212,305.63 (Account No. 2705-7700-20-7710-7753-YR19-000000-647600-41004).

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. Wilson 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54563

AIRPORT AUTHORITY RESOLUTION 10-23-19-01

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO EXECUTE A LEASE AGREEMENT WITH CK HEALTHY VENDING, LLC, TO PLACE A VENDING MACHINE IN THE TERMINAL BUILDING FOR A PERIOD OF ONE (1) YEAR AT A MINIMUM MONTHLY GUARANTEE OF $150.00 PER MONTH OR 15% OF GROSS REVENUES WHICHEVER IS GREATER.

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 CK Healthy Vending, LLC, to place a vending machine in the terminal building for a period of one (1) year at a minimum monthly guarantee of $150.00 per month or 15% of gross revenues whichever is greater.

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: 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54564

AIRPORT AUTHORITY RESOLUTION 10-23-19-02

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO APPROVE A SUBLEASE BETWEEN THE EAST BATON ROUGE MOSQUITO ABATEMENT AND RODENT CONTROL DISTRICT AND EAST BATON ROUGE PARISH SHERIFF’S OFFICE.

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 approve a sublease between the East Baton Rouge Mosquito Abatement and Rodent Control District and East Baton Rouge Parish Sheriff’s Office.

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 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.
The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54565

AIRPORT AUTHORITY RESOLUTION 10-23-19-03

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO SUBMIT AND EXECUTE A GRANT APPLICATION TO THE STATE OF LOUISIANA, OFFICE OF AVIATION TO REQUEST $20,000.00 FROM THE STATE AVIATION DISCRETIONARY TRUST FUND TO PURCHASE A NEW AIRPORT/POLICE VEHICLE; AND AUTHORIZATION TO ACCEPT AND EXECUTE THE GRANT AGREEMENT AND ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH AT THE APPROPRIATE TIME.

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 submit and execute a grant application to the State of Louisiana, Office of Aviation to request $20,000.00 from the State Aviation Discretionary Trust Fund to purchase a new Airport/Police vehicle.

Section 2. The Mayor-President or the Chairman of the Board of Commissioners is further authorized to accept and execute the Grant Agreement and any and all necessary documents in connection therewith at the appropriate time.

Section 3. 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. Wilson 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54566

AIRPORT AUTHORITY RESOLUTION 10-23-19-04

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO AMEND METROPOLITAN COUNCIL RESOLUTION #54292, ADOPTED JUNE 12, 2019 SO AS TO CORRECT THE GRANT APPLICATION FUNDING SOURCE FOR THE RUNWAY 13-31 RSA/RPZ IMPROVEMENTS — PHASE II (CONSTRUCTION) PROJECT AS FOLLOWS: FROM: FEDERAL $7,300,000.00; STATE $3,311,111.00; AIRPORT $20,000; TOTAL $10,631,111.00, TO: FEDERAL $7,163,418.00; STATE: $3,795,935.00; AIRPORT $20,000; TOTAL $10,979,353.00.

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 amend Metropolitan Council Resolution #54292, Adopted June 12, 2019 so as to correct the grant application funding source for the Runway 13-31 RSA/RPZ Improvements – Phase II (Construction) Project as follows: From: Federal $7,300,000.00; State $3,311,111.00; Airport $20,000; Total $10,631,111.00, To: Federal $7,163,418.00; State: $3,795,935.00; Airport $20,000; Total $10,979,353.00.

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. Amoroso 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54567

AIRPORT AUTHORITY RESOLUTION 10-23-19-05

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO SUBMIT AND EXECUTE A GRANT APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION AND THE STATE OF LOUISIANA, OFFICE OF AVIATION FOR THE RUNWAY 13-31 RSA/RPZ IMPROVEMENTS – PHASE III PROJECT IN THE AMOUNT OF $9,575,556; AND AUTHORIZATION TO ACCEPT AND EXECUTE THE GRANT AGREEMENT AND ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH AT THE APPROPRIATE TIME. (FUNDING SOURCE: FEDERAL $5,900,000; STATE: $3,655,556; AIRPORT: $20,000.00; TOTAL $9,575,556.00.).

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 submit and execute a grant application to the Federal Aviation Administration and the State of Louisiana, Office of Aviation for the Runway 13-31 RSA/RPZ Improvements – Phase III Project in the amount of $9,575,556.

Section 2. The Mayor-President or Chairman of the Board of Commissioners is further authorized to accept and execute the Grant Agreement and any and all necessary documents in connection therewith at the appropriate time. (Funding Source: Federal $5,900,000; State: $3,655,556; Airport: $20,000.00; Total $9,575,556.00.).

Section 3. 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 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54568
AIRPORT AUTHORITY RESOLUTION 10-23-19-06

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO SUBMIT AND EXECUTE A GRANT APPLICATION TO THE STATE OF LOUISIANA, OFFICE OF AVIATION FOR 10% STATE MATCH IN THE AMOUNT OF $55,556.00 FOR THE RUNWAY 4L/22R REHABILITATION PROJECT PHASE II; AND AUTHORIZATION TO ACCEPT AND EXECUTE THE GRANT AGREEMENT AND ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH AT THE APPROPRIATE TIME. (FUNDING SOURCE: AIRPORT $500,000; STATE TRUST FUND $55,556; TOTAL; $555,556).

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 submit and execute a grant application to the State of Louisiana, Office of Aviation for 10% state match in the amount of $55,556.00 for the Runway 4L/22R Rehabilitation Project Phase II.

Section 2. The Mayor-President or Chairman of the Board of Commissioners is further authorized to accept and execute the grant agreement and any and all necessary documents in connection therewith at the appropriate time. (Funding Source: Airport $500,000; State Trust Fund $55,556; Total; $555,556).

Section 3. 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 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 Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54569

AIRPORT AUTHORITY RESOLUTION 10-23-19-07

AUTHORIZATION FOR THE MAYOR-PRESIDENT AND/OR CHAIRMAN OF THE AIRPORT COMMISSION TO SUBMIT A REQUEST FOR CAPITAL OUTLAY FUNDING FOR FISCAL YEAR 2020-2021 FOR THE GENERAL AVIATION DEVELOPMENT PROJECT (UTILITY/INFRASTRUCTURE) IN THE AMOUNT OF $1,000,000.00.

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 submit a request for Capital Outlay Funding for fiscal year 2020-2021 for the General Aviation Development Project (Utility/Infrastructure) in the amount of $1,000,000.00.

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 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.

ADJUDICATED PROPERTIES

None.

ADMINISTRATIVE MATTERS

ADMINISTRATIVE MATTER INTRODUCTIONS

None.

ADMINISTRATIVE MATTER ITEMS

None.
APPOINTMENTS

EAST BATON ROUGE PARISH MOSQUITO
ABATEMENT DISTRICT
Recommending a replacement for Harold Kirby (term limited and not eligible to serve another term). This term will expire on October 8, 2022. This is a three (3) year term.

Current Ballot
Albert B. Andrews, Jr.

A motion was made by Mr. Welch and seconded by Ms. Freiberg to appoint Albert B. Andrews, Jr. 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.

ALCOHOLIC BEVERAGE CONTROL BOARD
One appointment to fill the unexpired term of Adam Enamorado in accordance with Section 2.17 of the Plan of Government. This term expires December 31, 2022.

Current Ballot
Anthony J. Gallo
Cassandra M. Jeanlouis
George Krause

A motion was made to appoint Anthony J. Gallo. A "Yea" and "Nay" vote was called for and resulted as follows:

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

With 3 yeas, 0 nays, 0 abstains, 9 not voting, and 0 absent, the motion failed.

A motion was made to appoint Cassandra Jeanlouis. A "Yea" and "Nay" vote was called for and resulted as follows:

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

With 3 yeas, 0 nays, 0 abstains, 9 not voting, and 0 absent, the motion failed.

A motion was made to appoint George Krause. A "Yea" and "Nay" vote was called for and resulted as follows:

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

With 6 yeas, 0 nays, 0 abstains, 6 not voting, and 0 absent, the motion failed.
A motion was made to appoint Anthony J. Gallo. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

A motion was made to appoint Cassandra Jeanlouis. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

A motion was made to appoint George Krause. A "Yea" and "Nay" vote was called for and resulted as follows:

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

With 8 yeas, 0 nays, 0 abstains, 4 not voting, and 0 absent, the motion was adopted.
ITEMS

CHANGE ORDERS

A proposed resolution was read in full.

RESOLUTION 54570


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. 1, to the contract executed between the City of Baton Rouge, Parish of East Baton Rouge and KCR Contractors, LLC, for the Gardere Lane Pedestrian Improvement, being Project No. 15-SW-UC-0004 and State Project No. H.011774, Purchase Order No. 800001569, so as to provide as follows:

Change Order No. 1 - Adjust contract quantities of all items to as-built quantities and add 13 calendar days to the contract time. To make payment for final field-measured quantities and 13 calendar days to the contract time due to the delay of changing from round reinforced concrete pipe to arch to accommodate for low final grade in this area, resulting in a CREDIT AMOUNT of $(27,750.92).

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 $636,140.45.

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 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.
A proposed resolution was read in full.

RESOLUTION 54571

AIRPORT AUTHORITY RESOLUTION 10-23-19-08

AUTHORIZING EXECUTION OF A CHANGE ORDER, BEING CHANGE ORDER NO. 1, TO THE CONTRACT EXECUTED BETWEEN THE CITY OF BATON ROUGE, PARISH OF EAST BATON ROUGE AND HI-LITE AIRFIELD SERVICES, LLC, FOR AIRFIELD MARKINGS, BEING PROJECT NO. RQ 5346.

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. The Mayor-President or his designee, is hereby authorized to execute a change order, being Change Order No. 1, to the contract executed between the City of Baton Rouge, Parish of East Baton Rouge and Hi-Lite Airfield Services, LLC, for Airfield Markings, being Project No. RQ 5346, Purchase Order No. 800002130, so as to provide as follows:

Change Order No. 1 - Paint removal and painting of airfield markings. Airfield markings are required by FAA to be maintained and paint was unbounded and required removal instead of surface preparation, resulting in an ADDITION IN THE AMOUNT of $33,541.64.

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 $107,991.64.

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 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.
FINAL ACCEPTANCES

A proposed resolution was read in full.

RESOLUTION 54572


WHEREAS, the contract for the Gardere Lane Pedestrian Improvements, being Project No. 15-SW-US-0004 and State Project No. H.011774, was awarded to KCR Contractors, LLC, by the Metropolitan Council on October 24, 2018; and

WHEREAS, the Director of Transportation and Drainage 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, that:

Section 1. All work done by the said contractor under the contract for the Gardere Lane Pedestrian Improvements, being Project No. 15-SW-US-0004 and State Project No. H.011774, Purchase Order No. 800001569, 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 Transportation and Drainage, is $636,140.45.

Section 3. The Mayor-President, on behalf of the City of Baton Rouge and Parish of East Baton Rouge 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. 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.

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A proposed resolution was read in full.

RESOLUTION 54573

EBROS CO RESOLUTION 8429

ACCEPTING ALL WORK DONE BY THE CONTRACTOR UNDER THE CONTRACT FOR THE CONSTRUCTION OF CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE WASTEWATER SYSTEM IMPROVEMENT PROGRAM – PUMP STATION 52 FLOOD REPAIRS, PROJECT NO. 09-PS-UF-009A.

WHEREAS, the contract for construction of City of Baton Rouge and Parish of East Baton Rouge Wastewater System Improvement Program – Pump Station 52 Flood Repairs, being Project No. 09-PS-UF-009A, was awarded to Wharton-Smith, Inc., by the Metropolitan Council on October 24, 2018; 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 (EBROS CO), acting for the Authority for EBROS CO, that:

Section 1. All work done by the said contractor under the contract for construction of City of Baton Rouge and Parish of East Baton Rouge Wastewater System Improvement Program – Pump Station 52 Flood Repairs, being Project No. 09-PS-UF-009A, 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 $1,721,000.00.

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. Welch to adopt the proposed resolution. A "Yea" and "Nay" vote was called for and resulted as follows:

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<tr>
<td>Nays:</td>
<td>None</td>
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<td>Abstains:</td>
<td>None</td>
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<td>Did Not Vote:</td>
<td>None</td>
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<tr>
<td>Absent:</td>
<td>None</td>
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</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 54574

AIRPORT AUTHORITY RESOLUTION 10-23-19-09

ACCEPTING ALL WORK DONE BY THE CONTRACTOR UNDER THE CONTRACT FOR AIRFIELD MARKINGS, PROJECT NO. RQ 5346.

WHEREAS, the contract for Airfield Markings, being Project No. RQ 5346, was awarded to Hi-Lite Airfield Services, LLC, by the Metropolitan Council on June 26, 2019; and

WHEREAS, the Director of Public Works 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 Metropolitan Council as the Authority for the Greater Baton Rouge Airport District, that:

Section 1. All work done by the said contractor under the contract for Airfield Markings, being Project No. RQ 5346, Purchase Order No. 800002130, 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 Public Works, is $107,991.64.

Section 3. The Mayor-President is hereby authorized to execute, for and on behalf and in the names of the City of Baton Rouge and Parish of East Baton Rouge and of this Council, 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. 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.

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ACCEPTANCE OF LOW BIDS

None.

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OTHER ITEMS

The following proposed resolution was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on October 9, 2019. With a public hearing called thereon for this meeting, the proposed resolution was read in full for a second time.

RESOLUTION 54575

DISCUSSION OF THE PENDING LAWSUIT, WILLIAMS ET AL. V. CITY OF BATON ROUGE, ET AL., (NO. 659,090, NINETEENTH JUDICIAL DISTRICT COURT, DIV. E) *THIS ITEM 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 Metropolitan Council held a discussion of the pending lawsuit, Williams et al. v. City of Baton Rouge, et al., (No. 659,090, Nineteenth Judicial District Court, Div. E). *This item 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. Hudson to discuss the proposed resolution in executive session. 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 TO BE ADOPTED (EMERGENCY)

A proposed resolution was read in full.

RESOLUTION 54576


WHEREAS, the U.S. Department of Housing and Urban Development (HUD) offers a Choice Neighborhoods Program; and

WHEREAS, the goal of the HUD Choice Neighborhoods Program is to transform neighborhoods of concentrated poverty into mixed-income neighborhoods of long-term viability by revitalizing severely distressed public and/or assisted housing; improving access to economic opportunities; and investing and leveraging investments in well-functioning services, effective schools and education programs, public assets, public transportation, and improved access to jobs; and
WHEREAS, on September 23, 2019, HUD awarded the City-Parish a Choice Neighborhoods Implementation Grant from fiscal year 2018 funds; and

WHEREAS, the City-Parish agrees, as the Co-Applicant with the East Baton Rouge Parish Housing Authority serving as the Lead Grantee, to conduct all activities to be assisted with funds provided under this Grant Agreement in accordance with the U.S. Housing Act of 1937; the 2018 HUD Appropriations Act; the Fiscal Year (FY) 2018 Notice of Funding Availability for the Choice Neighborhoods Initiative Implementation Grants; 31 U.S.C. § 1552; all executive orders applicable to the activities being conducted with funds provided under this Grant Agreement; the terms and requirements of this Grant Agreement; all other applicable Federal requirements; and all regulations, handbooks, notices, and policies applicable to the activities being conducted with funds provided under this Grant Agreement;

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. The Mayor-President, on behalf of the City Parish as the Co-Grantee, is hereby authorized to execute the grant agreement and related documents associated with the HUD Award of the FY2018 Choice Neighborhood Implementation Grant, in the amount of $29,512,500, for implementation of a transformation plan developed for the East Fairfield, Smiley Heights and Melrose East Neighborhoods.

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. Wilson and seconded by Mr. Welch to declare this item an emergency. 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 Ms. Collins-Lewis 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.
ADJOURNMENT

A motion was made by Mr. Watson and seconded by Ms. Collins-Lewis to adjourn. 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. The Presiding Officer declared the meeting adjourned.

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Council Administrator/Treasurer

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Mayor-President Pro-Tempore