
providing for other matters in connection therewith. There were no questions from the council at this time.

A motion was made by Mr. Chris Kershaw, seconded by Ms. Charlene Gordon to amend tonight's agenda to include the aforementioned items.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Kershaw, Porto, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was unanimously adopted by present members and the agenda therefore amended.

Chairman Spillman moved on to item #6 Parish President's Report, and recognized President Berthelot who covered the following items in his report:

Updated the council on a recent meeting with the Ways and Means Committee regarding Priority One Capital Outlay projects – explaining that the LA1 Connector project and Sid Richardson Road Ext. project are both still on track;

Explained the recent letter received from LADOTD regarding the Intracoastal Waterway Overpasses and the future project to replace them;

Reminded council of National Day of Prayer, Thursday, May 5th on the Levee in Port Allen at 6:00pm;

Mr. Porto questioned whether the Intracoastal Overpass project is a possibility or a project that will actually take place, President Berthelot responded it is a planned project, but in the very early stages, it is scheduled to be let in 2020 at this time;

President Berthelot notified the council of the recent passing of former councilwoman Agnes Anderson.

There were no further questions for the Parish President at this time.

Chairman Spillman moved on to item#7 Public Comments, Mr. Evan Cooper was recognized and gave thanks to the Planning & Zoning Office for the recent help they have given him, specifically Mr. Kevin Durbin, Public Works Director and Mr. Jimmy Talbot, Building Inspector.

Chief Kenny Hunts, was recognized and wanted to inform everyone of the recent passing of Mr. Ken Doucet, who served the parish in quite a few ways over the years, as a Deputy, Volunteer

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Ordinance 10 of 2016 can be found at the end of these minutes.

See motion at the end of these minutes, to reflect requested change on effective date of said ordinance.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on #9c) An ordinance to amend and reenact Chapter 111 (“Administration and Enforcement”), Article VI (“Subdivision Approval Procedure”), Section 111-116 (“Subdivision Waivers”) of the West Baton Rouge Parish Code of Ordinances to provide for a two-thirds affirmative vote of the Parish Planning & Zoning Commission and Parish Council when recommending and approving certain subdivision waivers. Mr. Durbin was once again recognized and explained why there was a need for this language, and added that this would only be for certain waivers which equaled more than a twenty percent numerical reduction in the equivalent standard.

Mayor Joey Normand, Town of Brusly, was recognized and questioned the word “certain” in this particular ordinance, Mr. Durbin clarified that the ordinance does specify what types of waivers are being referred to when using the word certain.

There were no further public comments either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded and opened discussion up to the council.

Mr. Huggins questioned the language on the ordinance which included the “present” voting members, there was a brief discussion with Mr. Lou Delahaye, Parish Attorney and a few other councilmembers as to the language in the Home Rule Charter. There being no further comments on said ordinance.

A motion was made by Mr. Barry Huggins to approve the aforementioned ordinance on the condition of deleting the word “present” from the ordinance when talking about voting members, seconded by Mr. Chris Kershaw.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Kershaw, Porto, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Mr. Jim Ryan was again recognized and took a second to thank Ms. Michelle Tullier, Council Clerk for her help and stated that "it is a pleasure to work with her", and also thanked Mr. Marcus Lambert for his help with this resolution to increase the savings on said bonds. There were no questions for Mr. Ryan at this time.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Chris Kershaw to approve said resolution.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Kershaw, Porto, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Resolution 7 of 2016 can be found at the end of these minutes

Mr. Jim Ryan read into the minutes the following Notice of Consideration of Action:

NOTICE IS HEREBY GIVEN that the Parish of West Baton Rouge, State of Louisiana will meet on Thursday, June 9, 2016 at 6:30PM., at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, at which time there will be consideration of action regarding the renewal of the levy and collection of an ad valorem tax dedicated to continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish.

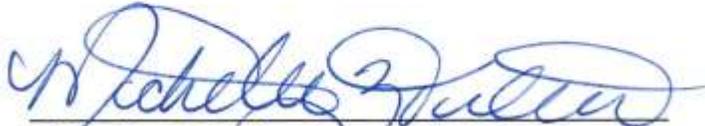
Ms. Tullier, read by title into the record the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearings at the meeting of June 9, 2016 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

An Ordinance directing the renewal of the levy and collection of an ad valorem tax of 1.75 mills on the dollar of assessed valuation of all property subject to taxation within the geographic boundaries of the Parish of West Baton Rouge, State of Louisiana, for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, authorized under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 39:801 and other constitutional and statutory authority as applicable, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish, and providing for other matters in connection therewith.

Chairman Spillman moved on to item #13 Consider Planning & Zoning Commission Meeting Minutes, Subdivision Plats, Condemnations and/or waivers and matters related thereto, there were no items to consider at this time.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

The following Ordinance was offered by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe

ORDINANCE 10 OF 2016

As Adopted by the West Baton Rouge Parish Council
At The Regular Meeting of
April 28, 2016

An ordinance to amend and reenact Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) of Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances to provide for special use permits for certain types of outdoor storage in I-1 (light industrial) zoning districts.

WHEREAS Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances provides for the health, safety and welfare of the people of West Baton Rouge Parish including, but not limited to, zoning regulations **AND**

WHEREAS the same Unified Development Code specifically addresses the regulation of outdoor storage **AND**

WHEREAS under some circumstances, it is reasonable and not detrimental to permit open air storage in light industrial zoning districts utilizing a special use permit **AND**

WHEREAS the Parish Council wishes to exercise its police power to protect the health, safety and welfare of the people of West Baton Rouge Parish by properly regulating outdoor storage **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL THAT Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) of Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows: (NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

PART III - UNIFIED DEVELOPMENT CODE

* * *

Chapter 101 – General Provisions

Section 101-1 – Definitions

Warehouse, storage and distribution, heavy, means the open air storage, distribution and handling of materials and equipment. Typical uses include open air storage yards for construction materials (pipe, aggregate, dirt, storage containers, portable toilets, etc.) and equipment (dump trucks, cranes, dozers, flatbed trailers, etc.), stone or prefabricated concrete yards, grain elevators, offshore equipment storage related to the oil industry. This land use is limited to I-2 and I-3. ~~A special use permit for temporary outdoor heavy storage may be granted for a period up to six months at the discretion of the Parish President regardless of the zoning district contemplated. An extension on the six month temporary permit may only be granted by the Parish Council after a public hearing has been conducted by the same body. Said public hearing shall be advertised one time in the official journal of the Parish Council. Certified letters announcing the public hearing shall also be sent to all abutting property owners by the Office of Community Planning & Development. Said letters shall be mailed at least ten (10) days prior to said public hearing at the most recent address provided by the West Baton Rouge Parish Assessor's Office.~~ A special use permit for permanent outdoor storage in light industrial (I-1) districts may be granted by the Parish Council after the appropriate public hearing as provided for in the regulations for special use permit hearings, Chapter 111, Section 111-78 of the West Baton Rouge Parish Code of Ordinances.

* * *

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become effective immediately upon Parish President's signature.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this ordinance which can be given effect without the invalid provisions, items or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote.

YEAS: 9 (Mses. Fair, Gordon, Messrs. Porto, Spillman, Allain, Robertson, Kershaw, Huggins, Loupe)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 28th day of April, 2016.

ATTEST:


Michelle Tullier, Council Clerk

CERTIFICATE

I, Michelle Tullier, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 28th day of April, 2016.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:50 o'clock AM on the 2nd day of May, 2016.

IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 2nd day of May, 2016.


Michelle Tullier, Council Clerk

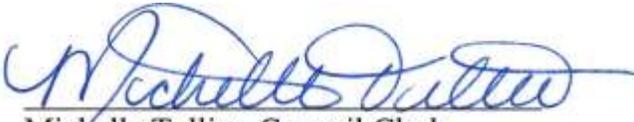
PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 2nd day of May, 2016.


Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was returned from the Parish President at 1:30 o'clock PM on the 2nd day of May, 2016.



Michelle Tullier, Council Clerk

The following Ordinance was offered by Mr. Barry Hughhins, seconded by Mr. Chris Kershaw

ORDINANCE 11 OF 2016

As Adopted by the West Baton Rouge Parish Council
At The Regular Meeting of
April 28, 2016

An ordinance to amend and reenact Chapter 111 (“Administration and Enforcement”), Article VI (“Subdivision Approval Procedure”), Section 111-116 (“Subdivision Waivers”) of the West Baton Rouge Parish Code of Ordinances to provide for a two-thirds affirmative vote of the Parish Planning & Zoning Commission and Parish Council when recommending and approving certain subdivision waivers.

WHEREAS Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances provides for the health, safety and welfare of the people of West Baton Rouge Parish including, but not limited to subdivision regulations **AND**

WHEREAS the West Baton Rouge Parish Council has the authority to waive certain subdivision requirements under certain circumstances **AND**

WHEREAS preliminary and final plats of new subdivisions proposals of certain types are reviewed by both the West Baton Rouge Parish Planning & Zoning Commission and the West Baton Rouge Parish Council **AND**

WHEREAS the Parish Council wishes to exercise its police power to protect the health, safety and welfare of the people of West Baton Rouge Parish by reviewing certain subdivision plats and granting or denying certain waivers **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL THAT Chapter 111 (“Administration and Enforcement”), Article VI (“Subdivision Approval Procedure”), Section 111-116 (“Subdivision Waivers”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows: (NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III - UNIFIED DEVELOPMENT CODE

* * *

Chapter 111 – ADMINISTRATION AND ENFORCEMENT

* * *

Article VI. SUBDIVISION APPROVAL PROCEDURE

* * *

Sec. 111-116. - Subdivision waivers.

Whenever a subdivider certifies that strict compliance with certain provisions of the Unified Development Code (as listed below) would not further the general welfare, safety, health or economic benefit of the residents of the parish and further that the subdivider can and will comply in an alternative manner within the intent of this article and related regulations, the planning commission may recommend that a waiver be granted. Any waiver so recommended is required to be entered in writing in the minutes of the commission and the reason which justified the departure is to be set forth and recorded on the final plat. The council has final authority to grant subdivision waivers as per section 105-2, jurisdiction. Standards for waiver approval include: presentation of some type of hardship, general consistency with surrounding properties and/or the movement of the property from higher degrees of non-conformity to lower non-conformity with regulations. The only waivers that are allowed for consideration are: fire hydrant installation (with a supporting letter from the WBR Fire District), block lengths / side streets / “stub-out streets”, lot sizes, lot frontage and yard/setbacks. In approving waivers, both the Planning Commission and the Parish Council shall explicitly state in their motion for approval that the plat is approved with the waivers requested and granted. Waivers of any numerical considerations shall equate to no more than a 20% reduction in the equivalent standard. If a numerical reduction greater than 20% is being sought by a waiver applicant, then the Parish Council may approve such request with a supermajority affirmative vote of two-thirds (2/3) of the voting members. In their review of waivers that equate to a value greater than a 20% numerical reduction, the Planning & Zoning Commission will be deemed to recommend a waiver when two-thirds (2/3) of the voting members vote affirmatively to recommend approval. The proper venue for appeal of waiver decisions is the 18th Judicial District Court.

* * *

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become effective immediately upon Parish President’s signature.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this ordinance which can be given effect without the invalid provisions, items or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote.

YEAS: 9 (Mes. Gordon, Fair, Messrs. Porto, Loupe, Spillman, Robertson, Huggins, Allain, Kershaw)

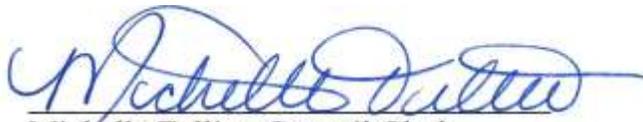
NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 28th day of April, 2016.

ATTEST:



Michelle Tullier, Council Clerk

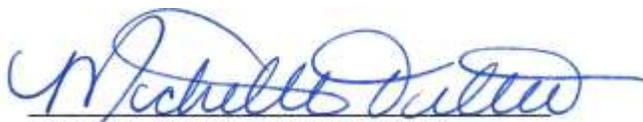
CERTIFICATE

I, Michelle Tullier, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 28th day of April, 2016.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:50 o'clock AM on the 2nd day of May, 2016.

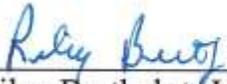
IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 2nd day of May, 2016.



Michelle Tullier, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

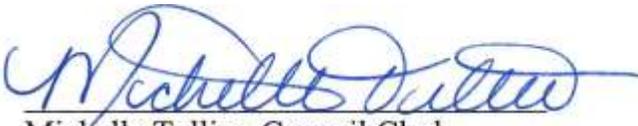
I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 2nd day of May, 2016.



Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was returned from the Parish President at 1:30 o'clock PM on the 2nd day of May, 2016.



Michelle Tullier, Council Clerk

PROCES VERBAL

PROCES VERBAL OF THE CANVASS OF THE VOTES CAST AT THE ELECTION HELD IN THE PARISH OF WEST BATON ROUGE, STATE OF LOUISIANA, ON SATURDAY, APRIL 9, 2016.

BE IT KNOWN AND REMEMBERED that on the 28th day of April, 2016 at 6:30 p.m., at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, the Parish Council of the Parish of West Baton Rouge, State of Louisiana, acting as the governing authority (the "Governing Authority"), of the Parish of West Baton Rouge, State of Louisiana (the "Parish"), and being the authority ordering the election held therein on Saturday, April 9, 2016, did examine and canvass the returns of the election, there having been submitted at the election the following proposition, to-wit:

**PROPOSITION
(TAX RENEWAL)**

Shall the Parish of West Baton Rouge, State of Louisiana (the "Parish") be authorized to renew the levy and collection, and adopt an ordinance providing for such levy and collection, of a 1.75 mills tax on all property subject to taxation in the Parish (an estimated \$633,924.00 reasonably expected at this time to be collected from the levy of the tax for an entire year) (the "Tax") for a period of ten (10) years, beginning with the year 2017, and annually thereafter to and including the year 2026, for the purpose of

continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish?

There was found by said count and canvass that the following votes had been cast at the said special election IN FAVOR OF and AGAINST, respectively, the propositions as hereinabove set forth at the following polling places, to-wit:

<u>WARD AND PRECINCT</u>	<u>LOCATION</u>	<u>YES</u>	<u>NO</u>
Ward 00, Precinct 1A	VFW Hall – 4453 Myhand Street, Addis	39	23
Ward 00, Precinct 1B	YMCA – 3688 Sugar Plantation Pkwy, Addis	6	11
Ward 00, Precinct 2A	Brusly Elementary School - 400 South Labauve Avenue, Brusly	117	74
Ward 00, Precinct 2B	Brusly Elementary School - 400 South Labauve Avenue, Brusly	15	6
Ward 00, Precinct 3	Brusly Elementary School - 400 South Labauve Avenue, Brusly	24	13
Ward 00, Precinct 4	Brusly Elementary School - 400 South Labauve Avenue, Brusly	7	8
Ward 00, Precinct 5	Brusly Elementary School - 400 South Labauve Avenue, Brusly	16	10
Ward 00, Precinct 6	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen	9	6
Ward 00, Precinct 7A	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen	24	20
Ward 00, Precinct 7B	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen	17	7
Ward 00, Precinct 8	Lukeville Upper Elementary - 6123 State Highway 1 South, Brusly	120	93
Ward 00, Precinct 9	American Legion Hall - 850 Sixth Street, Port Allen	21	10
Ward 00, Precinct 10A	Port Allen City Court - 330 South Alexander Avenue, Port Allen	37	11
Ward 00, Precinct 10B	Port Allen City Court - 330 South Alexander Avenue, Port Allen	22	7
Ward 00, Precinct 11A	K C Hall - 679 North Jefferson Avenue, Port Allen	41	3
Ward 00, Precinct 11B	K C Hall - 679 North Jefferson Avenue, Port Allen	5	2
Ward 00, Precinct 12	K C Hall - 679 North Jefferson Avenue, Port Allen	14	6
Ward 00, Precinct 13A	Cohn Elementary School Gym - 805 North 14th Street, Port Allen	47	23
Ward 00, Precinct 13B	Cohn Elementary School Gym - 805 North 14th Street, Port Allen	4	2
Ward 00, Precinct 14	LSU AG Center, WBTR EXT – 210 Turner Road, Port Allen	19	10
Ward 00, Precinct 15	Cohn Elementary School Gym - 805 North 14th Street, Port Allen	56	39
Ward 00, Precinct 16	Lobdell Fire Station - 2937 Lafiton Lane, Port Allen	37	21
Ward 00, Precinct 17	WBR Parish Building - 4142 River View Road, Port Allen	10	9
Ward 00, Precinct 18	Port Allen High School - 3553 Rosedale Road, Port Allen	32	25
Ward 00, Precinct 19	Chamberlin School - 6024 Section Road, Port Allen	14	6
Ward 00, Precinct 20	Rosehill Fire Station - 8225 Rosehill Drive, Port Allen	11	13
Ward 00, Precinct 21	Erwinville Community Center/Shelter - 5110 Rougon Road, Erwinville	10	13
Ward 00, Precinct 22	Erwinville Community Center/Shelter - 5110 Rougon Road, Erwinville	20	16
ABSENTEE		330	136

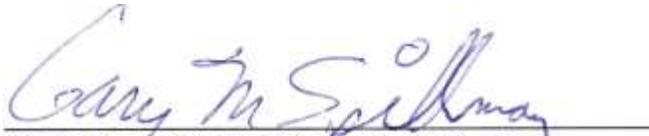
The polling places above specified being the only polling places designated at which to hold the election, it was therefore shown that there was a total of 1,124 votes cast IN FAVOR OF the Proposition and a total of 623 votes cast AGAINST the Proposition, as hereinabove set forth, and that there was a majority of 1,124 votes cast IN FAVOR OF the Proposition as hereinabove set forth

THEREFORE, the Parish Council of the Parish of West Baton Rouge, State of Louisiana does hereby declare and proclaim in open and public session that the Proposition, as hereinabove set forth, was duly PASSED by a majority of the votes cast by the qualified electors voting at the election held in the Parish on Saturday, April 9, 2016, and that the result of said election be promulgated by the Secretary of State and by the Clerk of Court in the manner required by law.

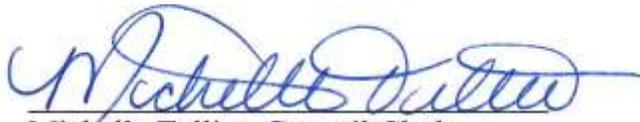
The foregoing election was authorized by a Resolution adopted on January 14, 2016 by the Governing Authority and notice therefore was duly given by the Notice of Special Election attached hereto as Exhibit A. Said Notice of Special Election was published on February 11, 2016, February 18,

2016, February 25, 2016 and March 3, 2016 in the *West Side Journal*, as set forth in the proof of publication attached hereto as Exhibit B.

THUS DONE AND SIGNED at Port Allen, Louisiana, on this, the 28th day of April, 2016.


Gary M. Spillman, Council Chairman

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 6 OF 2016

The following resolution was offered by Mr. Barry Huggins, seconded by Ms. Charlene Gordon, and adopted with the following vote:

YEAS: 9 (Mses. Gordon, Fair, Messrs. Spillman, Porto, Loupe, Kershaw, Allain, Huggins, Robertson)

NAYS: 0 (None)

ABSENT: 0 (None)

And the resolution provides as follows:

A Resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), on Saturday, April 9, 2016, to authorize the renewal of the levy and collection of a 10-year, 1.75 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, for the purpose of continuing the maintenance, operation and capital expenditures

necessary for the Public Health Unit in the Parish; and further providing for other matters in connection therewith.

BE IT RESOLVED by the Parish Council of the Parish of West Baton Rouge, State of Louisiana (the "Parish Council"), as governing authority for the Parish of West Baton Rouge, State of Louisiana (the "Parish"), as follows:

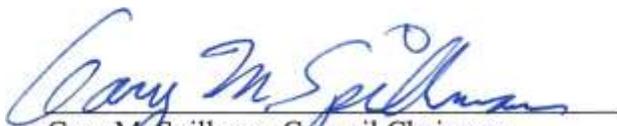
SECTION 1. That the Parish Council does now proceed in open and public session to examine the official certified tabulations of votes cast at the special election held in the Parish on April 9, 2016 (the "Election"), said tabulations having been prepared and certified by the election officials serving at the designated polling places, and the Parish Council does now further proceed to examine and canvass the returns and declare the result of the Election.

SECTION 2. That a Proces Verbal of the canvass of the returns of the Election shall be made and that a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; that another certified copy thereof shall be forwarded to the Clerk of Court and Ex-Officio Recorder of Mortgages in and for the Parish of West Baton Rouge, State of Louisiana, who shall record the same in the Mortgage Records of West Baton Rouge Parish; and that another copy thereof shall be retained in the archives of the Parish.

SECTION 3. That the result of the Election shall be promulgated by publication in the manner provided by law.

SECTION 4. This Resolution shall take effect immediately upon adoption.

The foregoing resolution was adopted on the 28th day of April, 2016.


Gary M. Spillman, Council Chairman


Michelle Z. Tullier, Council Clerk

The following resolution was offered by Mr. Ricky Loupe, and seconded by Mr. Chris Kershaw:

RESOLUTION 7 OF 2016

A resolution giving preliminary approval to the issuance of not to exceed Two Million Six Hundred Fifty Thousand Dollars (\$2,650,000) aggregate principal amount of Revenue Refunding Bonds of West Baton Rouge Parish Fire Protection District No. 1; providing certain terms of said bonds; making application to the State Bond Commission for approval of said bonds; and providing for other matters in connection therewith.

WHEREAS, pursuant to the provisions of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Louisiana Local Government Environmental Facilities and Community Development Authority (the "LCDA") has heretofore issued its Revenue Bonds (Port Allen Fire Station Project), Series 2008 (the "Series 2008 Bonds"), of which \$2,390,000 is outstanding; and

WHEREAS, the LCDA loaned the proceeds of the Series 2008 Bonds to West Baton Rouge Parish Fire Protection District No. 1 (the "Issuer"); and

WHEREAS, in order to provide debt service savings, the Issuer desires to refund all or a portion of the Series 2008 Bonds (the "Refunded Bonds"), pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to accomplish the refunding through the issuance of not exceeding \$2,650,000 of its Revenue Refunding Bonds (the "Refunding Bonds"), to be payable from the levy and collection of a one-half of one percent ($\frac{1}{2}\%$) sales and use tax within the Parish of West Baton Rouge, State of Louisiana, authorized at a special election held by the Issuer in the Parish on May 4, 1991 (the "Tax"), subject to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax; and

WHEREAS, at the time of the redemption of the Refunded Bonds, the Issuer will have no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the revenues of the Tax herein pledged except any Series 2008 Bond not refunded by the Refunding Bonds; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Refunding Bonds and further to employ professionals in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of West Baton Rouge, State of Louisiana, acting as the governing authority (the "Governing Authority") of West Baton Rouge Parish Fire Protection District No. 1:

SECTION 1. Preliminary Approval of Refunding Bonds. Preliminary approval is given to the issuance, in one or more series, of not exceeding \$2,650,000 aggregate principal amount of Revenue Refunding Bonds of West Baton Rouge Fire Protection District No. 1, State of Louisiana (the "Refunding Bonds"), to be issued for the purpose of refunding all or a portion of the Louisiana Local Government Environmental Facilities and Community Development Authority Revenue Bonds (Port

Allen Fire Station Project), Series 2008 (the “Refunded Bonds”), said Refunding Bonds to be secured by and payable from the levy and collection of a one-half of one percent (½%) sales and use tax within the Parish of West Baton Rouge, State of Louisiana, authorized at a special election held by the Issuer in the Parish on May 4, 1991 (the “Tax”), subject to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax, after provision has been made for the payments required by any unrefunded Series 2008 Bonds. The Refunding Bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum, to be determined by subsequent ordinance of this Governing Authority at the time of the sale of the Refunding Bonds, and shall mature no later than February 1, 2038. The Refunding Bonds shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by this Governing Authority.

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

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

If permitted, the approval of the Bonds by the State Bond Commission may be made by amendment to Application No. L16-117, it being the intention of this Governing Authority that only the security for the Bonds shall change from the parameters previously approved in said Application.

SECTION 3. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Refunding Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Refunding Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Refunding Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Refunding Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General’s fee guidelines for such bond counsel work in connection with the issuance of such series of revenue bonds and based on the amount of said Refunding Bonds actually issued, sold, delivered and paid for, plus “out-of-pocket” expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. The Parish President, on behalf of the Issuer, is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter in the form appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the director of finance for the Issuer is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated.

SECTION 4. Appointment of Financial Advisor. The Issuer hereby retains Government Consultants, Inc., of Baton Rouge, Louisiana, to act as its Municipal Advisor (“MA”) pursuant to the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the rules promulgated thereunder by the Securities and Exchange Commission. The Issuer hereby acknowledges that it is represented by the MA and will rely upon the advice of the MA with respect to the Refunding Bonds. The fee to be paid the MA shall be payable solely from the proceeds of the Refunding Bonds when and if issued, and the amount thereof shall be subject to the approval of the State Bond Commission. The President is hereby authorized and directed to execute an appropriate contract with the MA.

SECTION 5. Underwriter/Placement Agent. Crews & Associates, Inc., of Little Rock, Arkansas, is hereby appointed as underwriter/placement agent in connection with the sale and delivery of the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds; provided that no compensation shall be due to said underwriter/placement agent unless the Bonds are sold and delivered.

The foregoing having been submitted to a vote, the vote thereon was as follows:

YEAS:	9	(Mes. Fair, Gordon, Messrs. Spillman, Porto, Loupe, Kershaw, Huggins, Allain, Robertson)
NAYS:	0	(None)
ABSTAINING:	0	(None)
ABSENT:	0	(None)

And the resolution was declared adopted on this, the 28th day of April, 2016.


Gary M. Spillman, Council Chairman


Michelle Z. Tullier, Council Clerk

NOTICE OF INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all residents within the Parish of West Baton Rouge, State of Louisiana, and to all other interested persons of the introduction at the regular meeting of the Parish Council of the Parish of West Baton Rouge, State of Louisiana, held on April 28, 2016, of the proposed Ordinance, title to which is set forth hereinafter, and that the public hearing will be held thereon by the said governing authority at 6:30 p.m., Thursday, June 9, 2016, at the regular meeting place of said governing authority, the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, proposed ordinance being entitled as follows:

An Ordinance directing the renewal of the levy and collection of an ad valorem tax of 1.75 mills on the dollar of assessed valuation of all property subject to taxation within the geographic boundaries of the Parish of West Baton Rouge, State of Louisiana, for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, authorized under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 39:801 and other constitutional and statutory authority as applicable, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish, and providing for other matters in connection therewith.

Copies of the proposed ordinance available upon request at the offices of the Parish Council of the Parish of West Baton Rouge, State of Louisiana.
