



Shreveport City Council Special Meeting Minutes October 20, 2020

The special meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman James Flurry at 11:01 a.m., Monday, October 20, 2020, in Government Chamber located in Government Plaza (505 Travis Street).

Invocation was given by Councilman Flurry.

The Pledge of Allegiance was led by Councilman Boucher.

The roll was called. Present: Councilwomen Tabatha Taylor and LeVette Fuller, Councilmen John Nickelson, Grayson Boucher, James Flurry, James Green and Jerry Bowman. 7.

The Chairman asked for public comments: Jon Glover made general comments as it relates to Resolution No. 130 and Resolution No. 131 of 2020.

This special meeting was called to consider Resolution No. 130 and Resolution No. 131 of 2020.

The Clerk read the following:

RESOLUTION NO. 130 OF 2020

A RESOLUTION AUTHORIZING THE PAYMENT OF A JUDGMENT AGAINST THE CITY OF SHREVEPORT IN THE AMOUNT OF \$4,683,399.04 FOR WORK PERFORMED, INTEREST IN THE AMOUNT OF \$702,509.86, AND COURT COSTS IN THE AMOUNT OF \$238.50 RENDERED IN THE MATTER OF PULLEY CONSTRUCTION, INC. VS. THE CITY OF SHREVEPORT, SUIT NO. 626,065 BY THE FIRST JUDICIAL DISTRICT COURT FOR THE PARISH OF CADDO ON SEPTEMBER 29, 2020 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Department of Water and Sewerage requested emergency declarations for various infrastructure failures due to months of rainfall and flooding at various project locations; and

WHEREAS, contractors were brought in to conduct immediate repair as was necessary to protect the City's property and public safety; and

WHEREAS, Contractors invoiced the City for the repairs and work performed and the City of Shreveport failed to make timely payments.

WHEREAS, court proceedings were initiated by Pulley Construction, Inc. for the payment of invoices; and

WHEREAS, The First Judicial District Court of Caddo Parish, Louisiana rendered judgment in favor of Pulley Construction, Inc. in the amount of \$4,683,399.04, as well as interest in the amount of \$702,509.86 as set forth in La. R.S. 38:2191(D), and court costs in the amount of \$238.50 pursuant to La. R.S. 13:5109 for projects that were completed at Champion Lake 36" Sewer Force Main Repair, Champion Lake 36" Sewer Force Main Restoration, Champion

Lake/Highland Park Gravity Sewer Main Repair; 1146 Crestmoore Gravity Sewer Repair, Flournoy Lucas & 3132 Manhole Replacement, and 606 E. Southfield Gravity Sewer Repair accordingly.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, Louisiana, in due, regular and legal session convened, that the City of Shreveport is hereby authorized to make payment of claims in the amount of \$4,683,399.04 representing unpaid invoices and interest in the amount of \$702,509.86, set forth in La. R.S. 38:2191(D), and court costs in the amount of \$238.50 pursuant to La. R.S. 13:5109.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

After discussion and questions by council members, and a brief overview by City Attorney Lattier, the following occurred:

Read by title and as read motion by Councilman Green, seconded by Councilwoman Taylor, to adopt. Motion approved by the following vote: Ayes: Councilwomen Taylor and Fuller, Councilmen Nickelson, Boucher and Flurry, Green and Bowman. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.

RESOLUTION NO. 131 OF 2020

A RESOLUTION AUTHORIZING THE PAYMENT OF A JUDGMENT AGAINST THE CITY OF SHREVEPORT IN THE AMOUNT \$3,776,267.54, FOR UNPAID INVOICES AND INTEREST, AS WELL AS COURT COSTS IN THE AMOUNT OF \$530.00 RENDERED IN YOR-WIC CONSTRUCTION COMPANY INC. VS. THE CITY OF SHREVEPORT, SUIT NO. 623,597 BY THE FIRST JUDICIAL DISTRICT COURT FOR THE PARISH OF CADDO ON SEPTEMBER 29, 2020 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Department of Water and Sewerage requested emergency declarations at the “Stoner Project” and the “12” Water Project” for various infrastructure failures due to months of rainfall and flooding; and

WHEREAS, contractors were brought in to conduct immediate repair as was necessary to protect the City’s property and public safety; and

WHEREAS, Contractors invoiced the City for the repairs and work performed and the City of Shreveport failed to make timely payments; and

WHEREAS, court proceedings were initiated by Pulley Construction, Inc. for the payment of invoices; and

WHEREAS, The First Judicial District Court of Caddo Parish, Louisiana rendered judgment in favor of Yor-Wic Construction Company, Inc. for payment from the City for the repairs and work performed on the “Stoner Project” and the “12” Water Project” in the amount of \$3,776,267.54, representing unpaid invoices and interest set forth in La. R.S. 38:2191(D), and court costs in the amount of \$530.00 pursuant to La. R.S. 13:5109

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, Louisiana, in due, regular and legal session convened, that the City of Shreveport is hereby authorized to make payment of the judgment rendered in the amount of \$3,776,267.54,

representing unpaid invoices and interest set forth in La. R.S. 38:2191(D), and court costs in the amount of \$530.00 pursuant to La. R.S. 13:5109.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read motion by Councilman Green, seconded by Councilman Bowman, to adopt. Motion approved by the following vote: Ayes: Councilwomen Taylor and Fuller, Councilmen Nickelson, Boucher and Flurry, Green and Bowman. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.

There being no further business to come before the Council the Special Meeting adjourned at 11:08 a.m.

//s// James Flurry, Chairman

//s// Danielle A. Farr Ewing, Clerk of Council