

RESOLUTION NO. _____ OF 2018

A RESOLUTION AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO (I) CREATE ECONOMIC DEVELOPMENT DISTRICT NO. 1 OF THE CITY OF RUSTON, STATE OF LOUISIANA, (II) LEVY A 1.75% SALES AND USE TAX THEREIN, AND (III) LEVY A 1.75% HOTEL OCCUPANCY TAX THEREIN, UNDER THE AUTHORITY OF PART II, CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (LA. R.S. 33:9038.31 ET SEQ.); AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

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, the City of Ruston, State of Louisiana (the "City"), acting through this Mayor and Board of Aldermen as its governing authority, desires to avail itself of the EDD Act to create an economic development district to be called "Economic Development District No. 1 of the City of Ruston, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32, in which local sales tax and hotel occupancy tax increments are expected to be determined and used to fund the Economic Development District No. 1 Trust Fund; and

WHEREAS, La. R.S. 33:9038.39 further permits such economic development districts to levy sales taxes at a rate up to two percent (2%) for authorized purposes and/or hotel occupancy taxes at a rate of up to two percent (2%); and

WHEREAS, in accordance with the EDD Act, particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, the City now desires to give notice of its intention and to hold a public hearing relative to (1) the proposed creation of the District, (2) the proposed levy of a sales tax therein, and (3) the proposed levy of a hotel occupancy tax therein, which notice shall be published in the City's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearing;

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

§1. Intention to Create Economic Development District. In accordance with the EDD Act, and particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to create an economic development district to be called "Economic Development District No. 1 of the City of Ruston, State of Louisiana," to levy therein a one and seventy-five hundredths percent (1.75%) sales tax, and a one and seventy-five hundredths percent (1.75%) hotel occupancy tax, pursuant to La. R.S. 33:9038.39 for the purposes of paying the costs of any economic development project, as such costs are defined in La. R.S. 33:9038.36 including, without limitation, public works and infrastructure and projects to assist (i) hotel, motel, conference facilities, and related industries, (ii) commercial, retail, and related industries, (iii) amusement, places of entertainment, theme parks, and any other tourism-related industry, or any other industry described in La. R.S. 33:9038.34(M), as defined in the EDD Act, located within the City.

The proposed economic development district shall have the boundaries described in Exhibit A to this resolution.

§2. Notice of Intention. The City Clerk is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published in the City's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearings relative to the creation of the District and the levy of the proposed taxes therein:

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**NOTICE OF INTENTION TO CREATE
ECONOMIC DEVELOPMENT DISTRICT NO. 1 OF
THE CITY OF RUSTON, STATE OF LOUISIANA,
AND TO LEVY A
1.75% SALES TAX AND A
1.75% HOTEL TAX THEREIN**

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of the City of Ruston, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Ruston, State of Louisiana (the "City") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.32, creating an economic development district within the City to be called "Economic Development District No. 1 of the City of Ruston, State of Louisiana" (the "District").

NOTICE IS HEREBY FURTHER GIVEN that upon the creation of the District, the Governing Authority, in its capacity as the governing authority of the newly created District, further proposes to consider the adoption of ordinances, pursuant to La. R.S. 33:9038.39, levying in the District an additional one and seventy-five hundredths percent (1.75%) sales tax, and an additional one and seventy-five hundredths percent (1.75%) hotel occupancy tax for purposes of paying the costs of any economic development project, as such costs are defined in La. R.S. 33:9038.36 including, without limitation, public works and infrastructure and projects to assist (i) hotel, motel, conference facilities, and related industries, (ii) commercial, retail, and related industries, (iii) amusement, places of entertainment, theme parks, and any other tourism-related industry, or any other industry described in La. R.S. 33:9038.34(M), as defined in the EDD Act, located within the City (the "District Taxes"). The proceeds of the District Taxes will be deposited in a special trust fund to be used for the aforesaid purposes, all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority, acting as the governing authority of both the City and the District, will meet in open and public session on Monday, October 1, 2018, at five-thirty o'clock (5:30) p.m., at the Council Chambers/Courtroom, City Hall, 401 North Trenton, Ruston, Louisiana, to hear any objections to the creation of the District as described above, and will subsequently meet in open and public session on Monday, November 5, 2018, at the same time and place, to consider the adoption of ordinances levying the District Taxes.

A description of the boundaries and a map of the proposed District, are attached hereto as Exhibit A.

[LEGAL DESCRIPTION & MAP, AS SHOWN IN
EXHIBIT A TO THIS RESOLUTION, TO BE
ATTACHED TO NOTICE IN PUBLICATIONS]

* * * * *

§3. Public Hearing. At the date, time and place mentioned in the aforesaid Notice of Intention, or at such other time and place as may be determined by the Mayor and properly advertised, this Governing Authority will meet in open and public session, to hear any objections to the proposed creation of the District, the levy of the District Taxes, as described above, and may consider the adoption of ordinances creating the district and levying the District Taxes.

§4. Employment of Special Counsel. This governing authority finds and determines that a real necessity exists for the employment of special counsel in connection with the creation of the District and the levy of the District Taxes, and accordingly Adams and Reese LLP, of New Orleans, Louisiana, are hereby employed as special counsel to the City in connection with the foregoing. Said special counsel shall prepare and submit to this governing authority for adoption all of the proceedings incidental to the foregoing, and shall counsel and advise the City, the District and this governing authority in connection with the foregoing. The fee of special counsel in connection with the foregoing shall be negotiated between the Mayor and special counsel.

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

Said Resolution having been read and considered by a quorum of the Board of Aldermen, on motion to adopt by Alderman _____, seconded by Alderman _____, a record vote was taken and the following result was had:

YEA:

NAY:

ABSENT:

WHEREUPON, the presiding officer declared the above Resolution duly adopted in full on this the _____ day of September, 2018.

ATTEST:

LAURA HARTT, CLERK

RONNY WALKER, MAYOR

EXHIBIT A
to Notice of Intent Resolution

**BOUNDARIES AND MAP OF PROPOSED
ECONOMIC DEVELOPMENT DISTRICT NO. 1
OF THE CITY OF RUSTON, STATE OF LOUISIANA**

[LEGAL DESCRIPTION TO COME]

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 a resolution adopted by the governing authority of the City on September 10, 2018, authorizing the publication of a Notice of Intention to (i) create Economic Development District No. 1 of the City of Ruston, State of Louisiana, (ii) levy a 1.75% sales and use tax therein, and (iii) levy a 1.75% hotel occupancy tax therein, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City on this the 10th day of September, 2018.

(SEAL)

City Clerk