

21-00130

RESOLUTION

On the motion of Councilwoman Coleman, seconded by Councilwoman Racca, the following resolution was adopted:

A RESOLUTION APPROVING AN ANNUAL PAYMENT IN LIEU OF TAX TO EAST BATON ROUGE PARISH IN AN AMOUNT NOT TO EXCEED THE PROPERTY TAX PAYMENTS OF THIRTY-FIVE MILLION FOUR HUNDRED SIXTY-ONE THOUSAND SIX HUNDRED TWENTY-SIX DOLLARS (\$35,461,626) IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING BETWEEN THE CAPITAL AREA FINANCE AUTHORITY AND SEEFRIED INDUSTRIAL PROPERTIES.

**WHEREAS**, the Capital Area Finance Authority ("**CAFA**") is authorized to acquire and hold property for one or more of its public purposes as set forth in R.S. 9:2341(B) and upon acquisition by CAFA such property is declared for purposes of R.S. 9:2347(M) to be public property used for essential and governmental purposes and such property is thereby exempt from all taxes of the parish, the state, or any political subdivision thereof or any other taxing body; and

**WHEREAS**, CAFA will enter into a Memorandum of Understanding (the "**MOU**") with Seefried Industrial Properties (the "**Developer**"), has arranged to redevelop an East Baton Rouge location, in accordance with the terms of the MOU; and

**WHEREAS**, the Developer has formed a new corporation (the "**Tenant**"), for the purposes of leasing the property; and

**WHEREAS**, CAFA intends to lease the property to a company (the "**Lessee**"), which is qualified to do business in the State of Louisiana, and, pursuant to La. R.S. 9:2347(M) and subject to approval of the Parish of East Baton Rouge (the "**Parish**"), CAFA will require the Lessee to pay annually to parish or municipal taxing authorities and to any other taxing body in the Parish, through the Sheriff of East Baton Rouge Parish (the "**Tax**

**Collector**"), which sum the Tax Collector shall collect and enforce payment of in accordance with the statutory provisions of La. R.S. 39:1002 to be a sum in lieu of ad valorem taxes (a "**PILOT**") in an amount not to exceed the property tax payments of thirty-five million four hundred sixty-one thousand six hundred twenty-six dollars (\$35,461,626) in accordance with the MOU in order to compensate such authorities for services rendered by them to the company; and

**WHEREAS**, the MOU provides that the PILOT shall terminate on a date that is the earlier of December 31, 2033 or the discontinuation of the Services Plan for tenants (the "**PILOT Termination Date**") and that full ad valorem taxes will be paid to the Tax Collector following the PILOT Termination Date; and

**WHEREAS**, the PILOT for the Project may be required by CAFA only if by resolution the City Parish Council as the governing authority of the of the Parish of East Baton Rouge (the "**Parish**") as the beneficiary of CAFA approves the PILOT in accordance with La. R.S. 9:2347(M); and

**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 foregoing whereas clauses are hereby adopted as set forth in the preamble to this Resolution.

**SECTION 2.** This Parish does hereby approve the PILOT to be paid by the Lessee for an amount not to exceed the property tax payments of thirty-five million four hundred sixty-one thousand six hundred twenty-six dollars (\$35,461,626) in accordance with the MOU as described in the foregoing whereas clauses.

YEAS: Councilwoman Laurie Adams, Councilwoman Denise Amoroso, Councilwoman Chauna Banks, Councilman LaMont Cole, Councilwoman Carolyn Coleman, Councilman Rowdy Gaudet, Councilwoman Erika Green, Councilman Dwight Hudson, Councilman Aaron Moak, Councilman Brandon Noel, and Councilwoman Jennifer Racca

NAYS:

ABSTAIN: Councilman Cleve Dunn, Jr.

ABSENT:

AND THE RESOLUTION WAS ADOPTED.