



CANE RIVER WATERWAY COMMISSION
244 Cedar Bend Natchez, Louisiana 71456
318-357-3007 office 318-617-3235 cell

RESOLUTION NO. 9 OF 2021

A RESOLUTION APPROVING A COOPERATIVE ENDEAVOR AGREEMENT AND INDEMNIFICATION, DEFENSE AND HOLD HARMLESS AGREEMENT WITH THE PARISH OF NATCHITOCHES TO PROVIDE FOR THE REHABILITATION OF BERMUDA ROAD, DELEGATING FUNDS FOR THE PROJECT, AND FURTHER AUTHORIZING THE CHAIRMAN, JIM RHODES, TO EXECUTE THE COOPERATIVE ENDEAVOR AGREEMENT ON BEHALF OF THE COMMISSION.

WHEREAS, the Parish of Natchitoches (sometimes hereinafter “Parish”) operates under a Home Rule Charter, and has authority to enter into cooperative endeavor agreements with other political subdivision of the State of Louisiana; and

WHEREAS FURTHER, the Cane River Waterway District (sometimes hereinafter “District”) is a body politic and corporate subdivision of the State of Louisiana, created by Acts 1982, No. 391, R.S. 34:3261, et seq, and has authority to enter into cooperative endeavor agreements with other political subdivision of the State of Louisiana, and is represented by its statutorily empowered governing body, the Cane River Waterway Commission; and

WHEREAS FURTHER, the Parish desires to improve Bermuda Road beginning at that point where Bermuda Road intersects with Louisiana Highway 494 at its Northern end to that point where Bermuda Road intersects with Louisiana Highway 119 at its Southern end; and

WHEREAS FURTHER, the Parish has developed a plan for the improvement and overlay of Bermuda Road as described above (sometimes hereinafter “Project”); and

WHEREAS FURTHER, the Parish and the District are mutually desirous of improving Bermuda Road in order to improve access to the area, and more specifically improve access to Cane River Lake and improve drainage and runoff into Cane River Lake; and

WHEREAS FURTHER, the Parish and the District are mutually desirous developing and promoting Cane River Lake for both recreation and tourism; and

WHEREAS FURTHER, the District desires to be involved in the selection of the engineering firm and development of plans for the Project in order to insure that the Project benefits Cane River Lake to the maximum extent possible; and

WHEREAS FURTHER, the Parish and the District are mutually desirous of improving the exiting drainage along Bermuda Road and specifically desire to reduce the sediment runoff into Cane River Lake, both during the Project and as a result of the improved drainage; and

WHEREAS FURTHER, the Parish has requested that the District assist the Parish with the Project through funding of the construction cost of the Project; and

WHEREAS FURTHER, the District is of the opinion that the project will greatly increase accessibility to Cane River Lake as well as the ability of the public to more readily travel around the perimeter of Cane River Lake; and

WHEREAS FURTHER, both the Parish and the District are of the opinion that the Project will draw attention to and encourage the use of Cane River Lake, while also allowing Improved access to the Lake to more citizens; and

WHEREAS FURTHER, being of the opinion that its participation in the Project will improve access to and use of Cane River Lake by the public, the District has agreed to contribute up to the sum of \$1,900,000.00 towards the cost of the overall Project; and

WHEREAS FURTHER, the District will make payments to the Parish as draws are requested and approved by the Parish, the District and the Project Engineer; and

WHEREAS FURTHER, the District also desires to limit its liability for maintenance of the roadway constructed and also limit its liability for any damages or injuries associated with the Project or the facilities constructed as a part of the Project, to the extent possible; and

WHEREAS FURTHER, as consideration for the contribution by the District to the cost of the Project, the Parish agrees to maintain all facilities constructed as part of the Project and to indemnify, defend and hold harmless the District for any damages or injuries which may arise during construction, and/or the use and operation of the facilities improved or constructed as part of the Project; and

WHEREAS FURTHER, the Parish and the District have drafted a Cooperative Endeavor Agreement which sets forth, a copy of which is attached hereto; and

WHEREAS FURTHER, to this end the Cane River Waterway Commission hereby expresses its approval of the project, approves the Cooperative Endeavor Agreement, and desire

to authorize its Chairman to execute the Cooperative Endeavor Agreement on behalf of the Commission; and

NOW THEREFORE, BE IT RESOLVED in legal session convened and in accordance with Louisiana R.S. 34:3261, et. seq., the Cane River Waterway Commission does hereby approve of the form of the Cooperative Endeavor Agreement with the Parish of Natchitoches, and further authorizes the Chairman of the Commission, Jim Rhodes, to execute the Cooperative Endeavor Agreement on behalf of the Commission, and further sign any and all other documents that may be necessary and proper in the premises.

BE IT FURTHER RESOLVED that all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that if any portion of this Resolution is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the Resolution, which shall remain valid and enforceable, it being the intention of the Cane River Waterway Commission that each separate provision shall be deemed independent of all other provisions herein.

This Resolution shall go into effect upon publication and in accordance with law. Said Resolution having been introduced and adopted on the 17 day of August, 2021, at a regular meeting of the Cane River Waterway Commission held at 244 Cedar Bend Road, City of Natchez, Louisiana. Resolution considered, on motion by Mr. Methvin and seconded by Mr. Paige, to adopt the resolution, a record vote was taken and the following Result was had:

YEAS: 4 (Mr. Rhodes, Mr. Wiggins, Mr. Methvin, Mr. Paige)

NAYS: 0

ABSENT: 1 (Mrs. Banks)

ABSTAIN: 0

Whereupon, the presiding officer declared the above Resolution duly passed on this the 17 day of August, 2021.

Chairman Jim Rhodes



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WHEREAS FURTHER, the District is of the opinion that the project will greatly increase accessibility to Cane River Lake as well as the ability of the public to more readily travel around the perimeter of Cane River Lake; and

WHEREAS FURTHER, both the Parish and the District are of the opinion that the Project will draw attention to and encourage the use of Cane River Lake, while also allowing Improved access to the Lake to more citizens; and

WHEREAS FURTHER, being of the opinion that its participation in the Project will improve access to and use of Cane River Lake by the public, the District has agreed to contribute up to the sum of \$1,900,000.00 towards the cost of the overall Project; and

WHEREAS FURTHER, the District will make payments to the Parish as draws are requested and approved by the Parish, the District and the Project Engineer; and

WHEREAS FURTHER, the District also desires to limit its liability for maintenance of the roadway constructed and also limit its liability for any damages or injuries associated with the Project or the facilities constructed as a part of the Project, to the extent possible; and

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YEAS: 4 (Mr. Rhodes, Mr. Wiggins, Mr. Methvin, Mr. Paige)

NAYS: 0

ABSENT: 1 (Mrs. Banks)

ABSTAIN: 0

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