

CITY ORDINANCE NO. CO-168-2024

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL CREATING THE
“LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBDISTRICT 1”
WITHIN THE CITY OF LAFAYETTE, LOUISIANA ON THE PROPERTY
DESCRIBED BY EXHIBIT A AND SHOWN ON EXHIBIT B DEFINING THE
BOUNDARIES OF THE PROPERTY; ALL IN ACCORDANCE WITH AND AS
AUTHORIZED BY CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED
STATUTES OF 1950, AS AMENDED; DESIGNATING THE GOVERNING
AUTHORITY OF THE “LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103
SUBDISTRICT 1”; AND PROVIDING FOR OTHER MATTERS IN
CONNECTION WITH THE FOREGOING**

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Lafayette City Council, acting in its capacity as the governing authority of the City of Lafayette, desires to create and establish the economic development district in the City of Lafayette on the property described by **EXHIBIT “A”** and shown on **EXHIBIT “B”** (“Property”) to be known as the Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1 (“**Subdistrict**”);

WHEREAS, the Lafayette I-10 Corridor District at Mile Marker 103 (“**Existing District**”), Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1 (“**Subdistrict**”), the City of Lafayette (“**City**”) and Buc-ee’s Lafayette, LLC (“**Company**”), (the Existing District, Subdistrict, City and the Company, individually “**Party**”; collectively “**Parties**”) agree that, in consideration of certain inducements to be provided pursuant to this Agreement, the Company proposes to design, permit, finance, build, own, manage and operate a Buc-ee’s Travel Center within the Company property along with public infrastructure improvements (“**Project**”) which will generate the substantial Economic Benefits (as defined herein) for the residents of the City; and

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (“**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 Project is designed to encourage economic development, enhance quality of life, increase the ad valorem tax base and sales and use tax and hotel occupancy tax collections, stimulate job creation by enhancing the feasibility of private

sector projects that help to achieve the economic goals of the City, and catalyze development within the City where it might not otherwise be economically feasible primarily through focusing on projects in the areas of development, rehabilitation, infrastructure improvements, and recreation (collectively, “**Economic Benefits**”), on property located within the City;

WHEREAS, pursuant to the provisions of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 33:9038.42, inclusive) (“**Act**”) and other constitutional and statutory authority, the City is empowered to define and create an economic development district within the City;

WHEREAS, pursuant to the Act, an economic development district is empowered to levy up to five (5) mills of *ad valorem* taxes, up to two (2%) percent of sales and use taxes, or up to two (2%) percent of hotel occupancy taxes, or any combination of such taxes, above and in addition to any other *ad valorem* taxes, sales and use taxes, or hotel occupancy taxes, or combination of such taxes, then in existence or permitted to be in existence within the boundaries of such economic development district;

WHEREAS, in accordance with the Act, prior to the adoption of this ordinance, a notice describing the boundaries of the Subdistrict has been published two (2) times (_____, 2024 and _____, 2024) in *The Daily Advertiser*, the official journal of the City (“**Official Journal**”);

WHEREAS, pursuant to Section 9038.32(D) of the Act, the governing authority of the Subdistrict (“**Subdistrict Board**”) shall be the members of the Lafayette City Council, the governing authority of the local governmental subdivision establishing the district;

WHEREAS, the City requests that the Lafayette Registrar of Voters examine all of the voters’ records concerning the Property located within the Subdistrict and to certify the number of registered voters within the Subdistrict by executing the “Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1 Certificate of the Lafayette Registrar of Voters”, said certificate being attached hereto and made a part hereof as **EXHIBIT “C”**.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, acting in its capacity as the governing authority of the City of Lafayette, that:

SECTION 1: All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

SECTION 2: The development of the Project within the Subdistrict for the Economic Benefits is declared to be an economic development project as set forth in the Act.

SECTION 3: Pursuant to the Act, the City of Lafayette does hereby create an economic development district within the City to be named the "*Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1* ", having the geographical boundaries of the property described by **EXHIBIT "A"** and shown on **EXHIBIT "B" ("Property")** attached hereto and hereby incorporated in and made a part of this ordinance, and as thus created and established, said district shall constitute a political subdivision of the State of Louisiana and shall have all the powers granted by the Constitution, the Act, and all other laws of the State of Louisiana.

SECTION 4: Pursuant to Section 9038.32(D) of the Act, the Subdistrict Board shall be the members of the Lafayette City Council, the governing authority of the local governmental subdivision establishing the district;

SECTION 5: In accordance with the requirements of the Act, there has been published two (2) times in the Official Journal a notice describing the boundaries of the Subdistrict, as well as a notice of introduction of this ordinance, the publication of said notice and boundaries is hereby ratified and approved.

SECTION 6: The Lafayette Registrar of Voters is hereby requested to take any and all further action and to sign any and all documents and instruments as may be necessary to carry out the purposes of this ordinance, including the execution of the "Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1 Certificate of the Lafayette Parish Registrar of Voters" substantially in the form provided in **EXHIBIT "C"**.

SECTION 7: This ordinance does hereby incorporate by reference as though fully set forth herein the provisions and requirements of the Act.

SECTION 8: The Lafayette Mayor-President and her staff are hereby authorized to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 9: All ordinances or resolutions, or parts thereof in conflict herewith are hereby repealed.

SECTION 10: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

EXHIBIT "A"

LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBSUBDISTRICT 1

LEGAL DESCRIPTION

All that tract or parcel of land being situated in Section 54 and Section 55, Township 9 South, Range 5 East, Southwestern Land District, Lafayette Parish, Louisiana, and being more particularly described as follows:

Begin at the Southeast intersection of the Southerly right of way line of East Pont Des Mouton Road and the Easterly right of way line of Louisiana Avenue both being a public R.O.W., said point also being the Southwest corner of that certain 10,179.76 square feet tract of land conveyed to Lafayette City-Parish Consolidated Government by Donation Deed in File No. 2005-00015737, Records of Lafayette Parish, Louisiana, said point also being a set 5/8 inch capped rebar stamped GSA VF-903; thence leaving said Easterly right of way line run South 86 Degrees 45 Minutes 57 Seconds East along said Southerly right of way line for a distance of 307.89 feet to a found 5/8 inch rebar; thence run South 89 Degrees 59 Minutes 10 Seconds East along said Southerly right of way line for a distance of 212.49 feet to a found 5/8 inch rebar; thence run South 86 Degrees 55 Minutes 08 Seconds East along said Southerly right of way line for a distance of 449.02 feet to a set 5/8 inch capped rebar stamped GSA VF-903; thence run South 86 Degrees 05 Minutes 48 Seconds East along said Southerly right of way line for a distance of 451.22 feet to a found 5/8 inch rebar; thence run North 89 Degrees 02 Minutes 08 Seconds East along said Southerly right of way line for a distance of 100.44 feet to a found 5/8 inch rebar; thence run South 86 Degrees 45 Minutes 28 Seconds East along said Southerly right of way line for a distance of 845.18 feet to a set 5/8 inch capped rebar stamped GSA VF-903, said point also being at the Southwest intersection of said Southerly right of way line of said East Pont Des Mouton Road and the Westerly right of way line of Shadow Bluff Drive a public R.O.W.; thence leaving said Southerly right of way line run South 39

Degrees 36 Minutes 18 Seconds East along said Westerly right of way line for a distance of 26.76 feet to a set 5/8 inch capped rebar stamped GSA VF-903, said point also being on a curve turning to the left, said curve having a radius of 758.70 feet, a central angle of 15 Degrees 56 Minutes 03 Seconds, a chord bearing of South 08 Degrees 29 Minutes 36 Seconds East, and a chord distance of 210.32 feet; thence run along said Westerly right of way line and along the arc of said curve for a distance of 211.00 feet to a found 1/2 inch rebar, said point also being on a compound curve turning to the left, said curve having a radius of 673.70 feet, a central angle of 03 Degrees 49 Minutes 54 Seconds, a chord bearing of South 14 Degrees 34 Minutes 26 Seconds East, and a chord distance of 45.05 feet; thence run along said Westerly right of way line and along the arc of said curve for a distance of 45.05 feet to a found capped rebar stamped LA DOT, said point also being at the Northwest intersection of said Westerly right of way line of said Shadow Bluff Drive and the Northerly right of way line of Interstate 10; thence leaving said Westerly right of way line run South 65 Degrees 10 Minutes 22 Seconds West along said Northerly right of way line for a distance of 779.88 feet to a set 5/8 inch capped rebar stamped GSA VF-903; thence run South 75 Degrees 34 Minutes 39 Seconds West along said Northerly right of way line for a distance of 1633.98 feet to a found 5/8 inch rebar, said point also being at the Southeast intersection of said Northerly right of way line of said Interstate 10 and said Easterly right of way line of said Louisiana Avenue; thence leaving said Northerly right of way line run North 55 Degrees 50 Minutes 51 Seconds West along said Easterly right of way line for a distance of 107.58 feet to a found 5/8 inch rebar; thence run North 04 Degrees 06 Minutes 45 Seconds West along said Easterly right of way line for a distance of 185.03 feet to a found 1/2 inch rebar; thence run North 02 Degrees 09 Minutes 02 Seconds West along said Easterly right of way line for a distance of 339.97 feet to a found 1/2 inch rebar; thence run North 02 Degrees 05 Minutes 12 Seconds West along said Easterly right of way line for a distance of 88.96 feet to a found 1/2 inch rebar; thence run North 02 Degrees 08 Minutes 15 Seconds West along said Easterly right of way line for a distance of 23.84 feet to a set 5/8 inch capped rebar stamped GSA VF-903; thence run North 00 Degrees 59 Minutes 33 Seconds West along said Easterly right of way line for a distance of 164.07 feet to a set 5/8 inch capped rebar stamped GSA VF-

903; thence run North 02 Degrees 08 Minutes 12 Seconds West along said Easterly right of way line for a distance of 263.80 feet to the Point of Beginning. Said tract or parcel contains 1,827,351 square feet or 41.95 acres more or less.

EXHIBIT "B"

LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBSUBDISTRICT 1

GRAPHIC OF SUBDISTRICT (BORDERED IN YELLOW)

LAFAYETTE I-10 CORRIDOR DISTRICT AT MILE MARKER 103 SUBDISTRICT 1

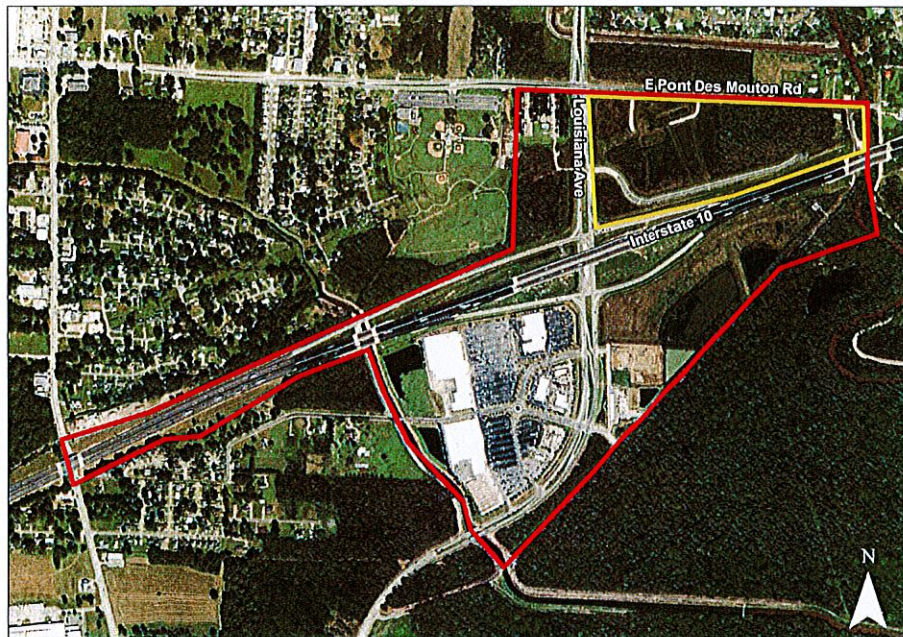


EXHIBIT "C"

LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBSUBDISTRICT 1

CERTIFICATE OF THE LAFAYETTE REGISTRAR OF VOTERS

I, the undersigned Lafayette Registrar of Voters do hereby certify that I have examined all of the voters' records concerning the following described property located within the Lafayette I-10 Corridor at Mile Marker 103 Subdistrict 1 ("Subdistrict") and generally described as follows:

The Subdistrict will encompass within the City of Lafayette, Louisiana, an area

LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBSUBDISTRICT 1

LEGAL DESCRIPTION

I further certify that there are no registered voters residing within the Subdistrict as of _____, 2024.

LAFAYETTE

REGISTRAR OF VOTERS

Name: _____

Dated: _____, 2024

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL CREATING THE "LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBDISTRICT 1" WITHIN THE CITY OF LAFAYETTE, LOUISIANA ON THE PROPERTY DESCRIBED BY EXHIBIT A AND SHOWN ON EXHIBIT B DEFINING THE BOUNDARIES OF THE PROPERTY; ALL IN ACCORDANCE WITH AND AS AUTHORIZED BY CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DESIGNATING THE GOVERNING AUTHORITY OF THE "LAFAYETTE I-10 CORRIDOR AT MILE MARKER 103 SUBDISTRICT 1"; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

2) ACTION REQUESTED: Adoption of City Ordinance

3) COUNCIL DISTRICT(S) (if applicable): N/A

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: October 1, 2024

B) FINAL ADOPTION: October 15, 2024

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) City Ordinance (4 pages)

B) Exhibit A (3 pages)

C) Exhibit B (map) (1 page)

D) Exhibit C (2 pages)

E) Agenda Item Submittal Form (1 page)

6) FISCAL IMPACT:

 Fiscal Impact

 X No Fiscal Impact

AUTHORED BY:

/s/ Liz W. Hebert

LIZ W. HEBERT

CITY COUNCIL CHAIR, DISTRICT 3