

**ORDINANCE NO. 1748 OF 2019**

**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**, 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 two times in the official journal of the City on February 15, 2019 and February 22, 2019, 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>Parcel Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business Number</u>	<u>Approx. Acreage</u>
Celebrity Centre of Ruston, LLC (Tacos the Guero)	744 Celebrity Drive Ruston, LA 71270	13183000665 107087	0.10

Russell, Huey Donald & (Father & Son BBQ)	805 Larson Street Ruston, LA 71270	26183000118 106952	0.17
Bonner, James L. Jr. (J. B.'s Catering)	602 S Farmerville Street Ruston, LA 71270	25183091401	0.38
City of Ruston (Yolo Nitro)	93 E Railroad Avenue Ruston, LA 71270	24183702315	0.79
Nest of Ruston, LLC (Railway Coffee)	103 Pelican Blvd Ruston, LA 71270	14183450020 105962	0.10
North 4 LLC (Railway Coffee)	130 W Park Avenue Ruston, LA 71270	24183971001 105962	0.07
Payal II, LLC (Motel 6)	1105 N Trenton Street Ruston, LA 71270	14183535750/ 101031	1.14
KVP Lodgings, LLC (Relax Inn)	1300 N Trenton Street Ruston, LA 71270	13183000100/ 100862	1.20
Highland Oaks of Ruston (Appetizers)	975 Tech Drive Ruston, LA 71270	23183134001/ 103925	0.97

**Existing Parcels of Land to be REMOVED FROM the District:**

<u>Parcel Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business Number</u>	<u>Approx. Acreage</u>
Rosemary's Kitchen, LLC (Rosemary's Kitchen)	400 S Bonner Street Ruston, LA 71270	25183909015/ 104563	0.56
Railway Coffee LLC (Railway Coffee)	202 W Mississippi Avenue Ruston, LA 71270	23183963001 105962	0.03

\* \* \* \* \*

**§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 February 4, 2019, by Alderwoman Carolyn Cage, Notice of Public Hearing was published on February 15, 2019 and February 22, 2019. A Public Hearing was held, the title having been read and the Ordinance considered, on motion to adopt, by Alderman Jedd Lewis seconded by Alderwoman Carolyn Cage, a record vote was taken and the following result was had:

**YEA:** ALDERWOMAN CAROLYN CAGE  
ALDERMAN JEDD LEWIS  
ALDERWOMAN ANGELA MAYFIELD  
ALDERMAN JIM PEARCE

**NAY:** NONE

**ABSTAINED:** NONE

**ABSENT:** ALDERMAN BRUCE SIEGMUND

**WHEREUPON**, the presiding officer declared the above Ordinance duly adopted in full on this the 4<sup>th</sup> day of March, 2019.

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR**

STATE OF LOUISIANA

PARISH OF LINCOLN

**CERTIFICATE OF REGISTRAR OF VOTERS**

I, Dianna Stone, 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:

<u>Parcel Owner Name (Business Name)</u>	<u>Parcel Address</u>	<u>Parcel No./ Business Number</u>	<u>Approx. Acreage</u>
Celebrity Centre of Ruston, LLC (Tacos the Guero)	744 Celebrity Drive Ruston, LA 71270	13183000665 107087	0.10
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IN FAITH WHEREOF, witness my signature and official seal of the Registrar of Voters of the Parish of Lincoln, this \_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
Dianna Stone,  
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 \_\_\_\_\_ (\_\_) 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 \_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
City Clerk