**PROCEEDINGS OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF RAYNE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING, HELD ON MAY 11, 2020.**

The Mayor and Board of Aldermen of the City of Rayne, Louisiana, met in regular session via Zoom Call- Meeting ID Number: 844 707 6108, on Monday, May 11, 2020 at 6:00 (six) o’clock p.m. where technical difficulties were encountered.

There were present: Mayor Charles E. “Chuck” Robichaux, Lendell J. “Pete” Babineaux, Calise Michael Doucet, Curtrese L. Minix, Kenneth J. Guidry, and James A. “Jimmy” Fontenot.

There were absent: None.

The Mayor and the Board of Aldermen of the City of Rayne, State of Louisiana, were duly convened as the governing authority of said City, by Mayor Charles E. “Chuck” Robichaux, who stated that the Board was ready for the transaction of business.

On a motion by, Kenneth J. Guidry and a second by Calise Michael Doucet to move all city business to June 8, 2020 meeting to be in compliance with the Governor’s Proclamation 41 JBE 2020 Stay at Home Additional Measures for COVID 19 was carried.

YEAS: 5 – Curtrese L. Minix, Kenneth J. Guidry, Lendell J. “Pete” Babineaux, Calise Michael Doucet and James A. “Jimmy” Fontenot

NAYS: 0 ABSTAIN: 0 ABSENT: 0

There being no further business to come before the Council, there was a motion by Calise Michael Doucet that the meeting be adjourned, this was seconded by Kenneth J. Guidry and carried.

YEAS: 5 – Curtrese L. Minix, Kenneth J. Guidry, Lendell J. “Pete” Babineaux, Calise Michael Doucet and James A. “Jimmy” Fontenot

NAYS: 0 ABSTAIN: 0 ABSENT: 0

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CHARLES E. ROBICHAUX, MAYOR ANNETTE R. CUTRERA, CITY CLERK

**RESOLUTION**

LOCAL DECLARATION OF A STATE OF EMERGENCY EXTENDED

WHEREAS, ON APRIL 13, 2020 THE FOLLOWING RESOLUTION WAS EXTENDED UNTIL MAY 15, 2020 TO MATCH THE LOUISIANA GOVERNOR JOHN BEL EDWARDS EXTENSION OF THE STAY HOME ORDER FOR THE ENTIRE STATE BY THE MAYOR, CHARLES E. ROBICHAUX, THROUGH THE AUTHORITY, EMPOWERMENT AND DIRECTION TO ACT ALONE BY THE CITY OF RAYNE COUNCIL GIVEN ON 20TH DAY OF MARCH, 2020.

WHEREAS, on March 13, 2020, the President of the United States, pursuant to the National Emergencies Act, 50 U.S.C 1601, et seq., has declared that the outbreak of coronavirus disease (COVID-19) constitutes a national emergency; and

WHEREAS, on March 11, 2020, Louisiana Governor John Bel Edwards issued Proclamation Number 25 JBE 2020 regarding the Public Health Emergency – COVID-19, declaring an imminent threat posed to Louisiana citizens by the virus, creating emergency conditions that threaten the lives and health of the citizens of the State of Louisiana, pursuant to La. R.S. 29:766; and

WHEREAS, the **City of Rayne** in Acadia Parish may be greatly affected or has been greatly affected by the virus “SARS-CoV-2” and the disease it causes, Coronavirus Disease 2019(COVID-19), and the disease may pose an imminent threat to the **City of Rayne** and threaten the safety and security of the citizens of the **City of Rayne**; and

WHEREAS, the **City of Rayne** may activate any necessary emergency plans and activities in response to this event and that this may exceed the Parish’s capability to respond to this possibly life threatening crisis, and as such the **City of Rayne** takes this measure in order to participate in any response and recovery plan administered by the Governor’s Office of Homeland Security and Emergency Preparedness and their power to act as administrator, as per La. R.S. 29:767, and pursuant to the Louisiana Homeland Security and Emergency Assistance Act as amended, La R. S. 29:721, et seq.;

NOW THEREFORE, BE IT RESOLVED that beginning on **March 20, 2020** and continuing until **April 13, 2020**, pursuant to the authority granted in La. R.S. 29:737, at State of Public Health Emergency is hereby declared for the **City of Rayne**.

BE IT FURTHER RESOLVED that throughout the period that this state of emergency is in effect such that public meetings are prohibited, the Mayor, Charles E. “Chuck” Robichaux’ be and he is hereby authorized, empowered and directed to act alone to timely execute any and all documents and make any and all decisions deemed in his judgement to be essential to the transaction of city business without official action by the Board of Alderman.

BE IT FURTHER RESOLVED that **City of Rayne** utility penalties and reconnection fees during this State of Emergency shall be waived for the utility customers of the City of Rayne, Louisiana.

**This resolution was declared adopted on this 13th day of April, 2020.**

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CHARLES E. ROBICHAUX, MAYOR ANNETTE R. CUTRERA, CITY CLERK

CERTIFICATE

I, ANNETTE R. CUTRERA, City Clerk of the City of Rayne, LA, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the City of Rayne, LA by the Mayor, Charles E. Robichaux, through the authority, empowerment and direction to act alone during this Declaration of Emergency.

**BY:** ANNETTE R. CUTRERA, CITY CLERK

The following resolution was offered and adopted on **May 4, 2020**, by Charles E. Robichaux, Mayor, through the authority, empowerment and direction to act alone by the City of Rayne Council given on 20th day of March, 2020.

**RESOLUTION**

A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT ENABLES THE LEGISLATURE TO REMOVE THE AUTHORITY OF LOCAL GOVERNMENTS TO ADMINISTER AND COLLECT LOCAL SALES & USE TAXES

**WHEREAS** the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes;

**WHEREAS** there are legislative efforts introduced in the 2020 Regular Legislative Session that would allow the legislature to transfer collection responsibility of all local sales and use tax levies to the state Department of Revenue or another entity;

**WHEREAS** HB 428/HB 581 would provide, upon passage of a constitutional amendment, that the Louisiana Department of Revenue is the central collector for all local sales and use taxes, as well as all local occupational license taxes;

**WHEREAS** HB 429 would permit any business taxpayer to remit local sales and use taxes to the Louisiana Sales and Use Tax Commission for Remote Sellers instead of their local collector as desired;

**WHEREAS** there are fundamental differences in the imposition, administration, and auditing of sales taxes regarding remote sellers versus non-remote sellers;

**WHEREAS** there is already an online portal through which non-remote sellers may remit all sales and use taxes due to all local taxing authorities and the state of Louisiana, Parish E-file, and that online platform is free of charge to all such taxpayers;

**WHEREAS** local taxing authorities possess the best knowledge and experience to properly collect their own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology, and successful litigation;

**WHEREAS** neither the Department of Revenue nor the Louisiana Sales and Use Tax Commission for Remote Sellers would be able to provide the necessary taxpayer assistance, enforcement programs, and training of employees on the specific application of local sales and use tax ordinances without significant bureaucratic inflation and large cost contributions from local governments, thereby resulting in the both direct and indirect loss of local tax receipts;

**WHEREAS** many local taxing authorities have issued bonded indebtedness guaranteed by the passage of locally adopted sales and use tax levies, the collection of said levies being the direct responsibility of those local governments; and the transfer of that responsibility to a state agency may violate bond covenants, generate legal challenges, and jeopardize future bond issuances; and

**WHEREAS** the single local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, but that connexity would not exist between local taxing authorities and the Secretary of the Department of Revenue (an appointee of the Governor), therefore there exists great uncertainty as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration, now therefore

**BE IT RESOLVED** that the City of Rayne, LA, as a local taxing authority and/or governing body, urges each member of the legislative delegation for the Parish of Acadia to vigorously oppose any and all proposed legislation that would transfer the administration and collection of local sales and use taxes to the Louisiana Department of Revenue or some other central collector; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent forthwith to said legislators so that they will be notified of our position on this matter.

**This resolution was declared adopted on this 4th day of May, 2020.**

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CHARLES E. ROBICHAUX, MAYOR ANNETTE R. CUTRERA, CITY CLERK

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C E R T I F I C A T E

I, ANNETTE R. CUTRERA, Clerk of the City of Rayne, on **May 4, 2020**, do hereby certify that the above is a true and exact copy of a resolution adopted by Charles E. Robichaux, Mayor, through the authority, empowerment and direction to act alone by the City of Rayne Council given on 20th day of March, 2020.

ANNETTE R. CUTRERA, CLERK

1. CITY OF RAYNE