

1 Introduced February 12, 2019, by
2 Councilwoman Harbison, seconded by
3 Councilman Borchert, (by request of
4 Administration)
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6 **RESOLUTION R19-04**
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8 A resolution denying the request of Sizeler North Shore General Partnership
9 for certain additional reimbursement payments pursuant to Article V of a Cooperative
10 Endeavor Agreement dated December 31, 2014, by and among the City of Slidell, State of
11 Louisiana, the Northshore Square Economic Development District, State of Louisiana, and
12 Sizeler North Shore General Partnership; and providing for other matters in connection
13 therewith.

14 WHEREAS, the City of Slidell, State of Louisiana (the "City"), the Northshore
15 Square Economic Development District, State of Louisiana (the "District"), and Sizeler
16 North Shore General Partnership (the "Company") have heretofore entered into a
17 Cooperative Endeavor Agreement, dated December 31, 2014 (the "CEA"), with respect to
18 the planned renovation, reconstruction and rehabilitation of the Northshore Square Mall, as
19 described in the CEA, and with respect to the reimbursement of certain expenditures by
20 the Company from the proceeds of (i) a 0.50% sales and use tax levied by the District
21 pursuant to La. R.S. 33:9038.39 and Ordinance 3753 adopted by this City Council in its
22 capacity as governing authority of the District (the "EDD Tax") and (ii) 50% of the 1% sales
23 and use tax levied by the City pursuant to elections held on November 27, 1962 and April
24 4, 1981 (the "1962 Sales Tax"); and
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32 WHEREAS, the CEA provides that in the event that any Anchor Store (as
33 defined in the CEA) closes, is vacated or ceases operations after the date of CEA, and the
34 Company elects to renovate, reconstruct or rehabilitate such Anchor Store for the purpose
35 of making such Anchor Store suitable for use by a replacement retail or commercial tenant
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4 or tenants, then the City may agree to reimburse the Company, using proceeds of the
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6 1962 Sales Tax collected in such Anchor Store, for an amount up to the approved cost of
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8 such renovation, reconstruction and/or rehabilitation pursuant to Article V of the CEA,
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10 subject to certain conditions set forth in the CEA, provided that the City's approval of any
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12 proposed Anchor Store Rehabilitation (also as defined in the CEA) and reimbursement
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14 shall be in the City Council's sole and unfettered discretion at the time any such proposal
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16 or proposals are made by the Company; and

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18 WHEREAS, the Company has made a request under said Article V of the
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20 CEA for reimbursement of a portion of the cost of rehabilitating an Anchor Store space
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22 formerly occupied by Burlington Coat Factory, which is to be used for a new Conn's anchor
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24 store; and

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26 WHEREAS, this City Council, as governing authority of the City, has
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28 considered the aforesaid request of the Company for additional reimbursement from the
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30 1962 Sales Tax for the cost of the said proposed Anchor Store Rehabilitation;

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32 NOW THEREFORE, BE IT RESOLVED by the Slidell City Council, acting as
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34 the governing authority of the City of Slidell, State of Louisiana, that considering the fact
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36 that the Company failed to request reimbursement for the aforesaid Anchor Store
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38 Rehabilitation project prior to the commencement of renovation, reconstruction or
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40 rehabilitation as required by the CEA, and in light of the failure of the Company to
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42 renovate, reconstruct and rehabilitate the entire Northshore Square Mall on a timely basis

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4 as set forth in the CEA and particularly Section 4.01(a) of the CEA, that the request of the
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6 Company under Article V of the CEA for additional reimbursement from the Available
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8 Portion of the City's 1962 Sales Tax, as defined in the CEA, or from any other source, is
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10 hereby denied.

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12 The foregoing resolution having been submitted to a vote, the vote thereon
13 was as follows:

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15 YEAS: 9 NAYS: 0 ABSENT: 0 ABSTAINING: 0
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18 **ADOPTED** this 12th day of February, 2019.

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21 Kim Harbison
22 President of the Council
23 Councilwoman, District F
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28 Thomas P. Reeves
29 Council Administrator
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4 STATE OF LOUISIANA

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6 PARISH OF ST. TAMMANY

7 I, the undersigned Council Administrator of City of Slidell, State of Louisiana (the
8 "City"), do hereby certify that the foregoing three (3) pages constitute a true and correct
9 copy of a resolution adopted by the governing authority of the City on February 12, 2019,
10 denying the request of Sizeler North Shore General Partnership for certain additional
11 reimbursement payments pursuant to Article V of a Cooperative Endeavor Agreement
12 dated December 31, 2014, by and among the City of Slidell, State of Louisiana, the
13 Northshore Square Economic Development District, State of Louisiana, and Sizeler North
14 Shore General Partnership; and providing for other matters in connection therewith.
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20 IN FAITH WHEREOF, witness my official signature and the impress of the official
21 seal of the City on this the 12th day of February, 2019.
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26 (SEAL)



Thomas P. Reeves, Council Administrator