

ORDINANCE NO. 1793 OF 2021

AN ORDINANCE AMENDING THE BOUNDARIES OF ECONOMIC DEVELOPMENT DISTRICT NO. 1 OF THE CITY OF RUSTON, STATE OF LOUISIANA; EXTENDING THE LEVY OF THE DISTRICT'S EXISTING SALES AND USE TAX INTO THE EXPANDED BOUNDARIES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "EDD Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the EDD Act and other law; and

WHEREAS, La. R.S. 33:9038.39 permits economic development districts to levy sales taxes and hotel occupancy taxes for authorized purposes in addition to any other sales taxes and hotel occupancy then in existence or permitted to be in existence therein, and provided that in the event there are no qualified electors in the district in question, as certified by the Registrar of Voters, no election shall be required prior to the levy of such sales taxes; and

WHEREAS, pursuant to the EDD Act and Ordinance No. 1733 of 2018 adopted on October 1, 2018, the City of Ruston, State of Louisiana (the "City"), acting through this Mayor and Board of Aldermen as its governing authority (the "Governing Authority"), created "Economic Development District No. 1 of the City of Ruston, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

WHEREAS, pursuant to the EDD Act, specifically La. R.S. 33:9038.39, and Ordinance No. 1740 of 2018 adopted on November 29, 2018, the Governing Authority adopted an ordinance levying a sales tax of one and seventy-five hundredths percent (1.75%) in the District (the "District Tax"), for the purposes stated in said Ordinance No. 1740, such District Tax being effective January 1, 2019, for a period of ten (10) years; and

WHEREAS, the geographical boundaries have been amended by Ordinance No. 1739 of 2018, adopted on November 29, 2018; and

WHEREAS, the geographical boundaries have been amended by Ordinance No. 1748 of 2019, adopted on March 4, 2019; and

WHEREAS, the geographical boundaries have been amended by Ordinance No. 1776 of 2020, adopted on April 6, 2020; and

WHEREAS, the geographical boundaries have been amended by Ordinance No. 1789 of 2020, adopted on November 2, 2020; and

WHEREAS, in accordance with the EDD Act, this Governing Authority has given notice of its intention to hold a public hearing relative to (i) the expansion of the geographical boundaries of the District, (ii) the removal of certain parcels of land currently located within the geographical boundaries of the District and (iii) the extension of the levy and collection of the District Tax into the expanded boundaries of the District, which notice was published three times in the official journal of the City on April 11, 2021, April 18, 2021 and April 25, 2021, prior to a public hearing held on this date, at which time the public was afforded an opportunity to comment upon the proposed amendments to the boundaries of the District and the levy of the District Tax in the expanded boundaries, and no objections were made thereto.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Ruston, State of Louisiana, acting as the governing authority of the City and of the District, that:

§1. All of the above "Whereas" clauses are adopted as part of this Ordinance.

§2. Amendment of Geographical Boundaries of District. Under the authority of La. R.S. 33:9038.32 and the aforesaid Notice of Intention, the boundaries of the District are hereby amended as follows:

New Parcels of Land to be ADDED TO the District:

<u>Business Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business No.</u>	<u>Approx. Acreage</u>
Rosenbell, Inc. (Arbys)	513 North Service Road Ruston, Louisiana 71270	13183000028	1.040
USA Brother In Laws, L.L.C. (Cajun Bar & Grill)	1701 Farmerville Highway Ruston, Louisiana 71270	18182000062	5.368
Ruston Crawfish Factory, L.L.C. (Ruston Crawfish Factory)	1601 North Trenton Street Ruston, Louisiana 71270	14183422004	.980

Existing Parcels of Land to be REMOVED FROM the District:

<u>Business Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business No.</u>	<u>Approx. Acreage</u>
2 Mack Investments, L.L.C. (Orange Leaf)	1516 N Trenton Street Ruston, Louisiana 71270	13183000A01	1.03

§3. Extension of Sales Tax Levy. The levy of the District Tax shall be extended into the additional parcels of land that are being added to the District by this Ordinance. This governing authority has received a certification from the Lincoln Parish Registrar of Voters that no qualified electors reside in the parcels being added to the District, which certification is attached to this ordinance as Exhibit A.

In the future, the levy of the District Tax shall automatically be extended into any additional property that is added to the District, provided that a certification of the Lincoln Parish Registrar of Voters to the effect that no qualified electors reside in such additional parcels is attached to the ordinance that amends the boundaries of the District to add such parcels and is on file with the City Clerk.

§4. Authorization of Officers. The Mayor, Mayor *pro tem* and City Clerk are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this ordinance.

§5. Severability. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

§6. Repealer. All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

§7. Publication; Effective Date. This Ordinance shall be published one time in the official journal of the City and shall become effective in the manner provided by La. R.S. 33:406(C).

This Ordinance was introduced on April 5, 2021, by Jedd Lewis, Notice of Public Hearing was published on April 11, 2021. A Public Hearing was held, the title having been read and the Ordinance considered, on motion to adopt, by Angela Mayfield seconded by Jedd Lewis, a record vote was taken and the following result was had:

YEA:

NAY:

ABSENT:

WHEREUPON, the presiding officer declared the above Ordinance duly adopted in full on this the 3rd day of May, 2021.

ATTEST:

JULIE K. SPEIR, CLERK _____

RONNY WALKER, MAYOR _____

STATE OF LOUISIANA

PARISH OF LINCOLN

CERTIFICATE OF REGISTRAR OF VOTERS

I, Sharon Parnell, the duly appointed Registrar of Voters in and for the Parish of Lincoln, State of Louisiana, do hereby certify to the Mayor and Board of Aldermen of the City of Ruston, State of Louisiana as its governing authority, and as the governing authority of Economic Development District No. 1 of the City of Ruston, State of Louisiana (the "District"), that there are no qualified electors residing in the following property that is proposed to be added to the District as set forth below:

New Parcels of Land to be ADDED TO the District:

<u>Business Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business No.</u>	<u>Approx. Acreage</u>
Rosenbell, Inc. (Arbys)	513 North Service Road Ruston, Louisiana 71270	13183000028	1.040
USA Brother In Laws, L.L.C. (Cajun Bar & Grill)	1701 Farmerville Highway Ruston, Louisiana 71270	18182000062	5.368
Ruston Crawfish Factory, L.L.C. (Ruston Crawfish Factory)	1601 North Trenton Street Ruston, Louisiana 71270	14183422004	.980

Existing Parcels of Land to be REMOVED FROM the District:

<u>Business Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business No.</u>	<u>Approx. Acreage</u>
2 Mack Investments, L.L.C. (Orange Leaf)	1516 N Trenton Street Ruston, Louisiana 71270	13183000A01	1.03

IN FAITH WHEREOF, witness my signature and official seal of the Registrar of Voters of the Parish of Lincoln, this 3rd day of May, 2021.

(SEAL)

Sharon Parnell,
Lincoln Parish Registrar of Voters

[ORIGINAL ON FILE WITH THE CITY CLERK
OF THE CITY OF RUSTON]

STATE OF LOUISIANA

PARISH OF LINCOLN

I, the undersigned City Clerk of the City of Ruston, State of Louisiana (the "City"), do hereby certify that the foregoing four (4) pages constitute a true and correct copy of:

AN ORDINANCE AMENDING THE BOUNDARIES OF ECONOMIC DEVELOPMENT DISTRICT NO. 1 OF THE CITY OF RUSTON, STATE OF LOUISIANA; EXTENDING THE LEVY OF THE DISTRICT'S EXISTING SALES AND USE TAX INTO THE EXPANDED BOUNDARIES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City on this the 3rd day of May, 2021.

(SEAL)

Julie K. Speir, City Clerk