Council Proceedings of the City of Shreveport, Louisiana August 25, 2009

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Ron Webb at 3:03 p.m., Tuesday, August 25, 2009, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Wooley.

The Pledge of Allegiance was led by Councilman Bowman.

On Roll Call, the following members were Present: Councilmen Calvin Lester (Arrived at 3:05 p.m.), Monty Walford, Michael Long, Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 7. Absent: None.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to approve the minutes of the Administrative Conference, Monday, August 24, 2009 and Council Meeting, Tuesday, August 25, 2009. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

Awards, Recognition of Distinguished Guests, and Communications of the Mayor which are required by law.

Awards and recognition of distinguished guests by the Mayor, not to exceed fifteen minutes.

Councilman Webb: Mr. Mayor, you have any (inaudible) or distinguished guests? Mayor Glover: We have some comments to make at this time Mr. Chairman, if you would allow. We'd like to ask that Chief Crawford, to please come forward. I know that we have Pam Atchison and Sandy (inaudible) they were outside the Chamber, I'm not sure if they're inside. If it's possible, if anyone knows if they're outside to ask them to come in. I know that they were here, and it's my assumption that they intend to offer some comments to the Council and to the City today, and I want to afford them the opportunity to do that.

Councilman Walford: Mr. Chairman, I invited them.

Mayor Glover: And we want to do it also in conjunction with comments that I'm sure that Chief Crawford wants to make regarding the performance today of the men and women of the Shreveport Fire Department. And since I just saw Chief Whitehorn walk in the room, Chief, I would ask that you would come forward also. Pam and Sandy, would you all come up please?

Chief Crawford: One other comment Mr. Mayor, if it would be appropriate, I'll give the Council who I think (inaudible) about all the things that happened this morning just to update. Councilman Wooley spoke about it in his prayer a little bit, but a little bit before 3:00 this morning, the Fire Department was called to Louisiana and Snow Street for a reported car fire. And on the way to that car fire, the fire officer noticed that the building, the SRAC facility appeared to be on fire additionally. Shreveport Police units responded and were actually there first, and noted a fire outside of the property of SRAC. We sent a unit to the car fire and we send units to the SRAC building, approximately two or three minutes after that, the additional companies arrived on the scene. A short while after that, I don't have a time frame in front of

me, I think it was 15 or 20 minutes, a fire came into the 800 block of about three streets away, and it was a commercial business where five cars had been set on fire. And also the business was also on fire as well. Approximately an hour later, at Texas and Antioch, where Antioch Baptist Church is, someone had set some cross ties on fire behind the church in the alleyway, they had also set what we know now is a church, we thought it was a vacant structure, but it actually ended up being a church on fire in that facility. The (inaudible) Temple of Deliverance Ministries Church, and so in total, we had seven arson incidents in four locations within a span of about an hour. Of your 22 fire stations that you have in this city, 15 of those were in the downtown area in about a half mile radius, trying to battle both the SRAC fire, the multiple car fires that we had as well as the fires behind the church and then the church that was on Atchison and Texas Street. We do have a plan of operation when that happens, of those six companies that were remaining were strategically placed throughout the city to protect the remainder of the city. A couple of good things played into our favor, one is that time of the day is our low, very low call volume time. We don't have a lot of experience for emergency medical calls or fire calls for that matter normally, and so we were able to maintain whatever calls did come across the radios and scanners at that time. With our resources, we did put Caddo Parish Fire Districts on standby as well as Bossier City. They were ready and prepared to respond to this city in the event that they were needed, if we had some other type of incident downtown. We also have a person of interest at that time, that had a history of a previous arson arrest in 2008 that we believed would possibly be someone we would want to speak to regarding this incident. With the help of Chief Whitehorn, who I woke up in the very early morning hours of today. He was more than responsive in getting his men and women on the streets literally, and at one point after 5:00, I don't believe you could have entered a street in that particular area of Fairfield without coming across a police cruiser or a fire investigative unit, because we wanted to put a stop to this. This literally was going east to west, lighting fires as he went. And luckily and fortunate for us, no one was injured and it didn't happen in a residential property, but we didn't want to take that chance. At 7:15 approximately this morning, the suspect was picked up by SPD. He's been in SPD custody since, and he's still being interrogated and questioned by investigators, but he has not been charged at this time. So, with that, I would like to say that the operations of the fire department were challenging because of the resources, it was a three-alarm fire. We had to have firefighters on the scene, we had enough trucks on the scene, and by the time we reached the fire, it had gotten into the interior of the building. From what I understand and what I've been told by the SRAC officials, the fire (inaudible) which is the materials that are inside were combustible with fire, we used an interior attack with the firefighters on several occasions tried to enter the building and extinguish the initial fire and were forced out because of the quick combustion of those types of (inaudible) materials that burn readily and rapidly. And the fact that they were in an open area where the gymnasium used to be, gave it plenty of oxygen, it raced literally through the building with the speed of light from one side to the other. By the time I arrived on the scene, it was billowing heavy, heavy smoke. And about 30 minutes later, I pulled a third alarm when it broke through the roof. So, that is the summation of the facts as we have them now, and if you have any questions, I'd be glad to answer them at this time.

Mayor Glover: Before we get questions for Fire Chief Crawford, I'd like for Chief Whitehorn to give you a quick summary from the criminal aspect of this regarding the suspect.

Chief Crawford: I received a word before the Council Meeting, and I just wanted to confirm before I actually spoke it, and Chief Whitehorn has confirmed it because is it was on Chief Whitehorn's Blackberry, it must be true that we do have a confession from the man who was arrested this morning to the fires this morning, including the SRAC fire. So, an interesting note, that there were also some fires this weekend. If you remember correctly, in the same areas

of town on Southern. And we're also looking at this person of interest in those fires as well. So, that is good news that we believe we have the man who is responsible for the seven fires last night including the SRAC building fire. He's off the streets, and he won't be able to harm anyone or property tonight.

Chief Whitehorn: I don't know what I missed, I was outside dealing with some other situations, but when I got the call this morning from Chief Crawford, mostly my team was already out working. I contacted the investigators, and I made sure that they were also aware of the situation. We put another team together to go out and help look for this individual that we already had information on. Two of the patrol officers spotted the individual at Southern and Jordon, and was able to apprehend him based on the previous arrest and also photographs that had been supplied to us from the Rescue Mission. So we work really closely all the time with the Fire Service, and with the support of the private citizens, we were able to apprehend this individual. This was a tremendous loss for the city, that building and the contents I know, affected a lot of people. Some of them are here in this Chamber with us today. We do try to all the time, work with fire when there is a fire no matter how large or how small to insure the safety of the citizens of Shreveport.

Councilwoman Bowman: In reference to the perpetrator, (inaudible).

Chief Whitehorn: Yes Ma'am, I received word on my way here, that the individual had confessed to the fires.

Councilwoman Bowman: That he actually set the fires?

Chief Whitehorn: Yes Ma'am.

Councilwoman Bowman: Are you at liberty to say who he is?

Chief Whitehorn: I'm not sure if we're ready to release that information yet, but we will be releasing that information shortly. It will probably come from Fire, rather than Police.

Councilwoman Bowman: Well, how big a guy is he?

Chief Whitehorn: You could probably take him.

Councilwoman Bowman: (Inaudible) hold him and let Sandy and Pam take him. Then we won't have to worry about him. Anyway thank you Chief.

Mayor Glover: I would also like for Sandy and Pam to come up to speak. And I may be speaking out of turn, but I also believe that I heard one of you or both of you mention that you all recall the fires that we had several vehicles at the Annex several months ago?

Councilwoman Bowman: I heard about it yesterday.

Mayor Glover: Exactly, well I think that it was suspected that this individual was involved with those fires as well, and I don't know if we got any additional information out of him at this point, but we think he's suspect in those as well.

Chief Crawford: Mayor, if I could make one quick comment, that he is a person of interest in each one of those cases, where our vehicles were involved. And I don't know if I made it clear, but I really want to preface the relationship that Fire and Police have. I'm on the fire scene at 4:00 in the morning. By 4:30, the fire investigators and the police investigators are bringing me a profile of who they believe set these fires as they are literally happening and tumbling out of my radio. All of a sudden, we've got a fire on this street, and we've got a fire on this street, and you can just see it going east to west as this gentleman was walking. And they were able to do that through just sheer great detective work. This individual, the original car fire that happened on Louisiana and Snow, he (inaudible) that vehicle or one of the vehicles that was on the subsequent fire at the commercial building and the five cars that were set on fire, burned a car that was burnt two months ago, that this person was a suspect in. So with that information, we were able to pull together a couple of other things, the previous arson arrest and conviction (inaudible) where he served some minimal jail time and probation, I just really want to say, as

hard as the men and women of the fire department were working at that fire, and they did, it was an exhausting effort, both interior and exterior and as fire fighters, I can tell you, we don't like to lose a building. But this fire was a large fire with a large fire load inside, and we did everything that we could to save the building, because we knew the importance (inaudible) itself, but we knew the importance to the community that SRAC provides to us, and so I want to thank Chief Whitehorn for the work that they did on their end. I mean, they literally had a photo ID of the guy in my hand at 5:00 and said this is the guy we're looking for. I called Chief Whitehorn, and woke him up and he got some extra officers on the street. I got my extra guys up and we literally canvassed every street up and down until we finally found a citizen who gave us some information on the whereabouts of this individual might be. We went to that location, and he was picked up. And so it was just a great effort and it shows the partnerships and the cooperation that we have. Additionally, Mike Strong woke him up as well, and told him that we would need his assistance afterwards with a track hoe to be able to knock some of the structure down so it would be safe for the firefighters to go in, once they start a salvage and overhaul operations. Shelly Ragle was there, on the scene, in her hat and her sports gear, and it was really just a great, great effort. Councilman Walford was there, Councilman Wooley showed up as well, and I just think it just goes to show the cooperative spirit that this city can have when it puts it's mind to it in accomplishing great things like they did today despite the tragic, tragic loss that we suffered. So Mayor?

Mayor Glover: Thank you Chief, Mr. Chairman at this time, Pam, Sandy, would one or both of you, please?

Ms. Pam Atchison: Thank you Mayor Glover. Mr. Chairman, and Members of the Council. As difficult a day as it has been today, I don't think that any us involved in the Arts have ever been prouder of the citizens of this great city. And to work as partners in this great city. As Chief Crawford explained to you all, from 4:00 on, we've stood and watched the building burn that had huge memories for our whole city first of all. I think that you all know it was the first Public Assembly and Recreation building in the City, Princess Park, I think you know it was founded by six great strong women who wanted to make sure that the military had a place to have dances and entertain them with movies and then subsequently became part of the Arts community after the city moved SPAR to Expo Hall. So, here we've come full circle with this tremendous offer from the city to move SRAC to Expo Hall at least until we can get our feet on the ground, and all work together on what's next. But it has been an incredible day the help that has abounded from every direction starting honestly with you all, and to be able to see right off the bat, right off the bat, there police officers. Cpt Tony LeBlanc who was there at 5:00 to say what can we do? And then of course, we had the whole fire staff and I didn't even realize the officers, until after that Chief Crawford, but to have been there and saying what can we do? How can we help? Explaining to us at every moment what was taking place, so that there were no surprises and that we all knew everyone had done everything that could be done. Shelly Ragel showed up I believe by 5:15 and would not allow a tear. She said we are talking about what happens next, and the Mayor was there and as you all know, and I hate to be redundant, but it was incredible to have Monty there, to have Bryan there, and of course to be embraced by our great Mayor who said, this is not the end, this is a new beginning. And we all truly believe that. Rick Seaton who moved walls for us today, and I am so grateful to you for that, and I'm told that the people that we have seen from the city are in some ways the hem of the garment in terms of the help that we're receiving and all of the behind the scenes work that's being done, and with so many who have yellow tablets which is (inaudible) no matter what's on them. So, I'm very, very grateful, and we just want you all to know that although we don't really know how we start again. We did lose everything, we will now be the poster child for you cannot just backup your

files, and put them in what you think is your safe in your office, you have to get them offsite, and you just have to make better use of the records that you have, because we do leave that office with nothing, but in so many ways, we leave the office with everything. The phone has been ringing off the hook today, the emails are endless with people saying how can we help, what can we do? You all have offered help, you've been giving help. And we really do feel we're in such great hands. And this afternoon at 5:00, a group of volunteers, not Sandy and me, a big group of volunteers have already formed a reception to be able to say the building burned, but not the Shreveport Regional Arts Council. And so, we're having 'Arts Up From the Ashes' this afternoon at 5:00, and if you'd like to come and share an ash, or a glass of lemonade and a cookie, and let's talk about what happens tomorrow, and if the meeting gets over in time, we'd love for you to come to ArtSpace, where the actual art is, not the administrative offices that no longer exist. So I want to thank you so much for everything you did, and tell you that we've said a lot of times, we want this to be the Next Great City of The South, this is the Great City of The South, and we're humbled by the kindness that you all have shown us today. Thank you.

Councilman Walford: It's very sad that Pam quits ahead of time, but lets make it clear that we would welcome donations this evening or any other time, of office supplies. Ask people to imagine starting from zero. (Inaudible) pads, reams of paper, paper clips, pens, anything that you can contribute and I feel comfortable saying it would be something like the Fireman's boot or a bucket, they can drop other types of monetary donations in. And I will be there as soon as we get out of here, and I'll drop in the bucket.

Ms. Atchison: Thank you so much.

Councilman Wooley: Thank you Mr. Chairman. I just wanted to say thank you to the Police Department, the Fire Department, SRAC, Public Works, the Mayor's office, everyone on this Council Staff for this morning. And I really want to say something to the public. Sometimes I think some folks in the community need to understand the value of the Arts Community. And I tell people all the time, you know (inaudible) here in the country, a little bit out of the country, but here in the states, the artists and culture and the history of the community, (inaudible) of the community. Because without SRAC and all the efforts that they make for Shreveport, in many ways, not in all ways, we would be like anywhere, USA. So there would not be anything that would define us differently than just say some other city that has more arts, that has not tried to embrace culture, not trying to embrace who we are as a people, but it is the artist in our culture that defines us as a people, so we ask not (inaudible) and all things computers associated at all, I don't want to take up the early part of the meeting, but I've called people and I know many of us have called people already to understand that concept. So I've asked the citizens of Shreveport to think for a moment about what SRAC has done for you, for me as a child growing up in Shreveport or my children or grandchildren of all the things we've ever done to make Shreveport stand out and be a better place, and be the great city that it is, because we are a great people and SRAC has definitely done more than we probably deserve, but I think it's our turn to give back to them. Thank you. Thank you Mr. Chairman.

Councilman Webb: Did that conclude your comments Mr. Mayor?

Mayor Glover: We did have another before we wrap up Mr. Chairman, but certainly we want to also, and thank you Mr. Chairman and Members of the Council, we don't want to be accused of advertising during the course of these Council Meetings, I do make a point to hold up my Music Mountain bottled water as always, I don't have a problem having them on the home team. And so, in that light I do believe that there actually has been an account established, if I'm not mistaken Pam, and would you - - - Chase Bank I believe?

Ms. Atchison: (Inaudible)

Mayor Glover: The SRAC Fire Fund at Chase Bank has been established, and certainly as Councilman Walford just referenced earlier and told us, and Councilman Wooley as well, there are folks who have a great appreciation and love and understanding for exactly the value and benefit that this group has brought to our region, and for those who have the wherewithal, the desire, the ability, we certainly would ask that during this particular time and this particular moment that you reach down and find some way of being able to be of help and support to this outstanding organization. So thank you all for all that you have done, and do know that as Shelly put it today, this is a new beginning, and there's not a time for tears. You guys have got Art Scare to get ready for in just a few weeks, and you've got Art Break next year to get ready for in just a year and a few months away from the favored of the all. The first date I ever took my wife on, Christmas in the Sky. So, we definitely look forward to an even bigger and brighter future for the Shreveport Regional Arts Council. So God bless you ladies, and God bless SRAC. Thank you. Mr. Chairman, I also want to add an expression of appreciation on behalf of the City of Shreveport to men and women of the supporting Caddo Parish Districts, who stood up and were prepared to offer assistance and support to the City of Shreveport, as Chief Crawford mentioned to you. At one point in time, we had as many as 15 of our fire stations engaged in suppressing the fires, which left six for the rest of the city and even our friends from across the river in Bossier were prepared to offer support and assistance in the event that it was needed and necessary. So, from top to bottom, all the way across, we had folks who have (inaudible) forth to be of great help and great assistance to the City of Shreveport today and we thank them for that. Before we wrap things up Mr. Chairman, I want to reference three additional things very quickly. First of all, I want to start out by taking the quick opportunity on behalf of the City of Shreveport to thank a young man who has been a part of our community for the last, I can't remember how many years exactly this last Sunday, representing his last Sunday in the pulpit of one of the great churches of this city. Pastor Gregg Hunt of the First Baptist Church will be leaving the City of Shreveport in the coming weeks, and so we want to express our appreciation for the leadership and the service that Pastor Hunt has given to the City of Shreveport, and we know that within the last several months, the First Baptist Church has faced a number of challenges that they have shown exactly what it means to be a believer by the faith that they have shown (inaudible) challenges that that church has faced from the tragic involvement on I-20, but as Mayor of the City of Shreveport, I want to wish Pastor Gregg Hunt of the First Baptist Church a fond farewell, and to let him know how much we appreciate the service that he has given to this city over the years that he has been a part of this community. Secondly, I wanted to have a chance to be able to thank all of the folks involved in this past Saturday's kick off for the Master Planning effort. I want to thank those of you on the Council who came out and were a part of that effort as well. I think that we got off to a fine start. Charles, we have a great deal of thanks for, with regard to the leadership of Dr. Rozeman, and David Aubrey and all of the volunteers, all of the members of the Metropolitan Planning Commission who were there, the various city department heads who were there, the various friends from the university staffs who were there as well, from LSU, Southern, Science Center, and citizens from all across this region came out in numbers I think somewhere approaching around 400, if not a few more, and help to get that effort off to an outstanding start. And for those of you were there, if you had a chance to be able to pass by and hear some of the conversations that were taking place at the tables or during the kick off of the planning effort, then you know that we have got (inaudible) in our concerned citizens of this area, and that this process is well underway and in the hands of some great folks. Lastly, got a couple of folks that we also I think is invited here, that want to come up and make some comments to us as well, but as you all heard me say before, one of the reasons which as Pam referenced my mantra about Shreveport becoming the next great city of the south, the way

in which I told you that (inaudible) whether or not we're making progress toward that goal, is whether or not we're going up on the good list Councilman Bowman, and down on the bad list, well on the good list, Council Members that we are going up on and I thought maybe you all got a chance to see this, that I was in a meeting to day, a lunch meeting today, with the Chairman and Secretary Moret, when we went to visit out to U. S. Support concerning the 1,000 jobs addition that they are in the midst of there, and while we were there, one of the staff members who had their computer up, Council Members announced that it had just been released that according to U. S. News and World Reports, America's best places to find a job in 2009, some cities weathered the recession did better than the (inaudible) and they are not ranked in any particular order, but it appears as if Shreveport is in the Top 10 Cities according to U. S. News and World Reports, as amongst the best places in the country to be able to find a job. So, again the (inaudible) list that we are on and we look forward to more and better. We have two people here from issues related to 1) collections, and the other involves MBI. But I want to start Mr. Chairman, if you'll give us the opportunity, this is related to our collections report, we'll bring up Marshal Charlie Caldwell. The staff has met with Marshal Caldwell and his staff over the last several weeks concerning bettering our collection efforts, and I think the Marshal is here and has some matters that he'd like to share with the Council at this point and time. So, Marshal if you will, please come forward if the Council will (inaudible).

Councilman Shyne: Marshal, I like that suit you got on.

Marshal Caldwell: Thank you very much Mr. Shyne.

Councilwoman Bowman: While we're waiting, let me ask the Mayor, what you call me out for?

Mayor Glover: I didn't call you out Councilwoman Bowman.

Councilwoman Bowman: Yes you did. Mayor Glover: I just love calling your name.

Councilwoman Bowman: Okay.

Councilman Shyne: Joyce, I'm going to see what Jerry gone say about that.

Councilwoman Bowman: Oh, he don't mind.

Mayor Glover: I know I'm okay, as long as I call her from afar.

Marshal Caldwell: Good afternoon, Mr. Sibley and Council. As the Mayor mentioned earlier this week, and earlier last week in the latter part of last week, the Council and I met with Mr. Dale Sibley in reference to the collection as far as this city is concerned. Just a couple of points that I want to touch on ladies and gentlemen, and I really would appreciate it if you all would just view some of the contents of this brochure. Myself and my Chief, have really done a lot of research in putting this together for you all the statistics as far as DWIs, traffic, and criminal cases dating back five years to the present on ticket writing, and statistics as far as ticket writing. This comes from our computer analyst who you know, this is not things that we make up, this is what comes from the individuals that come to court that are fined and that are sensitive to fines and stuff like that. This is actual accurate information that's provided in this brochure also. We have a couple of Attorney Generals' opinion and the revised statutes also that's in there, stating the powers and duties of the Marshal. On the top sheet that goes along with the brochure, I just want to touch on some of the high points. I think (inaudible) well I guess definitely Mr. Sibley, and the Chief, we talked briefly last week on the different issues and stuff concerning collections and different things that have transpired, that will transpire within the upcoming year, and the remainder of this year of those budgeting is concerned. Starting at the top, The Marshal has the powers is the same as that of the Sheriff. Deputy Marshals have the same powers as the Sheriff and we are post certified law enforcement officers. For a lot of individuals who have that big question mark, what does the Marshal do. We also have the

Attorney Generals' opinion and the revised statute within this booklet that clarifies the definition of a Peace Officer, what is a Peace Officer and what is his duties as a Peace Officer. Louisiana Revised Statute provides the officer with operational expenses for the Marshal's office. The Deputy Marshals, I just feel that my office should be treated the same as the Shreveport Police Department and the Shreveport Fire Department as well as the Shreveport City Marshal's Office. We fall under that umbrella of the city also. I feel that if they are getting their 2% raise, why shouldn't the Marshal's office get their 2% raise. We don't cost the city a dime. We contribute a lot of money to the city, but our budget every year is cut on the necessities that we need in the Marshal's office. I understand it's a lot of emphasis being placed on our discretionary. Our discretionary is used since I became Marshal. It's being used for educational purposes. We have how many (inaudible) officers from the past? We have about 8 pending lawsuits from the past. This money - - - if the city doesn't provide us with Council, we've had discretionary for our attorneys. So that's how we have to fund our office. The City doesn't provide any utensils for the office. Pencils, computers, guns, units, patrol units, lights sirens, all this comes out of discretionary money in order to fund the Marshal's office. So I don't think that we're asking for a lot, we're asking for the basic, really what we're asking for is really under what we need. But we feel that we can get the bare necessities, or what we need for operational expenses, I think it would greatly help the Marshal's office out a lot. We don't come and ask if we don't need it or I wouldn't be standing here. Evidently there is a need for what I'm asking for, and how I sat back over the years. I started as a Deputy. I didn't just get elected and come in as City Marshal. I started as a Deputy, and I've seen over the years what we needed in our office in order for it to operate. Which at that time, whatever the Marshal is ever challenged, come up in front of the Council to express the needs of the Marshal's office. I guess as the budget comes out, as well, we'll try to stay within these guidelines, which is hard to stay within that guideline, especially when it's other things that we need as far as the Marshal's office is concerned. We cover the whole city of Shreveport and we cover part of the Parish, which is Ward 4, which is the Caddo Parish Constable governs. Ward 4 is partially our area and the whole City of Shreveport. So I just mention as far and the other. And also that the city is steadily growing every year, every day, we're getting different - - - what do you call it? From the City, where the Council approves land lines and their encompassing different areas of the city as far as (inaudible) is concerned, but if you look throughout history, well since I've been there, within the last 12 years, if an individual retired, we would replace that individual. Individual dies, God forbid, we replace him, but we haven't had a steady growth where five individuals were hired. But police can get 100, 27, you know whatever. We don't work off statistics like that because our office really

isn't big. But I asked for five people, I asked them because I need it. In order for us to generate more revenue in that office, I mean, I've got two guys out there, trying to execute warrants. Thank God for Shreveport Police Department, the Caddo Parish Sheriff's Office, the Caddo Parish Constables and the State Police that assists us during warrant roundups, or we wouldn't actually have any help. I get my deputies and have to pay them, I have to deal with comp time after hours for them to get out and help execute warrants to generate funds for the City. That's what we do, and since I became Marshal, as you can see that I've been - - - me and the former Chief, we've been diligent in getting the deputies out active all the time, in their efforts in operations. Since I became Marshal, we write traffic tickets. We write a lot of traffic tickets. We're trying to get there with Shreveport Police Department, in every aspect that we can try to revenue up, that's what we're trying to do. So, we're out and we're doing the same thing. Fighting crime, executing warrants, and doing a little part time security, which a lot of arrests result from that. Individuals shoplifting, disturbing the peace charges on different things like that, so I've been generating revenue while a lot of us sleep at night. My deputies will be

working just as well as the Police Department works. So our efforts toward the city and we're here trying to work with the agency trying to work with the Council, the Mayor, and you know trying to help provide what the city needs, which is money. And we're hoping that we're not falling short in or efforts to do this, but we're doing everything that we can do to help and assist and make sure that we can bring up revenues for the upcoming years for the City of Shreveport. The fees and services court payments, commission on the Marshal sales, commission collected, garnishments are all payable to the Marshal's office, according to the State law. Okay, these fees average over \$200,000 a year, and will potentially rise over \$300,000 for the year 2010. The reason why I'm saying rise is because we just went in, we went to a civil law class down south, and found out that the civil laws that they'd raised the limit in the court. And so since they've raised it, we also went into the court, and we sent notice, and we sent a copy of the law to Ms. Hester down in the Clerk's office. So, instead of us getting \$15-16 on our civil suits, we went up to \$28.50. So that's going to raise a lot for next year, 2010. Instead of getting \$6 for the eviction notices and filing of the papers, now we're getting \$10, what we're supposed to be getting (inaudible) the State. So that's going to be a lot of money or revenues. You add those up, and ladies and gentlemen, we're the highest grossing Marshal's office in the State of Louisiana. We serve over 37,000 documents a year. And that's only civil, that's not even including the arrest warrants. So a lot of money is coming through by way of civil papers in there. Our gas? We definitely need our gas. Definitely need our phones. I see that it wasn't included in our budget, and how can you exclude gas and phones from our budget, and we definitely need that, without our gas, we can't serve our papers. You can't execute warrants. I don't see how that could have been put in the budget, or excluded out of the budget. And our phones. I mean, that's our line of communication. If I need to call Chief Whitehorn, if I need to call my Chief Deputy John-John, if I need to call my office in any aspect, I need that line of communication. My deputies need me, or I need my deputies at any given time, we need to be able to communicate. But you know we didn't have that in the budget for our phones, we didn't have that in the budget for our gas, we didn't have it for our security needs as far as our security at the front desk. Didn't have it for it, and also our 2% raises, that's what I was looking at also. And I was like wow, I shouldn't have to furnish or front my money and then later on get it back, after putting up so much. And I think it's \$27,000, and that's a low amount for the 2% in my office for the raises for my deputies, and they work very hard, and around the clock. Our job doesn't require us to work on weekends, but even as a deputy, when I was a deputy, I worked on weekends, just to keep myself caught up, and just to make sure that I keep myself caught up, and keep the revenue flowing for the office, and it's a lot of that that's due. A lot of overtime, and a lot of time, I wasn't paid for it, most of the time, I wasn't paid for it, or we didn't get comp time from our former Marshal, we just worked at our own pace, or at our own discretion, at our own will to get up on a Saturday, to get up on a Sunday after church, and go out and serve. By law, we can't serve on holidays. So, that kinda gave us a break there, other than that Chief, you got anything extra you want to add? Attorney Terri Scott, she was in here - - - well I saw her here earlier, but she was in the meeting, last week. You'll notice within the brochure also, if you fan through the pages brochure, it's over \$150,000 in outstanding bond issues that we're facing also, that hadn't been collected. But from talking with her and talking with Mr. Sibley, it's legally tied up in that because a lot of this money needs to be dispersed to different entities, and that's a big legal issue there. But it's a lot of money there as far as the bonding company is concerned. You have a lot of outstanding bond forfeitures that are on the books for the bonding companies, and they're still writing, and for the life of me, they come to me, and I don't see why they City hadn't cut them off as far as writing, if they owe that much to the City. You know if you we want to collect, then lets' do some

measures to help start collecting this, and start filing suits against these individuals and get the ball rolling. I think ladies and gentlemen, that's going to be all unless you all have questions.

Councilman Webb: Absolutely. Is Terri Scott in here?

Marshal Caldwell: She was in here earlier, I saw her earlier.

Mr. Sibley: She'll be back Mr. Chairman.

Councilman Wooley: Councilman Long said she's outside talking to Shelly.

Councilman Webb: Is she? Jim, would you step out there and see if she's out there, and ask her to come in?

Councilman Shyne: Let me make an observation while we're waiting for her to come in. First of all Marshal, you have done a magnificent job, and I would have to say that you came to the office with years of experience, and you have a formal education which is extremely important. You mentioned something about the annexation. About the annexation, every time we annex an area, that means that you all have a greater area also?

Marshal Caldwell: Yes sir, and we were at our last meeting, and the jurisdictional limit will be raising - - - I think we're at \$25,000 on the jurisdictional limit, and they want to raise it to - - - and the State wants to raise it to \$50,000 so we'll take a lot of district court - - - we're taking a lot of district court business, and they're coming and filing down at Shreveport City Court because they know that we're going to be doing diligence in our efforts in trying to retrieve the money that's owed to the city. And I'm going in and we'll be meeting with the judges next week on a meeting where every time we go an issue a service, it's a \$10 charge, but then again, subsequently when we go and - - - lets say that we go and they moved, evidently we're paid for that, but when it's reissued, we're not paid for it. So, we're going to go in where other Marshal offices are being paid for every effort. If that effort is doing diligence, I feel we should be paid every time we go out and try to make an attempt on that area. I've explained to the Clerk's office, I've explained to the Attorney's offices that file these suits, and the big establishments that file these suites, that the better information that they provide the Clerk's office, and the Marshal's office, the better we serve them. You know the more accurate you are on addresses, if you've got a debt, then don't file it because that's money that you're going to pay for us and the service will come back void. It won't be a proper service, it won't be a good service due to the fact that the information you've given us. But if you give us accurate information, we act on it, we get it served, then your service and the money you've paid, you feel that we've done a great job or a great deed for you.

Councilman Webb: Charlie, hold up there for a moment, I want to ask Terri - - - we were talking about these bail bondsmen that have bond forfeitures that have not been paid, and according to the City Marshal, it's the City Attorney's office to keep up with that, and I'm wondering why we have - - - I see one here for \$29,000; one for \$36,000; another one for \$10,000; why are we allowing them to continue to write bonds, and not pay?

Ms. Scott: Mr. Chairman and members of the Council, we met with Mr. Sibley, Mr. Caldwell in the meeting on Friday, and we were not aware that this amount had accumulated or that these bondsmen owed this amount until Friday afternoon's meeting. And so, we're meeting with our City Prosecutors to find out exactly what's going on, what our obligation is with regard to collecting the money. In Friday's meeting, it was - - - and my question to Marshal Caldwell when I saw the list was whether or not any of the source of these funds had to do with a couple of lawsuits that we are involved in right now involving the bail bondsmen. He indicated that it was which means it's a part of a bigger issue, because there's a question of interpretation of the statutes, when the judges ask to how bonds are actually supposed to be forfeited. And so we're going to meet with first the prosecutors this week, and then with the judges next week based on

their schedules to find out exactly what our obligation is and try to collect the money. Again, we didn't know this was due and owing until we saw the list on Friday.

Councilwoman Bowman: I wanted to ask Marshal Caldwell where is Ward 4 located?

Marshal Caldwell: Ward 4 is - - -well it encompasses part within the city, but it's out of the city as far as the Shreveport Police Department is concerned. But it's our jurisdiction when it

pass - - - it's different parts that are in and out. You have some of it down on E. Kings where one side may be in, this side may be out. Past Southern Trace, closer to the Wallace Lake Road on back up in that area, past Southern Trace, that's part of Ward 4, and other parts - - - in different parts of town.

Councilwoman Bowman: Got a couple of other questions. Do you all write for grants for instance like the Police Department does? When they hired the additional officers, or whatever, how do you all go about writing grants?

Marshal Caldwell: Well Councilman Bowman, I did apply for the grant, I went online, and I asked my Chief about it, and everything. And so we filled out every little - - - it's all you know it's you know dots and whatever applies to you and everything. So, we applied and they can approve you or see what you qualify for these grants, but we didn't qualify because they said that we wasn't a first responder law enforcement agency. It's only 31 of our deputies, and I guess to a 600-500 strong force, they wouldn't consider us as a first respondent. You know I look at the first responder as sometimes when in different areas that we're in, a lot of times, we respond first to a lot of accidents, there are a lot of times, we hear burglary calls, we have the same frequency as Caddo Parish, and Shreveport Police Department and other agencies, but a lot of times we may be right around the corner, and we may respond first to it, and we will notify headquarters that we're on the scene, but they will still send an officer, but we're in this thing together, and we've got to help each other, so a lot of times we are first respondents, but evidently the federal government doesn't see that as far as grant purposes.

Councilwoman Bowman: And last, budget period. How much did you request from us? Cause I can't remember. \$1.5 (million)

Marshal Caldwell: I think so.

Councilwoman Bowman: And what did we - - -?

Marshal Caldwell: Well it was lower than that. I think \$1.4 (million)

Chief Deputy: That excluded the fuel and the phones. And the revised amount that we have is still (inaudible) on fuel costs. We're trying to get back to where we where last year.

Councilwoman Bowman: Okay, but what did we give?

Chief Deputy: \$1.4 (million) I believe.

Councilwoman Bowman: We gave \$1.4 (million) and you requested \$1.5(million)? Okay, my last question. I heard you mention about the District Court, and that you all serve as far as - - - where do you serve to?

Marshal Caldwell: Well we serve every paper that District Court serve. I mean if we - - - in all actuality, in divorces and all that are granted down through the district court, but a lot of time we get walk over subpoenas, we get a lot of deputies that come and we serve, I mean we execute felony warrants, just as well as misdemeanor warrants, I mean an arrest is an arrest. You know. We can arrest on every level. And so, we have the same, we draw state supplemental pay just like the police, just like the firemen do. And that's why I'm wondering why we're not included into the 2%. I know it's by law that the fire department do that 2%, and you give it to the police department because it's the fire department, but I'm like 'okay, what about the Marshal's office, we fight crime, we do the same thing. We wear guns, you know why are we excluded?' That's always been a question in my mind, why. And I'm glad that I have the opportunity to stand here before you all to ask these questions.

Councilwoman Bowman: Well this is my last, following up on that portion in reference to what you serve as District Court. Do they pay you all for the services that are rendered?

Marshal Caldwell: Yes they do. Likewise if we - - -

Councilwoman Bowman: Do they pay the same as the city would pay for it?

Marshal Caldwell: Exactly. Yes, if we serve for any foreign entity, then we may get papers from Texas, we may get papers from California, you know if we got individuals that do this, because we do a lot of this through our garnishment department, we do foreign garnishments that come from everywhere that we have to mail back. Those are mail back service or extended long under the law services that we deal with. So, it's a lot of civil aspects that we deal with, and you know, but we do it efficiently.

Councilwoman Bowman: I'm just really getting an understanding. I think I've learned more today from the information that you provided than I've ever known as far as the Marshal's office is concerned. So I look forward to seeing you guys during budget.

Marshal Caldwell: Definitely, I just wanted to add a little bit, if y'all could consider it, can you all consider me in the raise category also?

Councilman Webb: Absolutely. And you know Charlie, you have been in my three years on the Council, you're the only City Marshal that came down at budget time and set down and talk to us. So, this was almost - - - you might say our first experience to deal with your budget.

Marshal Caldwell: Well I sit in with my Chief, and I sit in with my financial officer, and I want to find out what's going on with my office, so that's me. I want to be inside, and I want to know. I don't know as much as these guys know because they're there on a daily basis, dealing with facts and figures all the time. So they're always juggling numbers around. So I want to get in there and I want to know well why is this being paid like this, why is this this? I just don't want something that comes into my office, and they say well okay, submit it. Before I sign anything, I look at it, I read it. Before I make any decisions, cause I want to carefully consider it, and look over it and analyze and make sure that it's the right decision, or close to being the right decision before putting it out there. Yes, very into the functions of my office, and how it runs.

Councilman Walford: I remember some Councilmen coming to your office when you first got elected saying please come visit with us.

Marshal Caldwell: Exactly, exactly, definitely. And I'll be here as long as I'm the Marshal. It's just a part of me, and I've always wanted to come down and build with the council and see how the council operates. And it's my pleasure, and I bring back word all the time to my chief, and I say 'Man I love it down there, you get to meet with the Council, before you get to meet with the Mayor, you get to shake hands, I say I really like that.' I say, 'They make you really feel welcome, and I really enjoy that hospitality that you all give.'

Councilman Shyne: Well Charlie, I'm looking for you to be Marshal for about 20 years.

Councilman Walford: You know that when I found that pot of money out there, that's not aimed at you, that's aimed at those deadbeats out there that have money that we need that could be - - - you know the General Fund money could end up for raises or anything else. I appreciate your report, today, but all you've done is wet my whistle a little bit more for \$149,000. But I like what you said, and I hope that Ms. Scott finds out that we can use the same approach that we use with contracting and with business. Don't do business with those who don't pay us. We don't pay them, if they don't pay us. And I have a feeling a lot of these bail bond company would find life pretty difficult if they couldn't write in Shreveport.

Marshal Caldwell: That's right, if that's their main function of livelihood, and that's the only way of income and so you've got to take care of it, cause if we didn't pay our bills, hey - - - how credible would be?

Councilman Walford: I like hearing that, so I hope that we can go that route. And by the way, the one name on my list that I pointed out to you, I notice that they're not on the list anymore.

Marshal Caldwell: Well I think around the roundup, I think (inaudible) and Buck and them - - -.

Councilman Walford: You knew this one, I don't know if you remember the name, and I'm not going to say it, but it was on there for about five times.

Marshal Caldwell: Well that was the big deal that I brought back to the office, and I said Mr. Walford really specifically (inaudible) letting these here be outstanding? Especially this individual owing this much.

Councilman Walford: Cause that's a big sign with his name on it that I pass everyday. So he paid. Great, thank you.

Councilman Long: Can I get a copy of what you handed out?

Councilwoman Bowman: He was absent during that.

Councilman Walford: They like us better Mike.

Councilman Webb: Okay Charlie. We appreciate you coming down and giving us this update, and we'll definitely be taking a stronger look come budget time.

Mayor Glover: Thank you Marshal, thank you Mr. Chairman, and lastly, we had quite a discussion at the last Council Meeting concerning the current status of MBI, the company that is taking over the lease of the Beaird facility. We have with us today, I know Mr. Rick Fayard here, I'm not sure who else he has with him, but I know that Rick is going to make some comments, answer some questions, and I'm sure he'll reach out to his bench as needed.

Mr. Rick Fayard: Thank you Mr. Mayor, Mr. Chairman and Members of the Council, the Mayor had asked me to come to you and explain where we're at. You, I know can recall the last time that we were here. It was really a celebratory occasion when we were all overjoyed that the lease process had been completed in February of this year. After that time, we began the process of attempting to negotiate with the previous tenant, Beairdco, about the transaction process and the possibility that there may be some legal way that we could take over the machinery at the plant without the necessity of pursuing litigation specifically against Beairdco. We negotiated with them for about two or three months, and ultimately determined that that would be an impossibility, and that we would have to pursue legally to obtain the equipment that's at the plant. So that I can explain to you what our position was, at the time that the Mayor issued his letter to Beairdco, August 1st advising them that they had 60 days to either begin production or resume production or the lease would be terminated. When that 60 days elapsed and as of October 1, 2008, Beairdco had done nothing to accomplish what the Mayor had demanded, we knew at that time, that within a short period of time that we would begin negotiating the lease process with the city, and sure enough a month later, Ms. Scott and I began to negotiate the terms of the lease. When that happened, we went to (Inaudible) Bank to have the security device on the machinery and equipment that was located at the plant, and we purchased an assignment of that security interest so that we in effect would have the rights to the equipment after we went through the legal processes. After attempting to negotiate with Beairdco, some sort of a legal proceeding or document that might be able to transfer that without the necessity of pursuing a legal process, and we determined that we would be unable to do that, we went ahead and gave Beairdco the notice that we were coming after the equipment. The day after they received that notice, which was required under law, they filed bankruptcy, Chapter 11 bankruptcy in a Baton Rouge Bankruptcy federal court. We then, and I have Chip Naus here to advise you and answer questions with regard to the bankruptcy proceeding. He's our bankruptcy lawyer in Baton Rouge, and up here. We pursued that proceeding in Baton Rouge, hopefully trying to transfer

the matter so that it would come to the local court so that the many subcontractors and suppliers of Beairdco would have an opportunity to be heard in the local court without having to go to Baton Rouge. The Baton Rouge court assumed the jurisdictional case, and we were unsuccessful in bringing the matter up here, but for your information, we did try to do that. Chip has been handling the matter together with our other bankruptcy lawyers in Baton Rouge, and he can give you the word as to the procedure and what's happened since then. In another issue that's been going on, of course in order for us to be able to operate the plant, we have to obtain our environmental permits, both federal and state, and I have Steve Lee who is our Director of the Environmental Issues at MBI and we have been proceeding, we applied for it, and have been proceeding towards our permitting process. Obviously, we can't do anything at MBI without having the permits to be able to do so. We can't do anything at MBI without having the equipment to be able to operate. We're proceeding under those basis, we're trying to get them as fast as we can. We've done everything legally that we possibly can to be able to hire Shreveporters and put them back to work out there. We're on our way, we have been successful all the way down the line, it's just the time limitations that have prevented us to be able to resume production out there. Now I'll be ready to answer any of your questions.

Councilman Webb: Yeah, I had a question. You mentioned the permits. What we're hearing on our end is that y'all have applied for the permits and they were returned needing more information, and you have not responded in a rapid manner, and the hold up is because y'all are lagging on sending information back in.

Mr. Fayard: Let me introduce you to Mr. Steve Lee who handles that process. Steve?

Mr. Steve Lee: There was a point where they did return our permit application. There was some information that they took based on our submittal and tried to issue us a permit that would have basically given us like one-half the capacity what that plant can operate. You know we had requested to maintain minor source status, which is not stepping out and becoming a major source of air emissions, but minor source, and there are certain limits within that. And they would have basically cut us in half to the production we could have accomplished. So, we resubmitted some information, and probably within two weeks. I did it myself, and it involves a lot of calculations and emission projections, and I submitted it back to them.

Councilman Webb: Well whose table are the applications sitting on now? Yours or theirs?

Mr. Lee: Actually well about a month and a half, well almost two months ago, it went into modeling. The state has to do emission models for the area, taking in all the atmospheric conditions and what not to see how it's going to affect the surrounding area. Went into modeling, and it passed modeling, and it was about two or three weeks ago that a permit application had already been through the secretary. She's approved it for public notice and if you get published in public notice, then there's a 30 day public comment period. I think the deadline is like September 14th. I did talk to our permit writer, they guy signing the permit down in Baton Rouge this morning, and he said today he hasn't heard any comments from the public on it. So, by the 14th, if there are not public comments about it, it should be as little as a week or so.

Councilman Wooley: Thank you Mr. Chairman. Couple of questions. I called down in Baton Rouge and spoke with DEQ, and you are correct. I think you were between submittal of the application and whoever additional information you needed to give them, or whatever. Requests for information was given about a two week time frame. There was a big gap, because when you turned it in on February 17th, the next time, well once again, they said there was something deficient, there was something else that you guys needed to submit to them. It went

from February 17th to June 15th. Can you explain why it was so long, because you didn't make any reference to that a minute ago.

Mr. Lee: Right, what happened in the first part of the year, we went down and hand submitted the application to DEQ. We met with the permit writer. About a few weeks or a month after we submitted it, the guy down there told us to review some new federal rules that the State hadn't contended with yet. I think at this point, it's subpart 6X and 6H, you know it's numerical and alphabetic in numeration, but it - - - emissions controls that are specifically applicable to these metal manufacturers, and the state had not, at that point even dealt with anyone who submitted a new application with these rules. And they had to basically develop controls how they're going to basically regulate these new federal regulations. And that took literally over two months I know.

Councilman Wooley: Also I had another question I wanted to ask. What is the status of the equipment right now?

Mr. Fayard: I'd like to introduce you to Chip Naus, he's our counsel in Baton Rouge and our bankruptcy counsel.

Mr. Naus: Mr. Chairman, Councilmen, Mayor. As Mr. Fayard said, I along with David Reuben in Baton Rouge represented MBI in the bankruptcy case.

Councilman Webb: What was your name again?

Mr. Naus: Chip Naus. I'm with Weiner, Weiss and Madison here in Shreveport and I'm an associate of Mr. Reuben who is with Kantrow, Spaht and Weaver in Baton Rouge. The bankruptcy was filed by Beairdco on May 8th of this year. In June we had the hearing on the venue motion, that was denied. Right after that motion was denied, the transfer of the venue of that case from the Baton Rouge Bankruptcy Court to Shreveport, we filed a series of motions on behalf of MBI. One of those motions was a motion to convert the case from a Chapter 11 Reorganization to a Chapter 7 Liquidation. There was a hearing on that motion before the bankruptcy court before Judge Dott on August 12th of this year. At that hearing, the debtor consented to the motions convert that we filed and essentially gave up, a trustee has been appointed in that case. Now a trustee is in control. The debtor in possession is no longer a debtor in possession, and MBI has negotiated a term sheet with the trustee, that will enable MBI to get it's equipment collateral, to get a portion of 50 acres that's adjacent to the city property to operate. That motion will be filed next week. The trustee is fully supportive. That motion will be filed at the bankruptcy court. It will take about three weeks to get a hearing on that motion. So we should be sometimes in September, and ten days after that hearing assuming our motion is granted, and we expect it to be granted, MBI will have the right to then foreclose on it's equipment collateral at state court, and all we have to do is send a notice of private sale, so that will be relatively quickly. And we'll also have the right to foreclose on the 50 acres that we're going to need in order to operate the plant. So, we're well on our way in connection with the bankruptcy case, the debtor is out of control. We don't have to deal with Beairdco anymore. And the trustee again is fully supportive and we just got off the phone with the trustee's attorney before I came over here, and we are planning to file that motion next week. So we are looking at about a - - - I would estimate about a 60 day period before we are ready to operate and have the rights to our equipments collateral, as well as to the portion of the 50 acres that's adjacent to that property on which we also have a lien. So, good news on the bankruptcy front. And I'm happy to answer any additional questions.

Councilman Lester: Yeah, just a - - - I didn't know if Councilman Wooley was finished, because I had several other questions, so I wanted to make sure he finished.

Councilman Wooley: No, I'll yield. I'm good for now.

Councilman Lester: Okay. So as I appreciate it sir, and I forgot your name.

Mr. Naus: Chip Naus.

Councilman Lester: No, I know Chip.

Mr. Lee: Steve Lee.

Councilman Lester: Yeah, Mr. Lee. Would it be fair to say that the administrative hoops that you have had to deal with in terms of DEQ were not because of any inaction on the part of MBI, it was because the state was seeking to enforce the new rules and regulations that they had not previously dealt with others?

Mr. Lee: The biggest I guess difference in this permitting process was the fact that the state ran into new federal regulations that they had to enforce, and I noticed that the people that actually write the date base for the state where they actually generate these permits, it took them over a month or close to six weeks I think, to get the controls in place, adequate controls that met federal rules. Most everything else has been pretty much in line with a typical air permit application.

Councilman Lester: So, when the new federal rules came down that the state then had to enforce, the state had to be in a position to get prepared to enforce the rules, and while all that is happening, the folks at MBI were basically in a holding pattern, would that be a fair assessment?

Mr. Lee: Yes.

Councilman Lester: Okay, Chip, as I appreciate it, if you would have been able to get faster action on converting the 11 to a 7, wouldn't that have expedited the process in terms of getting the access to the assets so that you could actually move forward?

Mr. Naus: Right, but let me just from time tables in a bankruptcy court, the time table that we're on and the track that we're on is extremely fast, notwithstanding the commotion to transfer venue was not granted to go from a Chapter 11 reorganization on May 8th to a conversion on August 12th, is an extremely fast track. I mean in typical bankruptcy cases, the debtor has 120 days of exclusive time to propose a plan of reorganization even it's a plan of liquidation. And the debtor did threaten in this case and file an application to auction all that equipment out there to say look, we're going to auction the equipment, pay you what we owe you, and that would have caused us a further delay of being able to open the plant, because we'd have to go back and buy and re-retrofit that plant. And that would have been fatal, but to get to where we are today from a case being filed on May 8th, to a conversion on August 12th is an incredibly fast time track.

Councilman Lester: Having said that, would it be fair to say that, I mean as I appreciate it, the folks at MBI are in the business of just doing holding patterns, they actually want to get something done?

Mr. Naus: Absolutely, but we couldn't do - - - I mean the debtor, it was moot situation. I mean this debtor filed a Chapter 11 case, and it didn't have the rights to the leased premises, but it had all of it's equipment out there, that was our collateral. So, we had to act quickly, but we couldn't do anything until we got that permission, and we still need the open approval of bankruptcy court of the settlement that we're going to file next week with the trustee. But the debtor would not cooperate with us. So, the Chapter 7 trustee is fully supported, the debtor was

Councilman Lester: Okay. And one other question. I heard there was some conversation Mr. Lee, about the state at some point in this time frame was willing to give you a permit on a portion of the facility, but not the entire facility?

Mr. Lee: Well, it wasn't a portion of the facility, but it would have limited the production capability by - - - it would have knocked it down to about half of what the facility is capable of based on the permit application we requested.

Councilman Lester: So, if you would have gone ahead, you would have been able to operate, but only at half capacity?

Mr. Lee: We would have been limping along.

Councilman Lester: And if you wanted to operate at full capacity, which is as I appreciate it, is what MBI wants to do, you still would have had to go forward and deal with other administrative issues?

Mr. Lee: Right, we would have had to actually just basically just stumble along and restart the whole permitting process over, which takes us all the way back to square one.

Councilman Lester: But the point of the matter is, the delays have not been because the folks at MBI were just sitting around?

Mr. Lee: Oh no, in our initial meetings with the state permitting people we requested an expedited process. An offer that already involves is they'll hire permit writers to work at night and on weekends to try - - - if it is a time consideration. And I guess it's gone as quickly as it remotely could. The biggest hindrance was these federal rules.

Councilman Wooley: Thank you Mr. Chairman. Just one suggestion. I know you guys have a website, www.mbiupdate.blogspot.com, and I think it would serve the city well and the employees are looking to go back to work at some point. If you guys update that site, because the date is May 26, 2009. I don't know if you guys are still using that site or not, but I know the Mayor, I know he referenced the site as a point of reference as we were discussing this issue, but we were limited as far as online information. So I think it would be good for the community and for those who are looking to get back to work or be - - - trying to apply for a job there, to have some kind of information (inaudible) as far as going back and forth in dialogue, and I appreciate you guys coming down, cause you know I called the state, I get phone calls from a few of the employees, I get calls from other folks, you know interested parties, all I care about is the truth, and at the end of the day, I don't care who owns the facility, all I care is that people go back to work. But I would suggest that.

Mr. Fayard: We'll do that, we'll take your advice Councilman, thank you.

Mayor Glover: Rick, you have a couple of more?

Mr. Fayard: Well I just wanted to point out, based upon Mr. Lester's question, so far, and the amount of money that we've put out, it's exceeded \$5,000,000 in order for us to be able to start production, okay? We haven't made any money off that investment of \$5,000,000, and it hurts us as long as we stay stagnant like it is and not any production to offset the expenditures, as you well know. And I know that was what your question was pointed at. We have just as high a priority to begin production out there so that we can make that money back as you people do in making sure that Shreveporters are employed. We want to do it as rapidly as we can. But of course, we have to jump through all the hoops in order for us to be able do it, and that's what we're trying to do.

Councilman Lester: And that's why Rick, I'm supporting Councilman Walford's resolution asking the state to whatever they can do to help you guys get things done. I mean, I think if we can spend \$50,000,000 on the chicken plant to make sure that works, then the least we can do is get our state workers to help process paperwork a little faster so the people that have been out of work all this time can go back to work, and those people who have been held in a lurch because of the former operator which are local Shreveport companies, their families, and their employees that haven't been paid, if you guys can operate, and (inaudible) can do what he needs to do, then you guys can rock and roll and start getting some money generated so that our local economy can be increased in terms of getting those people their pay back. I mean - - -.

Mr. Fayard: And we can remain in the Top 10 of places to go to find work.

Councilman Lester: There you go. Thank you Mr. Chairman.

Mayor Glover: Mr. Chairman, before you go ahead, I just wanted to 1) thank you guys for coming down, and providing the information that you have. 2) To reiterate the point that was made by Councilman Wooley concerning the updates, because I just pulled it up here as we were sitting and listening to you all and ask that, and this is an opportunity to be able to be able to get that information.

Mr. Fayard: I'll get that done tonight.

Mayor Glover: That works. And, also to ask based upon the scenario as Chip has laid it out in terms of the resolution of all the bankruptcy issues and what have you, and you guys being able to get both the building, the equipment as well as the land that you need, what do you see and how do you see the scenario moving forward with regard to you all being ready to begin to ramp up, start up and begin?

Mr. Fayard: Well I'm going to tell you something Mayor that I didn't know whether to share this or not, but we had a job that was coming to Shreveport, if we could have been able to start production by the end of the third quarter, that would provide about 40,000 man hours to the Shreveport plant. We had to give up on that, because obviously involved in the bankruptcy proceedings prevented us from being able to do that. But that was 40,000 man hours that we had. Now, I'm sorry. I know there are other ones out there, we're working on that process right now to be able to provide other similar opportunities for Shreveport people. We're going to continue that. Hopefully, we'll get another one just like it.

Mayor Glover: Well we certainly appreciate you guys coming down. Again, we hope to be able to be in a position to have regular updates, because the one thing that this situation suffers from more than anything is the mis and dis information that has gone out over the months that we've been involved.

Mr. Fayard: And that will be resolved immediately.

Mayor Glover: Well and you guys coming down and doing what you're doing today helps to cut through that. Because unfortunately there've been people who have manipulated and taken advantage of the workers out there, have used them as agents to try and come down and agitate and manipulate and push those of us involved in this situation back and forth against each other, and that's just simply reprehensible. In fact as Councilman Wooley referenced, a gentleman who came down here the last meeting had a letter from a company that was supposedly was seeking to buy the plant, and it was directed towards the folks who don't even own or have rights to operate anymore. And that creates an expectation in the minds of those individuals that is just simply completely out of line with what the truth is, and we want to be in a position to get those guys to work as quickly as you can, because those guys going back to work as you just mentioned, and as Councilman Lester opened up the door to give you a chance to comment on, that represents your chance to be able to recoup that investment that you guys have made so far and the ongoing investment that you're going to be making in the coming months and years.

Mr. Fayard: That's correct Mayor, and I might remind the Council that between April and August of last year, the previous lessees out there had four press releases announcing financing or announcing different companies who were going to purchase the facility at MBI and you know how all of that turned out. None of it came true. But we vowed that we would do, and I told you Mr. Mayor, that I would be happy to do is come down here and inform the Council anytime you requested that of me, and I'll still be happy to do it and we'll bring our experts down here to answer any questions that you may have. We don't intend to operate by false press releases. We'll be here eye to eye with you and we'll answer the questions whether it's good for us or not.

Mr. Naus: Mr. Mayor in response to that, I understand that went on, it went on in the bankruptcy case, but when it came time for the hearing of August 12th, and the debtor had to put up or shut up, they consented to the motion to convert, and the debtor Beairdco is no longer in charge.

Mayor Glover: That works. Great news, thank you, and the last thing I wanted to add is that myself and the Chairman, along with the Parish Administrator had the opportunity to spend some time today with Steven Moret, head of Economic Development whose up in this area for the next couple of days, and we shared with him obviously our desire to see the situation at MBI move forward as quickly as possible. He again has offered and pledged any assistance and support that they can provide at the state level that they are ready and prepared to (inaudible).

Mr. Fayard: We're working with the state at this time, if it's a different agency that's attempting to do the best we can to try to get something working as rapidly as possible. We have a lot of problems out there right now. The last tenant out there left the place in terrible condition. What I'd like for you to do, and I'd like to welcome the Mayor's office as well as the Council, if you'll just let me know when you'd like to come tour the facility, I'd love to take you out there so you can see first hand just what we've been left with. And we're going to do the best we can to get started, but once again, what I don't want to do, is I don't want to promise you something and have somebody come out and go to work out there and be hurt because we didn't take care to make sure everything was safe before we put them to work. We're not going to do that.

Councilman Webb: Do you have a contact number or a card?

Mr. Fayard: I'm going to get cards for you and pass them out to all of the city, and I'll give you my cell phone, and you can call me on my cell phone if you want to.

Mayor Glover: Mr. Chairman and members of the Council, I don't want to belabor the thing any longer than necessary, but this is an important area that I'd like in fact Mike, and Terri, if you all are here, can you come forward as well? Because that's a point that I think that the public surely needs to know about, and I think you all as Council is aware of as well, but have we made a full assessment of exactly the environmental conditions that were left out there for us at Beairdco, Terri and Mike? Cause I know we've had some initial assessments done, and have we or are we in the process of making sure that from the City's perspective that we're taking whatever actions that we need to take in order to insure to the extent that it's possible what the previous tenants and to insure that we can address any issue that may end up being possible for us to be able to come back and address in terms of damages done to the city, damages done to the facility or any of the things that we have had to take direct responsibility for cleaning up and mitigating just of the tenant of operation out there?

Mr. Strong: Mayor, yes we have completed all of our environmental assessments at the site. We have actually done a cleanup of what that was, so at this point and time, we do not feel that anything at the site has been left undone, as far as environmental. And we have cleaned it up, and we do have a price of and Terri knows about, that was involved in the cleanup.

Mayor Glover: And do we have a scenario, and obviously Chip was just referencing the ongoing bankruptcy process, do we have a scenario that's pursuable that would seek to allow us to address those costs that we've incurred from damages done by the previous tenant?

Ms. Scott: Yes, the city has actually filed a proof of claim in the Beaird bankruptcy, and we're being represented in that matter by Ron Stamps. DOS got me copies last week of the bills that we paid to the company to remove the environmental hazard from the site. We've forwarded that information to the attorney representing us in the bankruptcy, and that will be included in the city's claim against Beaird.

Councilman Wooley: Will that now be the responsibility of the trustee?

Mr. Naus: Let me speak to that, because I don't want to get anybody's hopes up as far as getting money from Beaird. I mean the Beaird case, it was a Chapter 11 reorganization. There were over \$30,000,000 in filed claims in that case. So the distribution to unsecured creditors, general unsecured creditors on the deferred maintenance claim that the city has will be next to nil.

Ms. Scott: But that is not the only portion of our claim. The bulk of our claim has to do with taxes. And so in that regard, we are secured creditor. We sent the information to Mr. Stamps in the event that lightening strikes and there is some money that we would be able to get in the category of the other unsecured credit. So again, we're doing our due diligence and any other debts or accounts that we find, we're going to turn them over, because that's something that we're required to do.

Mr. Naus: She's right on that, actually the unpaid movable property taxes that the city is owed by Beaird are priority claims. So, if there is any money dispersed it will first go to priority claimants and I do think there is a good chance the city will get a substantial portion of it's priority tax claims paid for unmovable property taxes that Beairdco did not pay.

Mr. Fayard: And I'll provide cards to Mr. Sibley, and he can hand them out. Thank you all.

Councilman Wooley: Don't forget that website.

Mr. Fayard: Not a problem.

Councilman Webb: Mr. Mayor, you finished with your communications?

Mayor Glover: That will conclude our communications at this point except for the reminder I recently received from Nettie Brown, that in addition to all of the firefighters that were out and police officers this morning, that it was City of Shreveport Water and Sewerage employees who made sure we had the water to fight the fire. So we want to make sure that they know we appreciate it.

Awards and recognition of distinguished guests by City Council members, not to exceed fifteen minutes.

Councilman Webb: Does any Council Member have any distinguished guest you want to recognize? Let me get to that.

Councilman Shyne: Yeah, I do. Ms. Marilyn Johnson, would you come forward and bring the people who are with you?

Councilman Webb: We had a couple of commissioners here, but they're not used to meeting this long, so they left.

Councilman Shyne: I can understand. Mr. Chairman and Council Members, and Mr. Mayor, this is Ms. Marilyn Johnson who was a former 'A' student of my a few years, about two years ago. You can see how young both of us look. I had an opportunity to witness an activity that was put on by Ms. Johnson and her group, and she'll explain to you what it was, and I was - - my heart was really touched because I was so excited to see so many people who come out of a certain neighborhood that was giving back to young kids in the neighborhood, and I wish you all could have seen the eyes of the kids and the parents. Marilyn, I'm going to turn over to you, tell us your name and you take it from there.

Ms. Johnson: Thank you, my name is Marilyn Johnson, I'm with Twisted Sisters Spirit Motorcycle Club here in Shreveport. We've been operating for the last - - - every since 2004. Mr. Chairman, Mayor, City Council, just a little brief of what we do. We try to reach our youth, our young adults and the kids that's out there riding or just blocking in the street. We put on a Back To School Drive. I think we supplied over 100 kids with backpacks and supplies. Those

are one of the things that we do. We also do a fan drive when they do the fan drive for the Council on Aging, but we also take our fans to Desoto Aging Center also. These are just some of my comrades that we ride with and I'm going to let them introduce themselves.

Mr. Robert Conway: Good afternoon, my name is Robert Conway, and I'm with the Buffalo Soldiers Motorcycle Club here in Shreveport. We're a national organization that promotes the continued legacy of the Buffalo Soldiers, that's the 9th and 10th Calvary, in the 24th and 25th Infantry. Along with Twisted Sister, we joined - - - most of the clubs here in the city are very interactive, and we join forces to distribute school supplies to the children of the community. Not only do we do that, but we have some other things that we do in terms of supporting the community. Also preservation of Star Cemetery is one of our big projects, and if you go out there to the Star Cemetery, you will see some of the monuments there of individuals African-American Soldiers that were back to the Civil War. And those monuments will be annotated with USCT, United States Colored Troops, which was basically the forerunners of the Buffalo Soldiers. So, we have a local connection, and we have historical connection here to the city.

Mr. Thompson: Good afternoon, my name is Cam Thompson, also with Buffalo Soldiers Motorcycle Club, and one other project that we do is Operation Stand-down with the military veterans that goes on every year. We go out to service them giving different items to them as well. We do a lot of community service, and just wanted everybody to know that when you do see a motorcycle, you know we're not running up and down the street, but we do community service, which is what we're all about. So, just wanted to thank y'all for allowing us to come here this afternoon and share that with you.

Councilman Shyne: Just one minute before you all go Mr. Chairman. Marilyn, I want to encourage you all to please stay active in our young people. Our youth are the most precious resources that we have in our city, and they need people like you all to be involved. At one time, it took a village to raise a child, but it seem like we've gotten away from that. So, I would encourage you all to please visit the schools, visit the churches, visit the playgrounds, and it would be good if you all could maybe adopt some of the kids. You know encourage them in their little football teams, their little basketball teams, and the young ladies in the cheerleaders or whatever. But please you all stay involved. Give back, and you will make Shreveport one of the finest cities in America. So, I appreciate it and thank you all for coming down.

Ms. Johnson: One more thing Mr. Shyne, we have been trying to get a ride for a Memorial Day Ride. A lot of us go way to Texas. It be 2-300 bikes in Texas just for a Memorial Day Ride. We have fallen riders here locally and we've been trying to get a ride up Memorial Day. And so, I will be coming back to see what are the outputs, inputs, permits or whatever I will need to get this ride done here in Shreveport. Because that alone itself will bring revenue to the city if we can get half the people that I ride over in Texas and Arkansas and Mississippi to come here to ride. But we need the support of the city at the same time.

Councilman Shyne: Check with the Chief before you go. Let him know who you are and see if you can get a contact number from him, and he will get you in contact with somebody who can start the process going.

Ms. Johnson: I appreciate it.

Councilman Webb: Y'all have an extra bike Joe can ride?

Councilman Shyne: Oh no, no, no. Ron, you're trying to get me killed!

Councilman Lester: I just wanted to tell Ms. Johnson thank you for the example of service that you're setting in the community. You guys are doing an awesome job. And Mr. Chairman and Members, I would be remiss if I didn't acknowledge two great men of Omega

who stand here with Ms. Johnson, and we'll let that stand where that stands. It's pretty obvious that these are great men. Thank you Mr. Chairman.

Councilman Walford: Thank you Mr. Chairman. You know Mr. Shyne always talks about his students, and all that. I want you to know I taught Colonel Conway everything I could and look how outstanding he turned out.

Councilman Shyne: Well that's good Monty. That's good.

Councilman Walford: Right Robert?

Mr. Conway: Yes sir.

Mayor Glover: We also join the Council in commending you all for the great work that you're doing in addition to touching base with the Chief, I would also suggest that you find a moment to speak with Shelly Ragle, because the Shreveport Festival Plaza has proven to be one of the finest places in this region for the hosting of biker rallies. We have helped with several Harley owners group and others over the last several years, and I'm sure we would welcome an opportunity to host you all for the event that you just suggested.

Councilman Shyne: Thank you all.

Communications of the Mayor relative to city business other than awards and recognition of distinguished guests.

Executive Session: Pursuant to R.S. 42:6 and R.S. 42:7, the Council will go into executive session to discuss the following matter:

Louisiana Proteins, Inc. v. City of Shreveport, Cedric B. Glover, Calvin B. Lester, R. M. Walford, Michael D. Long, Bryan K. Wooley, Ron Webb, Joe Shyne, Joyce Bowman

Civil Action Number: 5:08cv334 United States District Court Western District of Louisiana Shreveport Division.

The Executive Session convened Monday, August 24, 2009 from 3:14 p.m. to 3:51 p.m.

Property Standards Report

Mr. Holt: Thank you Mr. Chairman, I'll take any concerns you have.

Councilman Webb: Okay, any Council Member have any concerns to pass on to Mr.

Holt? We may have given them all to you yesterday.

Councilman Shyne: Jim, I will call you in the morning with the address of those two lots that I've had about seven calls to see if I had turned it in to you, and I had to admit that I wrote it down, but I didn't bring it with me.

Mr. Holt: And I will be waiting on your call Mr. Shyne.

Revenue Collection Plan & Implementation Report

Councilman Webb: Mr. Sibley, the Revenue Collection Plan.

Mr. Sibley: Yes Mr. Chairman, as y'all know that part of it with the Marshal coming in and addressing one of the issues that come up in terms of revenue from their point of view. You should have a writing where we've tried to recap much of what we shared with you including on the final sections some actual recommendations and steps that are being taken now including

what the Council has done, and what you're doing with your ordinance in terms of booting. I know the Mayor spoke to it a little bit yesterday, and may speak a little more to it today, but the basic reports we're getting from DDA is that it's having the impact that you expect that it would, and that people are starting to pay up. As a matter of fact, we have a note that if these continue, and we'll continue to monitor that, we'll probably recommend that we don't incur the expense in what right now looks to be a problematic situation with those electronic boots. Just in terms of the weighing the costs versus the benefit of that. You'll also notice Mr. Walford in particular, we've gone ahead and taken steps to add, you'll note as I mentioned to revenue auditors to the compliance section, because we feel that that's going to help us across the board, particularly, if we're also putting out an RFP on the outside providers, and if in fact, it looks as though it would be better for us to take some of that in house adding these persons to the compliance section will also put us in position to assume more of a roll in that arena. So as you read through that, if you have specific questions or a specific direction that you'd like to send us in, please let us know. Mr. Walford, I know that you had asked for some particular information on movables. Mr. Madden is here, he has that information for you. If you'd like for him to just kinda present it now or submit it to you later, I'd like to ask Charles to come forth and talk about that if he would.

Mr. Madden: Okay, on the movable taxes that you asked about, so far this year since December 31st, we've collected an additional \$170,00 in movable taxes since it wasn't paid you know on the due date. Our process on that at the moment for the three years, last three years, is about \$900,000 of movable taxes that have not been paid. Of that \$280,000 are those businesses are in bankruptcy. And \$100,000 of that is Beairdco. So, that is hard to collect simply because of - - - with that in bankruptcy. And the rest of it, anything under \$3,000 we will take to small claims court and get a judgement against the company to collect that money. Anything over \$3,000, then we work with the City Attorney in filing in District Court, I think it is to get that money.

Councilman Walford: One question, and I don't know if this is for you or - - - Mr. Sibley. In the prior Council, I remember we had an issue where they wouldn't issue an alcohol license to a restaurant because they owed us a substantial amount of - - - this time it was sales tax, and I think the Council upheld that as I remember Mr. Lester. Didn't we have one out in Southwest Shreveport? Do we allow businesses that owe us other taxes such as restaurants and stores, can we not remove such things as alcohol licenses?

Mr. Sibley: We will check that Mr. Walford. One of the things also related to - - - we actually get a substantial amount from Occupational Taxes. And one of the things also in your report that we mentioned, was trying to get more accurate information. As I appreciate it right now, part of it is almost a self reporting situation which is hard to verify. This process with the change in the IRS rules that we're going to work with Caddo Parish on, that would allow us to directly access their - - - portions of their tax register, so we can confirm exactly who is in business, how much they are in fact earning, so we can more accurately collect that. So, as we look at that occupational license situation, we'll also look at whether or not we can find someway to not have to render services to those people that owe. Also we have put together a small committee with Property Standards, IT, Finance and Legal to look at a way to tie utility requests to folks who are delinquent on their property taxes, so that there's a way that we can flag that. And we're looking at that, and Charles in his office is already making adjustments so that we can go along that route. Also, you'll see within the report the situation where the codes charges are being rolled onto the property tax roll. We have found out that we don't need an ordinance change to do that. So we've administratively directed Charles and his guys to no longer add those charges onto the property tax rolls, so that we can use that other route that may result in a lien which may result in a judgement and/or a sale of that property as opposed to what now happens which is ultimately we end up with adjudicated property. So, we're dividing that process out in hopes of being able to generate more actual money revenue as opposed to just more adjudicated property within the inventory.

Councilman Walford: If we got a lien and a judgement and then could sell the property, we could convey good title too, couldn't we?

Mr. Sibley: That's correct.

Mr. Madden: I'll verify. I know we check occupational licenses when the liquor licenses come in through our office. I'll verify. They should be checking the movable and immovable property taxes also.

Councilman Walford: The other one had a rather substantial amount of sales taxes and they were going after them, and they appealed to Council, and we upheld the Police Department. Of course it's devastating on a restaurant that depends on alcohol, but they also ought to pay their taxes. They collected the sales taxes, they just weren't submitting.

Councilman Lester: Yeah, but they're not going to let you get an alcohol permit if you don't.

Councilman Walford: That's what I was asking, if there is a cross check.

Mr. Sibley: And we're looking at that across the board Mr. Walford, and every possible way, what can we do to encourage people to go ahead and get those fees paid.

Councilman Walford: Cause we can use it. I don't have to tell the Administration that. They're working on a budget.

Mr. Sibley: And I might note Mr. Walford, I know the Marshal was up earlier, in our conversations, I don't know, because of a lot of things, but primarily from a collection point of view, what he made clear to us in addition to the bond forfeiture situation that we're looking at (inaudible) personnel, the more people we have the more warrants they can serve, the more revenue those warrants can generate. So I've told him that I would relay that, and that's fundamentally a part of the whole discussion in terms of their budget is that they feel with more people, they can actually get more of those warrants out.

Councilman Shyne: Mr. Sibley, I have had some experience in academia, and I wish you would monitor that to make sure that whatever we do is cost effective. Whatever we do is cost effective. We don't want to have a lot of passion going after something, and I have a lot of passion too, but you've got to make sure just like you do at home that whatever you do is cost effective. So, I would appreciate it if you would keep that in mind. Because sometimes you can go after a rabbit and you'll spend as much money as you would going after a bear. So, lets just make sure that it's always cost effective.

Mr. Sibley: We are Mr. Shyne, and we're going to continue that dialogue for example, one of the questions we were talking about was the number of warrants, but when you break that down to see how many are for attendance as opposed to how many are for enforcement in terms of a fine, you know that number is not exactly the same, so we're going back and forth and the Marshal's been very - - -.

Councilman Shyne: And that would be for the whole system, not only for the Marshal, but I mean going after people who owe the city money, and anything it might be. If it's for water and sewerage or parking tickets or whatever it is. We want to make sure, we want to monitor and make sure that it's cost effective.

Mr. Sibley: Exactly. We'll do that Mr. Shyne.

Councilman Walford: Mr. Chairman? One more note along that line, Mr. Madden told us that you could use two people, and they would probably far exceed what we pay them in collections.

Mr. Madden: I can't guarantee you we'll get the same success other cities have had, but I know of one city that has increased their occupational licenses over \$700,000 just using the IRS program. So, I mean if we can bring in that kind of money, it's worth it.

Councilman Shyne: I don't doubt you, but still monitor the program.

Mr. Sibley: If there are no further questions Mr. Chairman, that concludes our collections report today.

Councilman Walford: One last thing. Did we hear anything about any booting today, or?

Mr. Sibley: Yes we did, I believe the Mayor got a call from - - -

Councilman Walford: I thought you were going to say the Mayor got a boot.

Mayor Glover: I did once, about 20 years ago, in the 100 block of Milam Street, so I that's how I know it works. But I did speak with staff from DDA earlier today, and the report is that since yesterday, obviously there has been over probably approaching \$10,000 in unpaid fines as a direct result of the booting. In addition to that as was expected, now that the news has gotten out, that we are in fact serious, and that we are in fact booting, and that this stick is available to DDA in terms of enforcement. People are calling, many are coming by, but folks without question are paying up. And so, what I've asked them to do is basically provide a report just in terms of what this week's unpaid revenue numbers are in comparison to the previous week. Last year this time and what have you so that we can be able to compare just the difference that the change in policy has made here in just in these three days.

Public Hearing: None.

Adding Items to the Agenda, Public Comments, Confirmations and Appointments.

Adding Items to the Agenda (*Clerk reads items into the record - public comments allowed on items proposed to be added, then items can be added only after unanimous vote [See Act 131 of 2008]*) The Clerk read the following:

1. A Resolution appointing the Citizens Committee for the 2010 Bond Issue and otherwise providing with respect thereto.

Councilman Webb: Is there anyone the Chamber that is in favor or in opposition of adding Resolution No. 174 of 2009 to the agenda? If not, we'll take a motion to add this to the agenda.

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to add Resolution No. 174 of 2009 to the agenda.

Councilman Lester: If I could Mr. Chairman, real briefly?

Councilman Webb: Go ahead.

Councilman Lester: Based on some of the conversations that we had yesterday relative to the procedure for moving forward on the bond issue, I believe that certainly a bond issue is necessary, but I don't think that it makes sense for us to attempt to move forward with a bond issue on the November date. As I appreciate it, the earliest date that beyond November that could be secured would be the March date, and as I appreciate it, the - - - in order to have a report to the state bond commission, something would have to be acted on probably by December and at the state for January. And so this resolution would move forward to appoint a Citizens Committee to start that process. As I appreciate it, and getting some feedback from

other members, some members may have some concerns about the composition of the committee or the process that it would take, and certainly I don't have a problem discussing that, this is in fact a one reader, and so what I would ask from the Council is for us to add this to the agenda, and at the proper time, I would actually move to postpone this particular item. As I appreciate it, had we had the retreat last week, one of the things that was going to be discussed was bond issues and things of that nature, and as I appreciate it, we're looking forward to having a retreat the 27^{th} , which I think is sometimes this week, or one day next week. So, don't have a problem, I would ask the Council that we would add this to the agenda, and postpone it, and have some discussion at the retreat, and if the Council feels inclined to move on it, move forward at that time. But that is my purpose for bringing this at this time Mr. Chairman.

Councilman Webb: Well I have a question. Why are we going to work to add this to the agenda, and then postpone it? Why don't we just go ahead and postpone it and bring it up in two weeks, since it's going to be a one reader?

Councilman Lester: Well Mr. Chairman, at the time that I proposed it, I did not realize that others had some unreadiness. Not being able to read minds, and so certainly understanding that that is the concern that is out there, I don't have a problem with that.

Councilman Shyne: Mr. Chairman, I guess I'm kinda like the ole boy. I want to take my time before I walk into a situation, make sure that I'm looking at everything, and I kinda been a part of maybe about three bond issues, that the city has put forth. In fact, probably over the last 30 years. And this is the quickest process I've ever seen. Matter of fact, I was involved in defeating one, and Charles, I think it's probably the first time a bond issue had ever been defeated. You know this is putting us in debt for 20 years, \$115,000,000, this is the largest bond issue that we've had. The economy is upside down, I just - - - you know, as an old man with a little bit of wisdom, I just don't think it's good for us to run into this. I think we need to sit down and look at what we're doing. I think we might need to talk to a few people like John Hussey and others who've been involved in previous bond issues. I really think the Council needs to be more involved in this bond issue, and I think it's too early to start coming up with some kind of legislation where we just kinda arbitrarily pull a number of 15 or 10 or 20, you know at this time, I think this is, I really think this is bad and I really don't think that we need a piece of legislation in order to lock us into what we need to be doing even if we're going to postpone it. I would ask the Council to please at this particular time, lets not add this to the agenda. Let's take a little time, let's look, let's talk to our constituents, let's talk to the people out there whose going to be responsible for making sure that this bond issue be a success, or even passing it. So, I would ask my colleagues at this particular time, let's kinda vote this down, and let's take a - - - let's walk into what we're doing. I mean, this is \$115,000,000. And you know this is going to put us in debt for a long time. So, please, please, let's don't rush into this. I think we have time, and let's sit down and talk about this. Let's discuss this. Let's see whether we need 15 members, let's see if we need 20 members, let's see if we need 30 members. I mean, I've been where we've had a number of citizen groups who went out and got the feelings of the community. So, I think we're rushing into something that we really don't need to rush into at this particular time, so my vote is going to be a 'NO' vote.

Councilman Wooley: I just wanted give a couple of comments that echo some of the things that Councilman Shyne has already stated. And I do appreciate it that the Mayor (inaudible) last Friday on my phone and then he tried to catch me on Saturday, but I had to leave a little early from the Master Plan meeting. But overall I still think our process needs to slow down. I think we as Council Members need time to review the information. You know we received some packets in our boxes in the Council office. We need more time to digest that. In reference to the resolution here to put together a Citizens Committee, that too I think, process

needs to be thought out more before adding to the agenda. Like Chairman Webb has mentioned, I don't know why we're going to add it and then postpone later or even postpone it today. So, this is a serious issue. This is a lot of money, overall we're \$832,000,000 in debt or in debt service between general obligations, the airport, and one other, I can't think off the top of my head - - -Water and Sewerage, thank you. But I think the serious nature of this matter that we face being that we are in a recession, being that sales taxes are down, before we ever think about putting ourselves more in debt, we need to look at what we have. We try to work very hard, or last year, coming into this year, dealing with a very tough budget, it's a very serious issue. We need more time before we ever start communicating anything to the public, I think it's in the best interest of the public to wait. Slow it down, think it out, and then at that time, we'll see if we should move forward. Thank you.

Councilman Webb: Mr. Thompson, doesn't this take a unanimous vote to add to the agenda? Go ahead Councilman Lester.

Councilman Lester: Thank you Mr. Chairman, let me say this for what it's worth, and I want to be clear on my motivation. Many times, as a Body, we talk about doing issues, but ultimately we're responsible for particular actions in legislation. Listening to the conversation that was had between Council, Mayor, members on yesterday, and I heard from more than one member about the desire to move forward with a Citizens Committee as opposed to dealing with a bond issue on the agenda. And I am in favor of moving forward for a Citizens Committee. This resolution will not put us in a situation where we're approving a bond issue today, and in terms of process wise, and putting things on and postponing, I mean we've got as I appreciate it, Councilman Walford and you Mr. Chairman, put forth a particular piece of legislation relative to the Downtown Development Authority and the parking meters, that is on for introduction. But as we had conversation yesterday, we said that even though it's on, we're not going to vote for it, we're going to postpone it to discuss it and deliberate more. So, the idea that we put things on the agenda and then table them for more deliberation and for more deliberative purposes, it's not something that should be foreign or strange to us. The fact that this item does require a unanimous scenario, and given the fact that Mr. Shyne has made it quite clear that he would not be voting in support of it, which obviously is his right as the rest of us have the right, and I respectfully disagree with the position that he has, please don't misunderstand the purpose of this resolution was not to try to bind us or to rush us into anything. It's to begin a conversation, and as I have stated, it's my appreciation that one of the topics that we will discuss at the retreat, if it ever happens, will be this particular item. And so, given that fact Mr. Chairman and given the fact that it will require a unanimous support to move forward, at this time, I'm going move to withdraw my resolution, since clearly the seven votes are not there to move forward with it. So, to Mr. Thompson, if I withdraw my resolution or withdraw my motion, would that pull it off the agenda?

Ms. Glass: Since it's not on the agenda yet, I don't think you need to move to withdraw the resolution, but if you withdraw your motion to add it, that would accomplish - - -.

Councilman Lester: I withdraw my motion.

Councilman Webb: Do you withdraw your second?

Councilman Long: And I withdraw the second.

Councilman Lester: But I would like the Council to - - - and I'm going to take the Council at it's word and on faith that we are going to have a serious discussion on this particular issue. Can I finish?

Councilman Shyne: Sure you can, that's alright. I apologize to you.

Councilman Lester: See I love you so much I even got the same tie like you Joe, because I'm trying to follow your lead. But that was the purpose of doing this Mr. Chairman, so I look forward to the retreat and the future dialogue on this particular issue.

Councilwoman Bowman: I'll yield to Councilman Shyne. Remember that Joe.

Councilman Shyne: Thank you Joyce, I'm indebted to you. Mr. Chairman, and you and Monty, I know you all know that the piece of legislation that you all put on in order to table doesn't nearly come up to \$115,000,000.

Councilman Walford I wish it would.

Councilman Shyne: Yeah, now you're right. I wish it would. I mean that's almost like comparing a steak to a roach, yeah I'm going to say a roach, because in some countries, they eat roaches. So, I mean that's - - - that, I know you all know better than that. And again, we can have a dialogue without having a piece of legislation in order to dictate to us, in order to have a dialogue. You know, don't ever buy into the pie that you have to have a piece of legislation in order to start dialogue. I've been on this Council longer on and off - - - I guess for maybe 30 years, and I think we have accomplished a whole lot, and I don't ever remember us having to have a piece of legislation in order for us to start a dialogue for a bond issue, and especially - - we're talking about \$115,000,000. I mean this is the largest bond issue that the City of Shreveport has ever talked about. I mean it takes months in order to put a good bond issue together, and to get out to sell it to the public and find out what you need in the bond issues. It takes hundreds of people to come together in order to look at what needs to be done. And again, I think we're doing the right thing. I think we're taking our time, I think we're looking at it, because what you've got to understand what you're looking at, it's 20 years of indebtedness. This is what you're looking at. You're not looking at going out building a gymnasium, or you're not really looking at buying a fire truck, or you're not really looking at buying 40 police patrol cars. I mean this is \$115,000,000 and I'm conservative when it comes to spending money Mike. I might be more of a Republican than you are.

Councilman Webb: I can still bring you a slip.

Councilman Shyne: Oh Ron, I don't need a slip, but seriously now, I mean seriously, this is a very important step that we're taking, and again, like I say, I've been around a long time. And I know how important it is for you to take your time, when you're talking about spending this kind of money. This kind of money. So again, I would ask my colleagues to please consider this whether you're for or against the bond issue, please, let's take our time. Let's don't be in no hurry. And I don't know I guess I saw it in the paper where we got some federal suits and all this kind of stuff, I don't know how many of you all knew about it before you read the paper. But you know it's kind of eye opening for me. And I don't think we need to let anybody rush us into doing something that we don't have no business doing. We don't even need to let the federal government rush us into putting ourselves in a debt for 20 years. So, please, I'm asking you all to please, let's think about this. Let's take our time. And let's make sure that we craft or come up with the best product that we can, if you're for it. You might not even be for a bond issue. Mr. Chairman, thank you very much.

Councilman Webb: Councilwoman Bowman, did you want to say something? Councilman Shyne?

Councilman Lester: Lester. We got the same kind of tie on.

Councilman Webb: Councilman Lester, I'm sorry. Do you want to say something?

Councilman Lester: That's alright. Yeah, I was going to ---

Councilman Webb: Y'all got on matching ties.

Councilman Lester: Yeah, I know, I know, I know, and I'm trying to go that way, and if I'm lucky, I will get to his statute. I just wanted to remind my Council colleagues, I think earlier

in the meeting, you said the same energy it takes to hunt a rabbit, it takes to hunt a bear or something along that nature? My comments as it relates to postponing was relative to the process. Certainly I would not have the hubris to equate a bond issue that's indebtedness over 20 years to some parking meters, but the process is there are many times that we put things on the agenda for consideration and we postpone them. That was what my comments were for. I just wanted to make sure the record is clear, and certainly in moving the people together to get to a point, that was not what that resolution was going to do. But you know I just wanted to make sure that we're clear.

Councilman Shyne: Mr. Chairman, since he's making his comments toward me, and he's directing this to me, I want Mr. Lester to understand that I understand very well what you said. I have an excellent understanding, and I guess I have a few credentials in order to show that. But I'm still back to what I said in the beginning. Whether it's the process or whether it's the bond issue - - -

Councilman Walford: Mr. Chairman, with all due respect, I'm calling a Point of Order. There is no motion on the floor.

Councilman Webb: Thank you, I agree, there is no motion on the floor.

Councilman Shyne: Right, I want him to understand.

Councilman Lester: Oh, I know you understand, Mr. Shyne, but you mischaracterized my comments.

Councilman Shyne: You thought I did.

Councilwoman Bowman: Point of Order.

Councilman Webb: I'll say one last thing before we move on, but I look forward to the dialogue. We are having a retreat Thursday night, are we not Mr. Mayor?

Mayor Glover: Mr. Chairman, I have no indication that we have anything approaching a consensus amongst Council Members for Thursday night. Some have not committed, others are not available.

Councilman Webb: I know Councilman, I mean Sharon called me today and where are we at on that Mr. Thompson?

Mr. Thompson: On August 27th which is Thursday, Councilman Walford said he would be late, he could get there at 6:00 p.m. Councilman Lester informs us that Thursdays are not good days for him. So we don't have a consensus on either one of the days.

Councilman Webb: Okay, well I do certainly think that sooner or later, I hope that we can all get together, and I look forward to the dialogue, cause we definitely need to talk about this before we start any process. Anyway, I hope that we can come up with a date that everybody can get together.

Councilwoman Bowman: To Mr. Thompson, just let me know in advance when everybody decides.

Councilman Webb: I'm available any night they want to meet. I'll be there.

Mr. Thompson: Even on Wednesday night?

Councilwoman Bowman: Prayer Meeting. I'm just teasing. Any night you chose.

Public Comments (Comments on items to be adopted)

Mr. Larry Farley: (326 Middlebrooke Lane) I'm here concerning the no-thru trucks ordinance that will be read for adoption later on this afternoon. And I am glad to see that some of our neighborhood representatives are here this afternoon. We have Mr. Krefft representing Broadmoor Neighborhood Association. The length of the session has cost us Teresa Edgerton who is the President of the Highland Restoration Association. We have Mr. McCleod in the

back who represents most of the neighborhood off University out south. We are concerned, but yet this legislation may impact all neighborhoods in the city. We do not seek to slow or to stop the development of mineral assets of our city, but we do not wish to see them developed at the cost of our surface assets. In our reading and interpreting of the ordinance as it was posted on the electronic systems of the city, we know that the city may issue a permit which supersedes any weight or axel prohibition. To us, this fact screams, if I have a permit, I can haul anything I want at any weight, anytime to anywhere. At no place does it say that the permit requires any form of bonding the way permits used to do, for heavy loads and we do not see where there is any sort of fee for this permit to reimburse the city for the damages that what is being hauled may bring us. Councilman Long has indicated that the weight restrictions remain a part of the ordinance, but we note that the final phases of the new ordinance states that this ordinance supersedes all the existing laws which imposes the weight registration. Thank you.

Councilman Webb: Sir, are you in reference to the trucks that will be in the Haynesville Shale, basically, is that what you're talking about?

Mr. Farley: Right, right. We feel like there is a way to bring about the orderly development of the minerals, but we don't want to see the streets of this town ripped to shreds.

Councilman Long: Well as I told Mr. McCleod yesterday, and at the last meeting, that's going to be a separate discussion that will go on and talk about that whole development relative to drilling and production in the city. Right now, we're trying to basically enact some legislation that will give the police department a tool of identification that will hold up in city court when they write a ticket for a truck that shouldn't be in a particular area. That's what we're doing right now. The idea or - - - I don't want to co-mingle the whole issue of the oil and gas development situation into this ordinance right now. That will be a separate discussion, upon which time - - -

Mr. Farley: And the trucking that goes with it? I'm sorry.

Councilman Long: And at that point and time, we will then make whatever changes we need to the existing ordinance, and other ordinances that may impact other activities that go on relative to what our hands are able to do with the regards to Louisiana Department of Conservation, the field rules and all the other legal environments that we find ourselves in to try to operate, to try to do things to protect the streets and the citizens and our quality of life. So, I mean, right now, I didn't even want to try to address that issue, because that is a separate issue, requires a lot more discussion, a lot more analysis than what we're trying to do right now at this point and time.

Mr. Farley: Thank you.

Councilman Webb: Sir, one thing I might tell you, there is going to be a Public Safety Meeting September 1st, at Riverview Hall, you probably were aware of that? They're going to be discussing that very issue.

Mr. Farley: We'll be represented. Thank you. Thank you Chairman.

Mr. Jack McCleod: (189 Pomeroy Drive) I just wanted to encourage you to adopt the new ordinance, I believe it's No. 93 as written and please as Mike Long indicated to me yesterday that you have added the weight limits back into that. And that is good. I'm here because I'm concerned about the streets in our neighborhood. I'm concerned also about the safety in our neighborhoods. And the streets can be depleted quickly without any visible evidence. Kinda like the cell phone battery. You'll be using it, all of a sudden it's dead, but there's no meter on the street, and those trucks will wear it down without a big notice until it starts to fall apart. So, I do thank you for altering and adding the weight limits to No. 93 and do urge you to pass it, and thank you very much.

Councilman Long: Mr. McCleod, I'd also relative to the permit process, that will be discussed in our future discussions, and then we can really define that more clearly and we'll

have more teeth in it so that - - - a permit is not just a permit. There will be certain requirements, and it will be required to get that permit, and insurance, bonding, weight, all those will be considered as part of that.

Mr. McCleod: And maybe at some point when Councilman Walford gets done collecting all of these delinquent taxes and such there will be money to buy the Police Department some portable scales. Thank you very much.

Councilman Long: Absolutely, and we'll seek to do that as well.

Councilman Webb: I have a question for you Councilman Long. You're adding the weight limits back in, I thought that was the whole reason we were going to axels because the weights (inaudible)

Councilman Long: True, but the we're using both. We want to keep the weights restriction in there as well as having the axel as a means of identification.

Councilman Webb: So how are they going to give them a ticket if they don't have weights to weigh - - -

Councilman Long: Well, that's what the axels are there for. Julie, can you maybe help him with that?

Ms. Glass: Both requirements - - - well there's an amendment that will add the weight limits back in, but it keeps the axel limits. The axel limits are going to be easier for the Police Department to enforce, because they can look at it, and tell the weight limits will still be somewhat of an enforcement problem, because of the fact that we don't have the scales, but we understand that there's a lot of voluntary compliance on the weight limits, and you know if at any point, it becomes more of a problem and we get the scales, that would be in the ordinance ready to use.

Mr. Ken Krefft: (157 Archer) Like to second and third what Mr. Farley and Mr. McCleod said, and thank Councilman Long for amending it. I understand the scales are very expensive, whether you get the portable or the in-ground scales on the weight. I wanted to talk about the bond issue. The good Mayor, the meeting that Tom Dark was confirmed, I think it was January 26, of 2007. I (inaudible) the challenge of the day, and asked him after the meeting about a bond issue, and mentioned it was a campaign promise he made at the BNA forum on September 30th with a competitor, and again at the follow-up forum in October of the November 7th. And maybe he said in the summer of '09, maybe late summer so, I kept that to myself 2 ½ years, I shared it with not with the wife, not with Councilman Long, because it was said in confidence, and as a citizen, I thought I should keep it in confidence. I've been bugging Mike and Shelly for years, you know get on the Mayor, you know we need restrooms at A. C. Steere, we need this and that. As far as a Council Member, Councilman Shyne is exactly right. We don't need legislation to discuss it, we have a 5 year Capital Improvements Program, Section 7 of 7D in the Charter, but I might add, a Convention Center was in the Capital Improvements Plan from '81 to '89 and figures (inaudible) it just silently went away. And 10 years later at the first February meeting, it's on the agenda, but it's not in the 5 year CIP. Had I been a Council Member at the time, in February meeting of '99, I would have objected, citing the City Charter, saying it's not even in the 5 year plan. In less than a month, it was approved and sent to the state bond commission and approved July 17th that summer. My share of the debt for the convention center, and the hotel is as great as would be my annual obligation for \$118,000,000 bond issue. I've done the numbers. They're right even. I'd rather have my citizen know that their commodes are backing up, it's going to cost \$118,000,000 for this population over 20 years about \$.08 a day. Give me the \$.08 a day instead of losing bundles on the convention center and the hotel. Let me have a roads do I don't need a \$400 wheel alignment or \$1,000 plumbing repair on a stopped up commode. We can do better. And it is time Mr. Shyne, as Mr. Lester

said to do a Citizens Committee that would be appropriate, but it is something that came together too quickly. He's right on the convention center without not enough thought and not in a 5 year CIP. Conversely, don't have it March 27th, my son's getting married, and I'm going to lose \$250 as a commission and my wife is going to lose \$200. (Inaudible) move the wedding or move the election, one or the other. And by the way, we're going to call the Chief's new car 'Twitter 1'.

Councilman Webb: Which chief are you talking about?

Mr. Krefft: The Twitter Chief.

Confirmations and Appointments: None.

Mayor Glover: Mr. Chairman? Have we passed it out yet Rick? We have one. Not to add today's agenda, but would ask that Mr. Thompson would go ahead and read it into the record and make it official for you all to vote on for the next meeting.

Mr. Thompson: A letter from the Mayor subject to your confirmation, I do hereby appoint the following persons to the board, commission, committee or position indicated below: Shreveport Municipal Fire and Police Civil Service Board. The person is R. Timothy Jones, and the background information is attached to the resume.

Councilman Webb: It will be on the agenda is what he's saying, he just wants to give it to us for information purposes.

Councilman Shyne: You don't need it today?

Mayor Glover: No, I wouldn't ask that you all do that, and I don't think the Civil Service Board has another meeting before the Council meets again.

Mr. Thompson: And we will send it to you by email Mr. Shyne.

Councilman Shyne: Mr. Thompson, thank you so very much. Hear?

CONSENT AGENDA LEGISLATION

TO INTRODUCE RESOLUTIONS AND ORDINANCES

RESOLUTIONS: None. **ORDINANCES:** None.

TO ADOPT RESOLUTIONS AND ORDINANCES

RESOLUTIONS:

The Clerk read the following:

RESOLUTION NO. 156 of 2009

A RESOLUTION AUTHORIZING RODNEY DURON & FRANCES MERLE ELLEDGE DURON LOCATED AT 5840 BUNCOMBE RD., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Rodney Duron & Frances Merle Elledge Duron have agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto. **BE IT RESOLVED** by the City Council of the City of Shreveport in due, regular and legal session convened, that Rodney Duron & Frances Merle Elledge Duron be authorized to connect the proposed building to be located at 5840 Buncombe Rd. to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are 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 resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Wooley</u> to adopt.

Councilman Shyne: I think Councilwoman Bowman did say that she would support that on yesterday.

Councilman Webb: Yesterday, she's not in here today, so - - - that's going to pass with a 4-0 vote I think.

Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, and Shyne. 4. Nays: None. Out of the Chamber: Councilmen Lester, Walford, and Bowman. 3.

RESOLUTION NO. 157 of 2009

A RESOLUTION AUTHORIZING RODNEY DURON & FRANCES MERLE ELLEDGE DURON LOCATED AT 5846 BUNCOMBE RD., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Rodney Duron & Frances Merle Elledge Duron have agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto. **BE IT RESOLVED** by the City Council of the City of Shreveport in due, regular and legal session convened, that Rodney Duron & Frances Merle Elledge Duron be authorized to connect the proposed building to be located at 5846 Buncombe Rd. to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are 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 resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Wooley</u> to adopt.

Councilman Shyne: Let's wait on Councilwoman Bowman, so she can vote on this one.

Councilwoman Bowman: Wait, wait, is this Councilman Wooley's thing?

Councilman Shyne: No, this is mine.

Councilman Webb: This is 157, 5846 Buncombe Road. Councilwoman Bowman: Okay, I can handle that one.

Councilman Wooley: Mr. Chairman, I was hoping we'd get through all four of them here, when all of the present parties were out of the room.

Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, Shyne, and Bowman. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Walford. 2.

RESOLUTION NO. 158 of 2009

A RESOLUTION AUTHORIZING PIERCE HOLDING COMPANY, L.L.C., LOCATED AT 9525 PLEASANT HILLS ROAD, TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Pierce Holding Company, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Pierce Holding Company, L.L.C. be authorized to connect the building located at 9525 Pleasant Hills Road to the water system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are 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 resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, and Shyne. 4. Nays: Councilman Bowman. 1. Out of the Chamber: Councilmen Lester, and Walford. 2.

RESOLUTION NO. 159 of 2009

A RESOLUTION AUTHORIZING BRENDA JOYCE VOLENTINE SWEARINGEN, LOCATED AT 5062 JEFFERSON PAIGE RD., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Brenda Joyce Volentine Swearingen has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto. BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Brenda Joyce Volentine Swearingen be authorized to connect the building located at 5062 Jefferson Paige Rd., to the water & sewer system of the City of Shreveport. BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are 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 resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Long</u> to adopt.

Councilman Wooley: Whose district is this? Councilwoman Bowman: Councilman Lester.

Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, Shyne, and Bowman. 5. Nays: None. Out of the Chamber: Councilmen Lester and Walford. 2.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION
RESOLUTIONS ON SECOND READING AND FINAL PASSAGE OR WHICH
REQUIRE ONLY ONE READING

The Clerk read the following:

RESOLUTION NO. 151 OF 2009

A RESOLUTION AUTHORIZING THE USE OF CERTAIN EQUIPMENT BY THE SUSAN G. KOMEN FOR THE CURE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City desires to participate in programs which directly benefit the citizens of the City by participating in wholesome activities which serve to benefit health of the entire community; and

WHEREAS, Susan G. Komen for the Cure, desires to provide an educational benefit and fund raising support to the community by hosting the Susan G. Komen Race for the Cure in Shreveport; and

WHEREAS, Susan G. Komen has requested the use of certain city owned staging during the event; and

WHEREAS, the programs sponsored by Susan G. Komen serve as a benefit to cancer research which serves a public benefit and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, that the use of certain city-owned equipment on September 18-20, 2009, during the Susan G. Komen Race for the Cure is hereby approved.

BE IT FURTHER RESOLVED that the use of the equipment by the Susan G. Komen is conditioned upon the execution of an indemnity and hold harmless agreement by Susan G. Komen in favor of the City of Shreveport in a form acceptable to the Office of the City Attorney. 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 application, and to this end, the provisions of this resolution are hereby declared severable.

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

Read by title and as read, motion by Councilman <u>Long</u>, seconded by Councilman <u>Bowman</u> to adopt.

Councilman Shyne: Mr. Chairman, I will be in that race.

Councilman Webb: Oh man, I'm going to come.

Councilman Walford: Since they come by my house, I will have my camera ready.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

RESOLUTION NO. 152 OF 2009

A RESOLUTION AUTHORIZING THE USE OF CERTAIN EQUIPMENT BY THE NORTH SHREVEPORT BUSINESS ASSOCIATION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City desires to participate in programs which directly benefit the citizens of the City by participating in wholesome activities which serve to benefit the entire community; and WHEREAS, the North Shreveport Business Association, desires to provide an event and fund raising support to the community by hosting the Annual Heroes Barbeque Cook-Off in Shreveport; and

WHEREAS, North Shreveport Business Association has requested the use of certain city owned staging during and chairs during the event; and

WHEREAS, the program sponsored by the North Shreveport Business Association serve as a benefit to Shreveport Fire Department, Shreveport Police Department and the Caddo Parish Sherriff's Department which serves a public benefit and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, that the use of certain city-owned equipment on September 25 2009, during the Annual Heroes Barbeque Cook-off is hereby approved.

BE IT FURTHER RESOLVED that the use of the equipment by the North Shreveport Business Association is conditioned upon the execution of an indemnity and hold harmless agreement by the North Shreveport Business Association in favor of the City of Shreveport in a form acceptable to the Office of the City Attorney.

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 application, and to this end, the provisions of this resolution are hereby declared severable.

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

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Lester</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

RESOLUTION NO. 153 OF 2009

A RESOLUTION AUTHORIZING THE USE OF CERTAIN EQUIPMENT BY COOPER ROAD USA FOR THE ANNUAL BACK TO SCHOOL CELEBRATION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City desires to participate in programs which directly benefit the citizens of the City by participating in wholesome activities which serve to benefit the health of the entire

community; and

WHEREAS, Cooper Road USA, desires to provide a family fund day and school supply give away to support to the community by hosting the Annual Cooper Road USA Back to School Celebration in Shreveport; and

WHEREAS, Cooper Road USA has requested the use of certain city owned staging, trash cans, and a sound system during the event; and

WHEREAS, the programs sponsored by Cooper Road USA serve as community outreach and support which serves a public benefit and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, that the use of certain city-owned equipment on September 4-8, 2009, during the Cooper Road USA Back to School Celebration is hereby approved.

BE IT FURTHER RESOLVED that the use of the equipment by Cooper Road USA is conditioned upon the execution of an indemnity and hold harmless agreement by Cooper Road USA in favor of the City of Shreveport in a form acceptable to the Office of the City Attorney. 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 application, and to this end, the provisions of this resolution are hereby declared severable.

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

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

RESOLUTION NO. 154 OF 2009

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SHREVEPORT (THE "CITY") TO PROCEED WITH LOANS IN AN AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000) DOLLARS FOR THE PURPOSE OF BUILDING TWELVE HOUSES FOR CONCORDIA PLACE DEVELOPMENT IN STONER HILL (THE "PROJECT"), APPROVING THE APPLICATION TO THE LOUISIANA HOUSING FINANCE AGENGY FOR A \$1,000,000 FORGIVABLE LOAN TO USE LOUISIANA HOUSING TRUST FUNDS AS A MARKET BASED SUBSIDY FOR AFFORDABLE HOUSING FOR THE "PROJECT", APPROVING THE APPLICATION TO BANCORP SOUTH FOR A \$800,000 CONSTRUCTION LOAN FOR THE PROJECT, PAYING THE COST OF CLOSING OF THE LOANS, MAKING APPLICATION TO THE LOUISIANA STATE BOND COMMISSION, HIRING PROFESSIONALS IN CONJUNCTION WITH THE LOANS; AUTHORIZING DISBURSAL OF THE PROCEEDS OF THE LOANS TO OR ON BEHALF OF QUALIFYING FIRST TIME HOMEBUYERS, AUTHORIZING THE MAYOR AND THE CLERK OF THE CITY TO DO ALL THINGS NECESSRY TO EFFECTUATE THIS RESOLUTION, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City") acting through its governing authority, the City Council for the City (the "City Council"), has been engaged in extensive revitalization efforts in certain targeted neighborhoods within the City; and

WHEREAS, the City, through its Department of Community Development, has been approved for a forgivable loan in the amount of \$1,000,000.00 (the "LHFA Loan") from the Louisiana

Housing Finance Agency ("LHFA") and approved for an additional \$800,000.00 loan (the "Bancorp Loan") from Bancorp South ("Bancorp") for purposes of construction of twelve (12) houses for the Project, subject to receipt of all necessary approvals; and

WHEREAS, the LHFA funds will be used as a market based development subsidy to assist households whose income is at or below one hundred twenty (120%) percent of the areas median income thereby making the home affordable for the buyer; and

WHEREAS, the Bancorp funds will be used for construction costs of each unit and Bancorp South Mortgage Division will provide permanent financing for each homebuyer upon completion of construction of houses for the Project; and

WHEREAS, the City desires to proceed with the Loans as set forth above in an amount not to exceed One Million Eight Hundred Thousand (\$1,800,000.00) Dollars for purpose of building twelve (12) houses for the Project; and

WHEREAS, the City desires to seek the necessary approval(s) for the Loans from the State Bond Commission and the City Council associated with the above, including, but not limited to paying the costs related to such action including but not limited to legal fees and financial advisor fees; and

WHEREAS, the City desires to engage professionals in order to seek approval by the Louisiana State Bond commission and the City Council for the foregoing action.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in legal session convened, acting as the governing authority thereof, that:

Section 1: <u>Declaration of Intent.</u> The City is authorized to proceed with a financing through the LHFA in an amount not to exceed One Million and no/100 (\$1,000,000) Dollars, in the form of a forgivable loan (the "LHFA Loan") and a financing from Bancorp in an amount not to exceed Eight Hundred Thousand and No/100 (\$800,000.00) Dollars (the "Bancorp Loan") both of which (hereinafter collectively referred to as the "Loans") will be used as set forth above respectively, for the purpose constructing twelve (12) houses in the Stoner Hill area of Shreveport and through a market based subsidy, selling them to households whose income is at or below one hundred twenty (120%) percent of the area median income thereby making the home affordable for the buyer.

Section 2: Terms and Conditions of the LHFA Loan. The structure, terms and conditions of the \$1,000,000 LHFA Loan shall not exceed three years from its date of closing and will bear interest at a fixed rate not to exceed zero percent (0.0%); provided however, upon any default on the LHFA Loan, the interest rate may not exceed ten percent(10%) per annum.

Section 3: Terms and Conditions of the Bancorp Loan. The structure, terms and conditions of the \$800,000.00 Bancorp Loan shall not exceed three (3) years from its date of closing and the interest on the Bancorp Loan will be WSJ Prime+ 1% with a floor of 4.5% and not to exceed a rate of 12%, with a one (1%) percent origination fee.

Section 4. <u>State Bond Commission Application</u>. The City Council, as the governing authority of the City, hereby authorizes and directs that application be formally made to the Louisiana State Bond Commission ("SBC"), Baton Rouge, Louisiana for approval of the Loans within the parameters set forth above.

Section 5: <u>Borrower Counsel.</u> The City hereby finds and determines that a real necessity exists for the employment of special counsel in connection with the entry into the two loans and accordingly Weems, Schimpf, Gilsoul, Haines, Landry & Carmouche, (APLC) and Washington and Wells, Attorneys at Law, both of Shreveport, Louisiana (together, "Borrower Counsel"), are hereby appointed and employed to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Loans. Said Borrower Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and counsel

shall advise the City and the City Council on the closing of the Loans. The fees of Borrower Counsel shall be contingent upon the issuance of the Loans. The fees to be paid to Borrower Counsel shall not exceed the Attorney General's then current Fee Schedule as negotiated and other guidelines for comprehensive, legal and coordinate professional work in the issuance of loans applied to the actual aggregate principal amount of the Loans together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Loans, said fees and expenses to be payable out of general funds of the City that have been appropriated for the Project.

Section 6. Financial Advisor. Grigsby & Associates, Inc., of Shreveport, Louisiana is hereby appointed and employed by the City to do and perform financial advisory work with respect to the Loans. Said Financial Adviser shall prepare and submit to such officials of the City for implementation of a comprehensive financial strategy incidental to, and shall advise the City Council on the foregoing. Financial Advisor shall coordinate third-party financial negotiations with LHFA and Bancorp South. Any compensation to Financial Advisor shall be subsequently approved by and shall be paid by the City. The fees to be paid for such services, together with reimbursement of out-of-pocket expenses incurred and advanced are contingent upon closing on the Loans, said fees and expenses to be payable out of general funds of the City that have been appropriated for the Project.

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Section 7. Declaration of Official Intent under Reg. 1.150-2. Prior to the issuance of the Loans, the City anticipates that it may pay a portion of the costs of the Project from other available funds. Upon issuance of the Loans, the City reasonably expects to reimburse said expenditures from the proceeds of the Loans. Any such allocation of the proceeds of the Loans for reimbursement will be with respect to capital expenditures (as defined in Treasury Regulation 1.150-1(h)) and will be made upon the issuance of the Loans and not later than one year after the date of either (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

Section 8. **SWAP Approval**. By virtue of City's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby. BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City to do any and all things necessary and incidental to carry out the provisions of these resolutions. **BE IF FURTHER RESOLVED**, that if any provision or item of these resolutions 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 to be severable. **BE IT FURTHER RESOLVED** that all resolutions in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman $\underline{\text{Walford}}$, seconded by Councilman $\underline{\text{Shyne}}$ to adopt.

Councilman Wooley: I just wanted Bonnie to come up and explain this to the public before we vote please. Please give us a brief schedule of the project and the \$1.8 (million) and where did it come from and all that, please.

Ms. Moore: This is the Concordia Place development which is located in the Stoner Hill neighborhood. We received \$1,000,000 forgivable loan from Louisiana Housing Finance to construct 12 units of affordable housing in that area. The 12 units is Phase I of a 26 unit development. Phase II will be additional 13 units that will be done in 2010. There is also a Phase III that will include rehab, reconstruction, and in field development in the vicinity of the project. It serves up to 120% of the median income, meaning that not only low income people can live in this development, but those that are over incomed as well.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

RESOLUTION NO. 160 OF 2009

A RESOLUTION TO REQUEST GOVERNOR BOBBY JINDAL, THE STATE OF LOUISIANA AND ITS OFFICES AND OFFICERS TO EXPEDITE THE PERMITTING PROCESS AND THE ISSUANCE OF THE NECESSARY PERMITS FOR THE FACILITY LOCATED AT 601 BENTON KELLY STREET, SHREVEPORT, CADDO PARISH, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: COUNCILMAN WALFORD

WHEREAS, the City of Shreveport and the J.B. Beaird Company (the Company) entered into a contract (the Contract) on August 2, 1962, in which the City agreed to use bond proceeds to acquire a site, erect buildings and related facilities, and to lease same to the Company; and, the Company agreed to use said facilities to continue to operate and to expand its industrial plant (the Plant) in Shreveport; and

WHEREAS, the purposes for using public funds to provide an industrial plant for the Company (and its successor in title and interest) to operate, are to provide employment, tax revenues, and economic activity for the Citizens of Shreveport; and

WHEREAS, the Plant stopped production and shut down at the end of May 2008, leaving some 275 employees without employment, and Citizens of Shreveport without the tax revenue and economic activity that the Plant generates when it is in production; and

WHEREAS, MB Industries, LLC has leased the facility located at 601 Benton Kelly Street from the City of Shreveport, and has requested an air permit from the Louisiana Department of Environmental Quality to fabricate steel products by assembling, shaping, welding and heat treating of various types of metal stock; and

WHEREAS, citizens of Louisiana need good jobs, but MB Industries, LLC cannot employ citizens of this city, parish and state until their operations are permitted by the necessary state agencies.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the City Council requests Governor Bobby Jindal, the State of Louisiana and its offices and officers to expedite the permitting process and to issue the permits needed to operate the facility located at 601 Benton Kelly Street, Shreveport, Caddo Parish.

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 application, and

to this end, the provisions of this resolution are hereby declared severable. BE IT FURTHER RESOLVED that all parts thereof in conflict herewith are herby repealed.

Read by title and as read, motion by Councilman $\underline{\text{Walford}}$, seconded by Councilman $\underline{\text{Lester}}$ to adopt.

Councilman Walford: Well just very briefly, I realize that neither Gov Jindal nor DEQ is very likely to do very much serious expediting at our request, however, I think it's important for the former Beairdco employees who hope to go to work at MBI to know that from what we heard the last time, it's not the Council, it's not the City, it's not that's delaying this process. So, can't hurt, might help.

Councilman Shyne: Mr. Chairman, I want to go on record, I will probably vote for this, but I want Gov Bobby Jindal to understand that my arm was twisted by Monty Walford.

Councilman Walford: You don't want to make him mad.

Councilman Shyne: I don't want any bad relationship between me and the Governor.

Councilwoman Bowman: Well God bless you.

Councilman Wooley: I just wanted to say I appreciate MBI coming down. I appreciate the gentleman from DEQ Curtis (inaudible), I think is his name. A lot of information has come to us, and come to me from different sources. At the end of the day, we're just trying to inform the public and former Beaird employees of what's going on or not going on, and we're just trying to get to the bottom of it. So we can keep abreast, we can do our jobs, and they can get back to work. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, and Shyne. 6. Nays: Councilman Bowman. 1.

RESOLUTION NO. 161 OF 2009

A RESOLUTION DECLARING THE CITY'S INTEREST IN CERTAIN ADJUDICATED PROPERTIES AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, has a tax interest in the herein below described property which has been adjudicated for the non-payment of City property taxes; and

WHEREAS, the herein below described property is not needed for public purposes and should be declared surplus property; and

WHEREAS, the City of Shreveport has received an offer to purchase the tax interest in the herein below described property as indicated below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the property described below is hereby declared surplus.

BE IT FURTHER RESOLVED, that the City Council of the City of Shreveport does hereby authorize the sale of its tax interest in the herein below described property for an amount not less than the offer as indicated below.

MINIMUM BID BASED ON TOTAL TAXES DUE

Property No. 1: Legal Description – Lot 153, Jones-Mabry Subdivision, Unit #2, Less W.40 Ft. of N. 125 Ft. and Less W. 120 Ft. of S. 125 Ft., thereof, a subdivision of the City of Shreveport, as per plat recorded in Book 300, Page 54 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address 1730 Aline Avenue, Shreveport LA 71107, Geo#181421-018-0334-00

MINIMUM BID: \$4,801.00 TOTAL TAXES DUE: \$4,801.00 DISTRICT B

Property No. 2: Legal Description – Lot 28, Block 25, Less R/W, Morningside Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 450, Pages 155-157 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 2212 Hollywood Avenue, Shreveport LA 71108, Geo#171414-037-0028-00.

MINIMUM BID: \$3,077.00 TOTAL TAXES DUE: \$3,077.00 DISTRICT F

Property No. 3: Legal Description – Lot 20, Block 17, West Shreveport Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 15, Page 776 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 1326 Kenneth Avenue, Shreveport LA 71149, Geo#171402-077-0020-00.

MINIMUM BID: \$1,102.00 TOTAL TAXES DUE: \$1,102.00 DISTRICT A

Property No. 4: Legal Description – Lot 12, Block 1, Kansas City Southern Railway Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 50, Page 253 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 3232 Lillian Street, Shreveport LA 71109, Geo#171403-158-0012-00.

MINIMUM BID: \$729.00 TOTAL TAXES DUE: \$729.00 DISTRICT G

Property No. 5: Legal Description – Lot 7, Linwood Park Addition, a subdivision of the City of Shreveport, as per plat recorded in Book 600, Page 432 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 425 West 74th Street, Shreveport LA 71106, Geo#171426-017-0007-00.

MINIMUM BID: \$2,727.00 TOTAL TAXES DUE: \$2,727.00 DISTRICT F MINIMUM BID BASED ON TWO THIRDS (2/3) APPRAISED VALUE

Property No. 6: Legal Description – Lot 8, Mooretown G.D. Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 50, Page 25 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 5001 Broadway Ave., Shreveport LA 71109, Geo#171416-065-0008-00.

MINIMUM BID: \$1,000.00 APPRAISED VALUE: \$1,500.00 DISTRICT F

Property No. 7: Legal Description – Lot 11, Floral Heights Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 450, Page 525 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 3726 Denton St., Shreveport LA 71109, Geo#171416-007-0011-00.

MINIMUM BID: \$560.00 APPRAISED VALUE: \$840.00 DISTRICT F

Property No. 8: Legal Description – Lot 58 of the Mooretown G.D. Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 50, Page 25 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 4060 Flora Ave., Shreveport LA 71109, Geo#171416-066-0058-00.

MINIMUM BID: \$667.00 APPRAISED VALUE: \$1,000.00 DISTRICT F

Property No. 9: Legal Description – Lot 26, Block H, Holly Park Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 250, Page 326 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 1920 Hollywood Ave., Shreveport LA 71108, Geo#171414-010-0026-00.

MINIMUM BID: \$667.00 APPRAISED VALUE: \$1,000.00 DISTRICT B

Property No. 10: Legal Description – Lot 22, Block 3, Currie Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 20, Page 413 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 1818 Jordan St., Shreveport LA 71103, Geo#171402-023-0022-00.

MINIMUM BID: \$434.00 APPRAISED VALUE: \$650.00 DISTRICT A

Property No. 11: Legal Description – Lot 24, Delmar Subdivision, a subdivision of the City of Shreveport, as per plat recorded in Book 250, Page 83 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 5617 McAlpine St., Shreveport LA 71109, Geo#171416-052-0024-00.

MINIMUM BID: \$734.00 APPRAISED VALUE: \$1,100.00 DISTRICT F

Property No. 12: Legal Description – Lots 96 and 97, less and except the N. 70 ft. of Greenwood Acres Subdivision, Annex No. 2, a subdivision of the City of Shreveport, as per plat recorded in Book 700, Page 573 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 100489 None, Shreveport LA 71129, Geo#171521-012-0149-00.

MINIMUM BID: \$1,300.00 APPRAISED VALUE: \$1,950.00 DISTRICT G

Property No. 13: Legal Description – Lot 307, Cedar Grove Addition, a subdivision of the City of Shreveport, as per plat recorded in Book 50, Page 389 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon and having a municipal address of 251 West 76th St., Shreveport LA 71106, Geo#171425-054-0307-00.

MINIMUM BID: \$1,334.00 APPRAISED VALUE: \$2,000.00 DISTRICT F

BE IT FURTHER RESOLVED, that because the above described property has been declared surplus, Section 26-300 of the Code of Ordinances authorized the Mayor to execute a deed for the sale of the City's interest in this property.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is invalid, such invalidity shall not affect other provisions, items, or applications of this resolution which can be given effect without 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 <u>Shyne</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

7. Resolution No. 162 of 2009: Agreeing to utilize the American Association of Arbitrators (AAA) to determine whether a majority of certain employees of the City of Shreveport desire to be represented by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO (USW), and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Bowman</u> to adopt.

Councilman Webb: Is this the same group that tried to come in the last time? Councilman Lester: As I appreciate it, they are seeking to be represented by the USW Mr. Chairman.

Councilman Webb: Who was the group that tried to come in the last time?

Councilman Lester: It's always been the USW.

Motion failed by the following vote: Nays: Councilmen Walford, Long, Wooley, Webb, and Shyne, 5. Ayes: Councilmen Lester and Bowman. 2.

8. Resolution No. 163 of 2009: Ordering and calling a special election to be held in the City of Shreveport, State of Louisiana, to authorize the incurring of debt and issuance of bonds therein, making application to the State Bond Commission in connection therewith, and providing for other matters in connection therewith. *The Clerk read the following:*

Amendment No. 1 to Resolution No. 163 of 2009

Delete the resolution previously filed with the Clerk of council and substitute the attached resolution.

Mr. Thompson: And that resolution changes the date of the proposed bond election to March 27, 2010. It also adds improvements and upgrades to the sewer collection system to the purposes for which the bonds will be issued.

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to adopt Amendment No. 1 to Resolution No. 163 of 2009.

Mayor Glover: Thank you Mr. Chairman, Members of the Council. I want to first of all start by saying to Ken Krefft, he has a great memory for I guess comments that were made during the course of the election. I think at the time that I gave him that answer in terms of when a bond issue would be appropriate for the City of Shreveport, he is correct that I did give him the answer at some point, probably around the summer of 2009. There were a couple of things that have happened that I thought would delay that, as it has. A good bit of it has to do with the economic conditions within the country that evolved coming on about this time last year. Along with the dramatic increase in fuel pries that put the country as a whole within a great deal of economic turmoil and even had it's impact here on the City of Shreveport as well. One of the other things that also happened, I guess within the course of that process, was also the passage of the stimulus package that was passed earlier this year, that sought to give cities like Shreveport and others around the country access to pools of dollars that we could be able to access and make use of in terms of being able to address many of our infrastructural needs for the city, and so I also thought at that time, before we would begin to have this discussion in debt and in earnest, it would be appropriate for us to really get a chance to see exactly what that would mean for a city like the City of Shreveport, and while I am very pleased to report and we would probably have a full detailed report between now and the next Council Meeting, that we're probably right now in terms of total stimulus dollars coming to the City of Shreveport, we are probably approaching by both those dollars that are coming in terms of direct grants as well as those that will come as low interest loans, we are hitting somewhere in the neighborhood of well over \$20,000,000 when you include those for infrastructure, those for law enforcement purposes, those for public works projects and what have you. And we are pursuing aggressively even more. But the unfortunate reality is, is that's not going to be the panacea that I or any of the other mayors across the country who left with just like you all as Council Members to deal with the infrastructure

challenges that we face in our respective cities. To give you an example, the amount of dollars that we received to address road construction for the City of Shreveport, from the stimulus package amounts to some \$4.6(million) in total for a city the size of Shreveport, and that's an amount that we will not get to spend toward the reconstruction, repaying or improvement of a single block, of a single road throughout the City of Shreveport. That \$4.6(million) is now a part of the pool of dollars that will be used to construct the first urbanized portion of I-49 North as it approaches the City of Shreveport. And the use of those dollars for that purpose was something that I don't want to say that we were bullied in any way, but it became very clear that if we expected to have our legislative delegation in a position to go to Baton Rouge, and come back with additional dollars for I-49 from the surplus dollars as well as from Capital Outlay, then we needed to be prepared here at the local level to put some skin in the game, and that skin in the game amounted to that portion of stimulus dollars that we would be receiving for road construction. And so, there goes that particular hope and expectation that we might have some significant pool of dollars to begin to address some of our infrastructural issues and challenges. Now, some of those dollars are making themselves available in terms as I mentioned, low interest loans, a couple of which are on the agenda here today. But, none of them represent a complete and full solution to the issues and challenges we face. Councilman Shyne, made reference to not being aware of any of the federal stipulations that we are currently subject to. I don't know how that information hasn't flowed because it was the Council Office that initially called the Mayor's office back in the winter of this year and inquired as to whether or not we were in fact about to be subject to DOJ penalties as a result of sewer violations. And I also would add with regard to the Americans with Disabilities Act Consent Decree that we are under, I think that that order, frankly I believe came Mr. Shyne, on your time on the City Council, prior to this one when that consent decree went into affect for the City of Shreveport. But nevertheless, the reality of it is that we do face considerable infrastructural challenges, and ultimately we have to come up with some course of action to pursue those because the one thing that we all know is that they will not go away, and while I certainly accept and acknowledge the wisdom of the Council with regard to the pace and the timing of this particular effort for the November ballot, it is my fervent hope that you all will engage with me in a process along with our citizens that will put us in a position to make a decision as to whether or not, March of 2010 we need to in fact pursue a bond issue. I hat to ruin the wedding weekend for Ken Krefft, but or his son's wedding weekend, but I think that this is an issue and a matter that deserves our attention, it deserves our leadership, it deserves our cooperation. I think that's what the citizens expect of us, and that's what I'm reaching out to you all to attempt to try and do. And so having served in your position and in your capacity, before I understand the desire to want to have a good amount of time to be able to consider that which is before you. So for that reason I'm going to ask that you all not only withdraw the amendment for Resolution No. 163, but that you withdraw the resolution as well. But that you would commit to working with me and the citizens of this city towards determining what particular list of potential projects that we need to pursue at this particular time. And Mr. Shyne, I would also offer to you, that if you read the language of the resolution, it does not say that the proposed bond issue would be \$115,000,000. It says that it's proposed to be up to \$115,000,000. That number could be \$50,000,000, it could be \$10,000,000, it could be \$75(million) or it could be up to \$115(million). Possibly as a result of the process that we may go through here hopefully between now and December, we may discover that that number might need to be even a little bit higher than \$115(million). The one thing I think that we heard from Mike Strong two weeks ago in Councilman Wooley's Infrastructure Committee meeting was that there are some \$1.4(billion) in deferred infrastructure projects for the City of Shreveport. That number is one that will get increasingly larger as we

move forward in the coming weeks, months, and years. And it will get more expensive, because it becomes more costly to make the needed repairs and upgrades as the condition of our infrastructure worsens. So, is this anything to rush towards? By no means whatsoever. Is it something that demands our attention? I believe that unquestionably it does. And I am reaching out to you as a Council, and I am reaching out to you individually to ask that you all would work with the Administration to devise a scenario by which we may go about trying to address this situation. I would also address the effort and I appreciate and applaud Councilman Lester for his effort at offering the resolution with regard to a Citizens Committee. I think it would I believe be proven historically, that there has not yet been a Citizens Committee and panel for the purpose of a bond process that was done by resolution. Mr. Shyne, I believe what I have been able to determine everyone of those committees have been essentially appointed by the Mayor.

Councilman Shyne: And the City Council.

Mayor Glover: With recommendations from the Council.

Councilman Shyne: There you go.

Mayor Glover: But never by actual action by the City Council. That's something I think that would, had you all been open and receptive to that, would have been an indication of the willingness on the part of both bodies to work together to cooperate, and to move forward in a fashion that's in the best interest of the citizens of the City of Shreveport. And so, ultimately, I think we have between now and the 15th of January of next year to notify the officials in Baton Rouge of our desire to ultimately be on the ballot for a proposition in March of next year, and I hope between now and then, today being August 25, 2009, we will have taken the opportunity to put ourselves in a position. If not unanimously, at least by majority to be in a position to move forward on something that will ultimately be in the best interest of Shreveport.

Councilman Shyne: Mr. Mayor, I appreciate the olive branch that you're reaching out and I want to reach out toward you. I would hope that the process would continue to be open and above board. I would also hope that you would also make the commitment in order to work with Council Members. I know - - - and I don't want to speak for all of the Council Members, but I believe that we might have a commitment in order to - - - I'll wait until Ms. Lynette gets through, cause Dale is a part of the Administration, but he doesn't run it.

Mayor Glover: And anytime I'm interrupted by Council Staff Mr. Shyne - - -

Councilman Shyne: And especially if it's Lynette, I will stop.

Mayor Glover: I'm going to stop and I'm going to pay attention. But I want to assure you that in my generation, we are taught to multitask, so I can sign my name and listen to you at the same time, but I do appreciate the break (inaudible) singular assignment.

Councilman Shyne: I think a degree of effectiveness would still be somewhere that we would have to - - - and I just want to make sure. I came from that generation where you want to make sure that things are what they seem to be. Now, Lynette, thank you. And Mr. Mayor again, I appreciate you reaching out, and I'm also reaching out, and I know all the Council Members are reaching out, and we would also like to know that you're going to make a commitment in order to work with us, so whatever we come up with will be in the best interest of the citizens of Shreveport, because I think the citizens of Shreveport understand that we are here also for their best interest. Not only the Administration, but we're here for their best interest. So, I want you to understand that we all want to work with you, and we all want to work together as a - - - cause you know this is a team. You know you all are probably the captains of the team, and Michael I hope you don't mind saying that, but we are team members also. If Shreveport is going to be successful, I mean we all have to be team members. I mean it's not just only the Administration. And like I say, I've been involved in quite a few bond issues, and it has always been a team effort. It has always been an 'us' type situation, and not so

much of an 'I' type of situation. So, I appreciate you saying that, and I plan to live up to my commitment, and I know you plan to live up to yours. So, I'm looking forward for the two of us to work together, to sit down with all of the Council Members, the department heads, and with the citizens group. And I'm kinda like what Ken Krefft said, that's probably a good idea that you and Mr. Lester had about putting it in a resolution, but Mr. Mayor, I guess I'm a little bit on the conservative side, maybe I look like some of these folks out in the audience, and I have a tendency to kinda go along with things that are proven over a period of time, and I really think that we can accomplish what we need to accomplish without having a piece of legislation in order to initiate a dialogue. I think that we come together in a meeting, then we could have a dialogue without a piece of legislation telling us that we need to have a dialogue. So, and I think probably most of the Council Members agreed with that. And we all going to have different ideas, even coming up to the bond issue. There are going to be some things that I might want a bond issue that Mike Strong might not want. Cause Mike and I have dealt with a bond issue before. But we can all sit down and craft what we think we need. What we think is best after we've had an opportunity to talk to the citizens in the community. Find out what you think is important. What you think is needed, and about the piece of legislation with members on these committees, I represent a diverse district. I kinda represent some of the inner city, and then I kinda represent some of those folks who live out there on the Joyce, what's the road?

Councilwoman Bowman: Buncombe?

Councilman Shyne: No, not Buncombe Rd, Mr. Mayor, where you live, on the Pines Road. That's right. I represent some of those folks in Mooretown, and I represent some of those people out on the Pines Road that have some - - - you know that upper middle class. And then I represent some people over on around some other areas that are kinda middle class. So, I would like to have maybe three or four people out of my district. It would give that diversity in order to serve on a committee that we would all look at. And again, I guess I am a little old fashioned, but I just feel like, hey look, we need to take our time, or we need to make sure that we do this right. Because you don't get very many opportunities to do \$115,000,000 bond issues. And you're exactly right, it might not be \$115(million), but when we get to looking at it, it might be \$120(million). Or it might be \$40(million). So this is why we all need to come and sit down and see if we can craft and like you and I said the other night, we need some diversity, we need people who will question the decisions that we make, we'll come out with a better product. So, I'm reaching out to you and Mr. Mayor, I think you and I have worked together a long time, matter of fact we worked together before you got on the - - - you got into politics and before I got into politics. So I think that we can continue that. You're going to have some good ideas, I'm going to have some good ideas, and I know Bryan is going to bring some good ideas to the table. So we're going to be willing to work with you. Thank you Mr. Chairman.

Councilman Lester: Thank you Mr. Chairman, I move to withdraw Amendment No. 1 as well as item 163.

Councilman Walford: Second.

Substitute motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to withdraw Amendment No. 1 to Resolution No. 163 of 2009 and Resolution No. 163 of 2009.

Councilman Shyne: Bea, would you clear this, because - - -

Ms. Johnson: It's clear.

Councilman Shyne: Oh, it's clear, because I had voted 'NO' on the Mayor's - - -

Ms. Johnson: But you're ready now. Councilman Shyne: I'm ready now?

Ms. Johnson: Yes sir.

Councilman Lester: Technology.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

INTRODUCTION OF RESOLUTIONS: (Not to be adopted prior to September 8, 2009) *The Clerk read the following:*

1. **Resolution No. 164 of 2009**: A resolution authorizing the employment of Special Legal Counsel to represent the City of Shreveport, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Shyne</u> to withdraw Resolution No. 164 of 2009.

Councilman Wooley: I do have a question though. I know Mr. Sibley asked that this be removed, I just wondered the reason why.

Mr. Sibley: We just need to do a little bit more reviewing within the City Attorney Staff and the (inaudible) volume of activity that we have. Again, just trying to be responsible.

Councilwoman Bowman: Since you said something, now.

Councilman Webb: Okay, please vote.

Councilwoman Bowman: Mr. Chairman, hold on.

Councilman Webb: Okay, I'm sorry Councilwoman, go ahead. I didn't know you had - -

Councilwoman Bowman: Yeah, I had something I wanted to say, but when I saw that particular item on this agenda, I feel like the employment of special legal counsel to represent the City of Shreveport. I had a serious issue with this, and if we didn't remove it today, I would have caused quite a stink about that.

Councilman Shyne: Dale, I'm glad you moved to remove it hear?

Councilwoman Bowman: No, I wouldn't have let it go at all. Every Council Meeting, I would bring it up. Every Work Session, I would bring it up. Every Special Meeting, I would bring it up. I'm serious, I'm just that disagreeable about this and the way it was done. Thank you.

Mayor Glover: I guess that's the story we'll get.

Councilwoman Bowman: You want me to tell you a story Mr. Mayor? Okay. I'm in the mood. I've eaten three brownies and I'm stirred up and ready.

Councilman Shyne: Yeah, that sugar kicking in.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

2. **Resolution No. 165 of 2009**: A resolution authorizing the Mayor to execute grant documents with the Louisiana Commission on law enforcement, Louisiana Stimulus Program American Recovery and Reinvestment Act of 2009, and otherwise provide with respect thereto.

- 3. **Resolution No. 166 of 2009**: A resolution authorizing the Mayor to execute grant documents with the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness, and otherwise provide with respect thereto.
- 4. **Resolution No. 167 of 2009**: A resolution closing to vehicular and pedestrian thru traffic an unimproved dead end portion of Matthew Place bounded by Rainbow Drive, residential property 717 Rainbow Drive, residential property 721 Rainbow Drive, and to otherwise provide with respect thereto. (D/Wooley)
- 5. **Resolution No. 168 of 2009**: A resolution authorizing the Mayor to execute a cooperative endeavor agreement with Mid-South Fleet Leasing, allowing the use of certain city-owned property at Betty Virginia Park for the construction of a croquet court. (B/Walford)
- 6. Resolution No. 169 of 2009: A resolution declaring the intention of the City of Shreveport (The "City") to hire professionals in conjunction with the issuance of not to exceed Fifteen Million and No/100 Dollars (\$15,000,000) taxable water and sewer bonds (DHH Water Project) Series 2009C to be placed with the Louisiana Department of Health and Hospitals, Office of Public Health for funding under the Drinking Water Revolving Loan Fund for the purpose of financing the costs of the acquisition and construction of improvements, extensions and replacements to the drinking water portion of the City's combined revenue producing Water and Sewer utility system, and otherwise providing with respect thereto.
- 7. Resolution No. 170 of 2009: A resolution declaring the intention of the City of Shreveport ("The City") to proceed with the issuance of not to exceed Fifteen Million and No/100 Dollars (\$15,000,000) taxable water and sewer bonds (DHH Water Project) Series 2009C to be placed with the Louisiana Department of Health and Hospitals, Office of Public Health for funding under the Drinking Water Revolving Loan Fund for the purpose of financing the cost of acquisition and construction of improvements, extensions and replacements to the drinking water portion of the utility system, making application to the Louisiana State Bond Commission for approval of such bonds, approval of the contents of the notice of intention and otherwise providing with respect thereto.
- 8. Resolution No. 171 of 2009: A resolution declaring the intention of the City of Shreveport (The "City") to hire professionals in conjunction with the issuance of not to exceed Twelve Million and No/100 Dollars (\$12,000,000) taxable water and sewer bonds (DEQ Sewer Project) Series 2009D to be placed with the Louisiana Department of Environmental Quality for funding under the Municipal Facilities Revolving Loan Fund for the purpose of financing the costs of the acquisition and construction of improvements, extensions and replacements to the sewer portion of the City's combined revenue producing Water and Sewer utility system and otherwise providing with respect thereto.
- 9. **Resolution No. 172 of 2009**: A resolution declaring the intention of the City of Shreveport (The "City) to proceed with the issuance of not to exceed Twelve Million and No/100 Dollars (\$12,000,000) taxable water and sewer bonds (DEQ Sewer Project) Series 2009D to be placed with the Louisiana Department of Environmental Quality for

funding under the municipal facilities revolving Loan Fund for the purpose of financing the cost of acquisition and construction of improvements, extensions and replacements to the sewer portion of the utility system, making application to the Louisiana State Bond Commission for approval of such bonds, approval of the contents of the notice of intention and otherwise providing with respect thereto.

10. Resolution No. 173 of 2009: A resolution authorizing the Mayor to execute a cooperative endeavor agreement between the City of Shreveport and Red River Road Runners, Inc., and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Wooley, seconded by Councilman Shyne to introduce Resolution No(s). 165, 166, 167, 168, 169, 170, 171, 172, and 163 of 2009 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

INTRODUCTION OF ORDINANCES: (Not to be adopted prior to September 8, 2009) The Clerk read the following:

- 1. <u>Ordinance No. 94 of 2009</u>: An ordinance amending the 2009 General Fund Budget, and to otherwise provide with respect thereto.
- 2. <u>Ordinance No. 95 of 2009</u>: An ordinance amending the 2009 Budget for the Environmental Grants Fund, and otherwise providing with respect thereto.
- 3. Ordinance No. 96 of 2009: An ordinance amending the 2009 Public Safety Grants Special Revenue Fund Budget, changing the name of the fund to 2009 Grants Special Revenue Fund, and otherwise providing with respect thereto.
- 4. <u>Ordinance No. 97 of 2009</u>: An ordinance amending and re-enacting Chapter 2 of the Code of Ordinances relative to the Travel Policy, and to otherwise provide with respect thereto.
- 5. Ordinance No. 98 of 2009: An ordinance amending Section 74-28 of the Code of Ordinances relative to backdoor garbage collection fees, and to otherwise provide with respect thereto.
- 6. Ordinance No. 99 of 2009: An ordinance amending Section 74-54 of the Code of Ordinances relative to landfill disposal fees, and to otherwise provide with respect thereto.
- 7. Ordinance No. 100 of 2009: An ordinance amending and re-enacting Chapter 90 of the Code of Ordinances relative to vehicle impoundment, immobilization, and parking penalties, and to otherwise provide with respect thereto. (B/Walford/E/Webb)
- 8. Ordinance No. 101 of 2009: ZONING APPEAL C-46-09 An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the SW corner of Ford and Norma, Shreveport, Caddo Parish,

Louisiana from R-3, Urban Multi-Family residence District, to R-3-E, Urban, Multi-Family Residence/Extended Use District limited to "A Grocery Store selling WIC supplies only", and to otherwise provide with respect thereto. (A/Lester)

9. Ordinance No. 102 of 2009: ZONING APPEAL – C-50-09 An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the NE corner of Jewella Avenue and Sumner, Shreveport, Caddo Parish, Louisiana from B-1, Buffer Business District to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (G/Bowman)

Councilwoman Bowman: Mr. Chairman, I move on all except 102.

Councilman Shyne: I second.

Read by title and as read, motion by Councilman $\underline{\text{Walford}}$, seconded by Councilman $\underline{\text{Long}}$ to introduce Ordinance No(s). 94, 95, 96, 97, 98, 99, 100, and 101 of 2009 to lay over until the next regular meeting.

Councilman Walford: Question, can we do that on an appeal? Can we deny introduction of an appeal?

Councilwoman Bowman: What did you all do Charles?

Councilman Walford: Don't we have to hear an appeal?

Councilwoman Bowman: I'm not trying not to hear it Councilman Walford, what I'm trying to do and I've explained it to him is to move on all of these, but I wanted to postpone that appeal until another time, because we need to work something out as I mentioned to him yesterday.

Councilman Walford: Two weeks.

Councilwoman Bowman: I don't know if two weeks is going to be enough because I need to get with this lady and try to fix this right for the community.

Councilman Walford: Well again, I don't think that we can refuse to hear an appeal.

Councilman Webb: Well lets get a legal opinion on that.

Councilwoman Bowman: I'm not refusing to hear it, it's just - - -

Councilman Webb: Okay everybody, hold on, hold on.

Mr. Thompson: Ms. Bowman, could we introduce it and then postpone it in two weeks if you're not ready?

Councilwoman Bowman: Well, fine. Fine. That's okay Charles, we'll get together. Let the record show, I'm not trying to refuse to do anything.

Councilman Webb: Okay, let's hear another motion then.

Read by title and as read, motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to introduce Ordinance No(s). 94, 95, 96, 97, 98, 99, 100, 101 and 102 of 2009 to lay over until the next regular meeting.

Councilman Shyne: Mr. Chairman, I know this has been settled, but for Councilman Walford and Mr. Thompson, my colleague Mrs. Bowman was not trying to hearing the appeal. I think what she wanted to do was to have Charles to come up and ask Charles a few questions, and then have it introduced, and then if she felt like having it postponed, that's what she was planning to do. But seems like you all got the horse by the - - - what did the old folks say? You got the horse by the tail or, or the pot by the - - -or whatever it is, you all misunderstood.

Councilwoman Bowman: Thank you Councilman Shyne for speaking on my behalf. Councilman Shyne: I have to straighten these fellows up from time to time.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

ORDINANCES ON SECOND READING AND FINAL PASSAGE (Numbers are assigned Ordinance Numbers) The Clerk read the following:

1. **Ordinance No. 66 of 2009**: An ordinance to adopt Chapter 25 of the City of Shreveport Code of Ordinances establishing regulations relative to the conduct of oil, gas and other hydrocarbon well operations with the City of Shreveport, and to otherwise provide with respect thereto. (*Postponed August 11, 2009*)

Having passed first reading on <u>June 23, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Walford</u> to postpone until the next regular meeting.

Councilman Walford: Do we have a date?

Councilman Long: September 1.

Councilman Webb: September 1, at Riverview Hall.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

2. Ordinance No. 67 of 2009: An ordinance to amend Chapter 78 of the City of Shreveport Code of Ordinances to adopt regulations relative to the placement of pipeline across City-Owned property or within city rights of way, and to otherwise provide with respect thereto. (*Postponed August 11, 2009*)

Having passed first reading on <u>June 23, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

3. Ordinance No. 84 of 2009: An ordinance amending and re-enacting Chapter 38 of the City of Shreveport Code of Ordinances relative to Housing and Property Standards, and otherwise provide with respect thereto. (Postponed August 11, 2009)

Having passed first reading on <u>July 28, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

4. <u>Ordinance No. 90 of 2009</u>: An ordinance authorizing a lease of certain city-owned property to the Caddo Sheriff's Department and to otherwise provide with respect thereto. (*Postponed August 11, 2009*)

Having passed first reading on <u>July 28, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Shyne</u>, seconded by Councilman <u>Long</u> to adopt.

Councilman Shyne: Question Mr. Chairman. Shelly make sure you tell the Sheriff to handle that property and don't let it run down.

Mayor Glover: Mr. Chairman, for the sake of the audience and the folks who are viewing by television, I'd ask that Shelly come up and offer a few details for the record and for all those who may not be aware of exactly what's being done here.

Councilman Webb: You had a long day haven't you?

Ms. Ragle-Stone: Yes sir. I'm not used to those early hours like the fire and police department I guess. Y'all are aware that the property located on E. Stoner, what we refer to as the Stoner Sport Marina. It was a project that we worked together with the Waterway Commission on. We were in there about 2005, we ran it for several years as a convenient store, grill, but unfortunately we didn't have enough traffic on the river to sustain that facility. When we decided not to operate it anymore, we spoke with the Waterway Commission, and told them of our intentions to try to go out for an RFP to see if there was somebody else in the community that might want to operate it. Unfortunately a year like this year, where we've had the river closed so many times, it just wasn't attractive even to a smaller operation, or somebody who did this everyday for a living. So, in the interim, the Sheriff's Department approached the City about possibly making it a Sheriff's substation on the river, which we think is going to be really a great use of the facility, it's going to give a presence not only in the river, but right there at the boat launch, where we have lots of runners and joggers using the riverfront bicycle path and trail. Met again with the Waterway Commission. They are totally in support. Ken Guidry was here a couple of weeks ago. We met again in support of the idea of leasing it to the Sheriff for this purpose. So, we think it's a win for all of us. They will assume management of it through this lease, and will pay all the costs of operating it including utilities, upkeep, all of those types of things. They have also been working with both Chief Cochran and I know they worked with Chief Whitehorn about any type of cooperative efforts that they might need for other boats either from SFD or SPD. So, I think it's going to be a good agreement for all of us. We went out for an RFP, I think I said that to you a couple of weeks ago, three different times. So we tried three different times, we had a couple of local operators approach us about running that facility, went out for an RFP, the one that was really interested came to me and said he just couldn't figure out how to make it cash flow for him. So then we went back out again, and actually I think we did it three times, and never had a response to that RFP.

Councilman Walford: And as Shelly knows, I talked to some folks and tried very hard to get them interested, and it just didn't work.

Councilman Shyne: Mr. Chairman, I think when Rick Seaton and I get out of government, Rick has a lot of experience in handling a restaurant, I think Rick and I are looking at Mr. Mayor, at investing in that.

Councilman Webb: You're going to cook? Mayor Glover: Rick and Joe's or Joe and Rick's?

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

5. Ordinance No. 92 of 2009: An ordinance authorizing amendments to the lease agreement with Studio Operations, L.L.C., and to otherwise provide with respect thereto. (Not to be adopted prior to September 8, 2009)

Having passed first reading on <u>August 11, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Shyne</u> to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

6. Ordinance No. 93 of 2009: An ordinance to amend and reenact Chapter 90 of The Code of Ordinances relative to the no through truck routes and to otherwise provide with respect thereto.

Having passed first reading on <u>August 11, 2009</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u>. The Clerk read the following:

Amendment No. 1 to Ordinance No. 93 of 2009

Delete the ordinance as introduced and substitute the attached ordinance.

Mr. Thompson: It keeps all provisions of the ordinance as introduced and adds a weight limit of 15,000 pounds gross vehicular weight.

Councilman Walford: No wait, wait, I have Amendment No. 2 if I may read that, and Julie only printed me one copy. But in the list of streets for no-thru trucks, it adds Highland Avenue between Marshall Street and Ockley Drive. And that was at the request of some of the neighborhood.

Councilman Webb: Let's vote on the amendments separately.

Councilman Walford: 1 or 2 first? Mr. Thompson: Let's do No. 1 first.

Motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to adopt Amendment No. 1 to Ordinance No. 93 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Mayor Glover: Mr. Chairman, just want to ask a question about the Highland Street amendment. Councilman, have you had any questions with Mike about what implications that may have with regards to any of our city vehicles, trucks and what have you? They're exempt by the ordinance? Okay.

Councilman Wooley: Mr. Chairman, Rick just made a comment about that's not what he understood by the City Attorney's office, so could we get clarification on that.

Ms. Glass: I'm sorry, what was the question?

Councilman Webb: Amendment No. 1, the weight limits? They were asking about a particular street. Which street?

Councilwoman Bowman: They're asking if city vehicles were exempt, right?

Ms. Glass: That's correct.

Councilman Wooley: Rick said he heard it. Thank you Mr. Chairman.

Amendment No. 2 to Ordinance No. 93 of 2009.

In Section 90-124, insert the following at the appropriate point alphabetically: "Highland Avenue between Marshall Street and Ockley Drive."

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Long</u> to adopt Amendment No. 2 to Ordinance No. 93 of 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Motion by Councilman Shyne, seconded by Councilman Long to adopt Ordinance No. 93 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

The adopted ordinances and amendments follow:

ORDINANCE NO. 84 OF 2009

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 38 OF THE CITY OF SHREVEPORT CODE OF ORDINANCES RELATIVE TO HOUSING AND PROPERTY STANDARDS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO. BY:

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that Chapter 38 of the City of Shreveport Code of Ordinances is hereby amended and re-enacted in its entirety to now read as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 38-1. Title.

This chapter shall be known and may be cited as the "Property Standards Code."

Sec. 38-2. Declaration of legislative intent, and purpose.

- (a) The city council finds and declares that there exists in the corporate limits of the city, deteriorating conditions of residential, non-residential, and other premises which are detrimental to the health, safety and welfare of the general public. The conditions of deteriorating premises and the structures located thereon create a haven for criminal activity, reduce tax revenues, decrease social values and depreciate the economic value of property. As a result of the condition of deteriorating premises within the city, the city council finds it has a compelling interest and purpose in the abatement of these nuisances.
- (b) It is the purpose and intent of this chapter to promote the health, safety and welfare of the citizens of the city. The standards established under the provisions of this chapter are designed to prevent and eliminate unsafe, unsanitary and deteriorating conditions of premises located within the corporate limits of the city.
- (c) The provisions of this chapter shall be liberally construed and apply to residential, non-residential and other premises located within the corporate limits of the city.
- (d) The provisions of this chapter shall be applicable to all premises and structures existing, constructed or relocated within the corporate limits of the city and within the 172 foot contour line of Cross Lake.

Sec. 38-3. Power not affected.

(a) Nothing in this chapter shall impair or limit the power of the city to define and declare

nuisances and to cause their removal or abatement by summary proceedings.

- (b) Nothing in this chapter shall abrogate or impair the power of the courts or any department of the city to enforce any provision of state law, the Home Rule Charter or ordinances enacted by the city council.
- (c) The imposition of any penalty hereunder shall not preclude the city attorney or other appropriate authority from instituting injunctive, mandamus, or other appropriate action or proceedings to correct or abate any violation under the provisions of this chapter.

Sec. 38-4. Definitions.

For the purposes of this chapter, unless the context clearly requires otherwise, the following definitions shall have the meaning ascribed in this chapter and be equally applicable to the masculine and feminine genders and the singular and plural forms of any of the defined terms: *Director* shall mean the Director of the Department of Property Standards or his/her duly authorized representative(s). The term "Director" shall be construed as if followed by the words "or his/her designee."

Agent shall mean any authorized person in control of any property situated in the city who is either managing, occupying, overseeing or in custody of such property by reason of power of attorney, contract or agreement, whether written or verbal, or other permission of the record owner of the property.

Alter or alteration shall mean any change or modification in construction or occupancy of any structure subject to the provisions of this chapter or other applicable provisions of law. Approved shall mean approved by the Director, and where applicable, the Board and/or the City Council.

Basement shall mean the lowest story of a building or structure located completely below grade. *Board* shall mean the Property Standards Hearing Board.

Boathouse shall mean a building or structure utilized for the purpose of storing or housing boat(s).

Building shall mean any fixed structure. For the purpose of this chapter, each portion of a building separated from other portions by a firewall shall be considered a separate building. *Charter* shall mean the Home Rule Charter of the City of Shreveport.

Citation shall mean an official summons or notice to appear in court.

City shall mean the City of Shreveport, Louisiana.

City Council shall mean the legislative branch of government of the City of Shreveport.

Civil action shall mean any action, suit, cause or proceeding instituted to enforce the provisions of this chapter.

Code shall mean the Property Standards Code.

Criminal action shall mean any action, cause or proceeding instituted to punish an infraction or violation of the provisions of this chapter.

Dwelling shall mean any building or structure in which a person or persons live, including all appurtenances attached thereto. The term "dwelling" shall be construed to include "any part thereof."

Dwelling unit shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used for or intended to be used for living, sleeping, cooking and/or eating, whether or not such unit is occupied or vacant. The term "dwelling unit" shall be construed to include "any part thereof."

Enclosed shall mean completely surrounded by a permanent roof and by solid exterior walls pierced only by windows or doors.

Family shall mean a collective body of persons who live in one house having common household facilities.

Fire hazard shall mean any flammable vapor, dust, combustible fibers or other highly combustible substances.

Floor area shall mean the total area of all habitable space in a building or structure.

Garbage shall mean the animal or vegetable waste resulting from the handling, preparation, cooking and/or consumption of food.

Grade shall mean the degree of rise or descent of a natural surface of the ground level after completion of any change in contour.

Historic structure shall mean any building or structure of historical or architectural distinction listed on any national, state or local historic register.

Infestation shall mean the inhabitation in large numbers of insects, rodents or any other pest within or around a dwelling, building or structure.

Motor vehicle shall mean any vehicle, including but not limited to, a motor home designed, constructed and equipped to be used as a self-propelled conveyance on a public roadway. *Non-operating motor vehicle* shall mean a motor vehicle which is incapable of being moved under its own power.

Non-residential buildings shall mean a building which is primarily designed and/or zoned for commercial and public purposes.

Nuisance shall mean the condition of any premises which is dangerous or potentially dangerous to human life or detrimental or potentially detrimental to the health, safety and welfare of the citizens of the city including, but not limited to, the following:

- (1) Any condition or use of any land, building, structure or dwelling, or any operation thereon or therein that causes or may cause a minor child of ordinary curiosity to desire to examine such condition, use or operation, and that is reasonably calculated to cause harm to such child, whether the condition, use or operation is located in a building or structure, on the premises of a building, or on a vacant lot. This subsection includes, without limitation, any abandoned wells, shafts, basements, refrigerators, motor vehicles, swimming pools, structurally unsound fences or other structures, or any lumber, trash, debris or vegetation reasonably calculated to be a hazard for inquisitive minors.
- (2) The keeping, retaining, or depositing on, or the scattering over the premises of any of the following:
- a. Lumber, fallen dead trees, trash, garbage, debris, glass or building material;
- b. Weeds, grass and wild growth in violation of section 38-61;
- c. Abandoned, discarded or unused objects or equipment including, but not limited to automobiles, boats, motorcycles, motor homes, furniture, appliances, cans or containers; and/or
- d. Standing water in any receptacle.
- (3) Any dwelling, building, structure, premises or the use thereof which is unsanitary, unclean, dangerous or potentially dangerous to the physical health or safety of any person, or which, as a result of its condition, may generate criminal activity, such as graffiti.

Occupant shall mean any person in control or possession of any dwelling, building or part thereof, including an owner, tenant, or lessee.

Occupied property shall mean a lot, plot or parcel of property, with a structure located thereon, which is in current use as a residence or dwelling.

Openable area shall mean that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Owner shall mean the person specified in the last deed of record in the Conveyance Records of Caddo.

Party in interest shall mean:

(1) Any person, including the owner of the title or a mortgage whose interest is shown of record

in the Mortgage and Conveyance Records of Caddo Parish;

- (2) The person shown as owner in the records of the tax assessor of the parish in which the property is situated;
- (3) The agent of any such person and those in possession of a dwelling, dwelling unit or premises; or
- (4) Any party whose property has been sold for delinquent taxes within the three years preceding the date of issuance of the citation or notice of violation under the provisions of this chapter.

Person shall mean an individual, unincorporated association or legal entity.

Personalty shall mean personal property of any kind including but not limited to machinery, implements and/or equipment.

Pier shall mean a structure built over the water and supported by pillars or piles used as a landing place.

Piling shall mean a heavy timber, concrete or steel beam driven into the earth as a structural support.

Placard shall mean a public notification that the structure has been condemned and the use or occupancy has been prohibited by law.

Premises shall mean a lot, plot or parcel of land, including any residential or nonresidential buildings or structures located thereon. The term "premises" shall be construed to include "any part thereof or any property located thereon."

Public area shall mean an unoccupied open space on the same property as an adjoining building which is permanently maintained and free of all encumbrances which may interfere with its use and accessibility by the fire department, police department, or other city personnel.

Repair shall mean to restore to a sound or good state after decay, dilapidation, or partial destruction with workmanship and materials which comply with the standards of the city's comprehensive building code.

Residential buildings shall mean any building or structure occupied by persons, families or households in which sleeping accommodations are provided.

Rubbish shall mean combustible and noncombustible waste materials, except garbage including, but not limited to, the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metal mineral matter, glass, crockery and dust.

Secure (secured) shall mean the closing of a building or structure by means of placing or attaching boards over doors, windows and other means of entrance in order to prohibit persons from entering the building or structure, and to maintain the building or structure in its present condition without further damage or danger to the public welfare and safety.

Stairway shall mean one or more flights of stairs and the landings and platforms connecting them to form a continuous and uninterrupted passage from one story to another in a building or structure.

Standard Building Code shall mean the minimum standards for the construction, maintenance or repair of nonresidential buildings and structures adopted by the city.

Story shall mean any horizontal section or division of a building or structure, extending from the floor to the ceiling or roof lying directly above.

Structure shall mean an edifice, trailer, or building of any kind, which is attached to the ground, or any piece of work artificially composed of parts joined together in some definite manner. The term "structure" shall be construed to include "any part thereof."

Tenant shall mean a person, corporation, partnership or other entity who has the temporary use and occupation of a building or structure, or portion thereof, which is owned by another person

or entity.

Unoccupied property shall mean a lot, plot or parcel of property with a structure located thereon which is not in current use as a residential or nonresidential dwelling, building or structure. *Unsheltered storage* shall mean any storage which is not completely enclosed.

Vacant property shall mean a lot, plot or parcel of property with no structure located thereon. *Yard, front* shall mean the open, unoccupied space or grounds next to a building or structure, situated between the street line and the front line of the building and projected to the side lines of the building site. The depth of the front yard shall be measured between the front line of the building and the street line.

Yard, rear shall mean the open, unoccupied space or grounds next to a building or structure, situated between the rear line of the building site and the rear line of the building projected to the side lines of the building site. The depth of the rear yard shall be measured between the rear line of the building site and the rear line of the building.

Yard, side shall mean an open, unoccupied space or grounds next to a building or structure, situated between the side line of the building and the adjacent property line or street line, if a street exists, and extending from the rear line of the front yard to the front line of the rear yard; if no front yard is provided, the front boundary of the side yard shall be the front line of the building site, and if no rear yard is provided, the rear boundary of the side yard shall be the rear line of the building site.

Secs. 38-5--38-10. Reserved.

ARTICLE II. MINIMUM REGULATORY STANDARDS DIVISION 1. GENERALLY

Sec. 38-11. General requirements for buildings.

No person, owner, party-in-interest, agent or tenant shall occupy, lease or sublease any building or structure designed or intended to be used for residential or nonresidential purposes located within the corporate limits of the city which does not comply with the following minimum requirements this section. The municipal address of any such residential or nonresidential building or structure shall be posted on the front of each main structure in a conspicuous place that is visible from the street. The municipal address numbers and/or letters shall be a minimum of 3" and shall be the address on file with the Office of the City Engineer.

- (a) Residential. No person, owner, party-in-interest, agent or tenant shall occupy, lease or sublease to another for occupancy any dwelling or dwelling unit designed or intended to be used for the purpose of residential living, sleeping, cooking or eating therein, or otherwise maintain any unoccupied dwelling or dwelling unit located within the corporate limits of the city which does not comply with the following requirements:
- (1) Foundation. The building foundation system shall be maintained in a safe manner and be capable of supporting the load which normal use may cause to be placed thereon.
- (2) Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other condition which could potentially admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be sufficiently maintained in good repair and be weather resistant and water tight.
- (3) Roofs. Roofs, gutters, downspouts and other appurtenances shall be structurally sound and maintained in a safe manner and have no defects which could potentially admit rain or cause dampness in the walls or interior portions of the building.
- (4) Means of egress. Every dwelling shall have safe, unobstructed means of egress.
- (5) Stairs, porches and appurtenances. Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and be capable of supporting the load that normal use may cause to be placed thereon, and shall be maintained in sound condition and good repair.

- (6) Protective railings. Protective railings shall be required in any porch or other path of ingress or egress over 30 inches from ground level or on any steps containing four or more rises.
- (7) Windows and doors. Every window and/or exterior door shall be substantially weathertight, watertight and rodent-proof and shall be maintained in sound working condition and good repair.
- (8) Windows to be openable. Every window required for light and ventilation for habitable rooms that is designed to be opened shall be capable of being easily opened and secured in position by window hardware.
- (9) Hardware. Every exterior door shall be provided with proper hardware and maintained in good condition.
- (10) Protective treatment. All exterior wood surfaces, other than decay resistant woods, shall be free of holes, breaks or loose or rotting board or timber and any other condition which could potentially be protected from the environment and decay by painting or other protective covering or treatment. All siding shall be weather resistant and watertight. All masonry joints shall be sufficiently tuck pointed to ensure water and air tightness.
- (11) Accessory structures. Garages, storage buildings and other accessory structures shall be maintained in good repair and sound structural condition.
- (12) Structural supports. Every structural element of the dwelling shall be maintained structurally sound and demonstrate no evidence of deterioration which would render it incapable of carrying loads which normal use may cause to be placed thereon.
- (b) Nonresidential. No person, owner, party-in-interest, agent or tenant shall occupy, lease or sublease any building or structure designed or intended to be used for nonresidential purposes located within the corporate limits of the city which does not comply with the Standard Building Code.

Secs. 38-12--38-20. Reserved.

DIVISION 2. BOATHOUSES AND PIERS

Sec. 38-21. General requirements for boathouses and piers.

No person shall lease or sublease, or otherwise use any boathouse or pier for the purpose of living or sleeping or otherwise maintain any such property within the corporate limits of the city which does not comply with the following requirements or in which any combination of the following conditions exists:

- (1) Boathouse. The boathouse has become deteriorated as a result of exposure to the environment, wind, rain or fire damage, and the roof, windows, doors or portions of the structure are not capable of protecting the building and/or its contents from the weather, or the structure cannot be used for its intended purpose.
- (2) Piers. The pier has become structurally deteriorated, in danger of collapse, cannot withstand the forces of nature, or is not capable of supporting the load which normal use may cause to be placed thereon.
- (3) Posts and pilings. Posts or pilings that remain from an inoperable or unstable pier, boathouse, duck blind or other structure shall be removed or cut off even with the lake bed.
- (4) Municipal address required. Boathouses and/or piers located behind any structure which has an address issued by any governmental entity must post that address and street name with minimum 3 inch numerals and block letters in a conspicuous place visible from the body of the lake. Only one posting per address is required.

Secs. 38-22--38-25. Reserved.

DIVISION 3. DEMOLITION

Sec. 38-26. Demolition; generally.

(a) Except as otherwise provided in subsection 38-83(c), the owner, party in interest or the

owner's designated agent shall repair, demolish and remove any building or structure located within the corporate limits of the city in accordance with the notice of violation served by the Director, or in the case of an appeal, the decision of the board or the city council.

- (b) In the event the owner or his designated agent fails or refuses to comply with an order issued under the provisions of subsection (a), the Director, at the direction of the mayor, may proceed with the demolition or removal of the building or structure. The city shall indemnify and hold harmless each official or officer of the city including, but not necessarily limited to, its elected officials, agents, employees and any person appointed to the board from any loss due to attorney fees, court costs, judicial interest, or award of monetary damages arising out of any claim, demand, suit or judgment in any court by reason of alleged negligence or other act, resulting from the demolition or removal of any building or structure authorized under the provision of this subsection, if that person, at the time damages were sustained, was acting in the discharge of his duties and within the scope of his office of employment and such damages did not result from an intentional wrongful act or gross negligence.
- (c) Prior to the demolition or removal of a building or structure under the provisions of subsection (b), any entity providing utility connections to the building or structure shall be notified by the Director of the scheduled demolition or removal of such building or structure. The notification shall include a request to discontinue utility service to the building or structure. The notice of violation, or in the case of an appeal, the order of the board or the decision of the city council issued in accordance with subsection (a), shall be provided to the entity providing utility connections to the building or structure.

Sec. 38-27. Emergency.

- (a) In case of a grave public emergency where the condition of an unoccupied building or structure presents a threat of extreme hazard or immediate loss or damage to any person or property, the Director may order the structure demolished after 24 hours notice has been served upon the owner, the owner's agent or any party in interest as provided herein. The notice required under the provisions of this Section shall state the specific reason(s) the condition of the building or structure presents a public emergency. Notice of emergency demolition shall be served to the owner and/or party in interest by personal service or certified mail delivery as provided herein.
- (b) Any person aggrieved by the decision of the Director under the provisions of subsection (a) shall have the right to appeal the decision to a court of appropriate jurisdiction; provided, however, such petition is filed within 24 hours of receipt of the Director's order. Upon the filing of a petition, a bond shall be furnished as security against any damage which may be caused by the condition of the building or structure.
- (c) The matter shall be tried de novo and by preference in the First Judicial District Court of Caddo Parish, Louisiana.

Secs. 38-28--38-30. Reserved.

DIVISION 4. PARKING AND STORAGE OF VEHICLES; STORAGE OF PERSONALTY

Sec. 38-31. Exterior storage of nonoperating vehicles prohibited.

No person in charge of or in control of any dwelling, dwelling unit or premises, whether owner, lessee, tenant, occupant or otherwise shall allow a nonoperating motor vehicle to remain on such property for a period exceeding ten days; and no person shall leave any such property within the city for a period exceeding ten days. There shall be a presumption that the last registered owner of the vehicle has abandoned the vehicle on such property regardless of whether the physical possession of such vehicle remains in the technical custody or control of such owner, if it has remained incapable of being moved under its own power for a period of ten days. Storage of such vehicles for a period exceeding ten days shall be in a completely enclosed building.

Sec. 38-32. Notice.

Upon determining that a violation of this section has occurred, the Director shall securely affixed a notice of violation to the vehicle, and notify the owner thereof that it will be removed by the city upon the failure of the owner to remove the vehicle within the period of time stipulated in the notice. The notice of violation issued under the provision of this section shall be sent by certified mail, return receipt requested, to the owner of the vehicle as determined by the license tags if such information is available, otherwise, notice of the violation shall be sent to the last known owner of the lot or parcel of ground upon which the inoperable vehicle is located as determined by the conveyance records of Caddo Parish. Any vehicle remaining at any dwelling, dwelling unit or premises following the expiration of ten days from the date of receipt of the notice shall be deemed to be public property and shall be disposed of by the city in accordance with procedures established by the city.

Secs. 38-33--38-40. Reserved.

DIVISION 5. NUISANCES

Sec. 38-41. Nuisance generally.

- (a) Any nuisance defined under section 38-4 which exists at any dwelling, dwelling unit, premises or vacant property within the corporate limits of the city shall be demolished or otherwise abated by the owner, party in interest, tenant, lessee or occupant of such dwelling, dwelling unit, premises or vacant property upon receipt of a duly served notice of violation issued under the provisions of this chapter.
- (b) In the event the owner, party in interest, tenant, lessee or occupant of such dwelling, dwelling unit, premises or vacant property fails or refuses to demolish or otherwise abate any nuisance after receipt of a duly served notice of violation issued under the provisions of this chapter, the city may demolish or abate such nuisance by the utilization of city resources or a private contractor in accordance with section 38-72.
- (c) In the event the owner, party in interest, tenant, lessee or occupant of such dwelling, dwelling unit, premises or vacant property is not known or the location of the owner cannot be determined, the city may demolish or abate such nuisance by the utilization of city resources or a private contractor in accordance with section 38-72.
- (d) Nothing in this section shall impair or limit the power of the Director to issue written citations for violations under this section to any owner, party in interest, tenant, lessee or occupant under the provisions of section 38-84.

Sec. 38-42. Storage of personalty.

- (a) Except as otherwise provided herein, no person in charge of or in control of a dwelling, dwelling unit or premises, whether as owner, lessee, tenant, occupant or otherwise allow the storage of personalty on such property unless the same shall be stored within an enclosed structure. Storage of personalty on any such property in any manner contrary to the provisions of this section is hereby declared to be a nuisance and dangerous to the public safety. Removal of such nuisance may be accomplished by the utilization of city resources or a private contractor, in accordance with section 38-72, if the owner is not known, the location of the owner cannot be determined or the owner fails to remove such nuisances.
- (b) The provisions of this section shall not apply to a licensed junkyards or other uses in lawfully operating within the corporate limits of the city.

Secs. 38-43--38-50. Reserved.

DIVISION 6. SWIMMING POOLS

Sec. 38-51. Maintenance of swimming pools.

(a) Harbor or infestation. Any owner, party in interest, tenant, lessee or occupant of a dwelling, dwelling unit, premises or property having a swimming pool or manmade pond located thereon

shall maintain the swimming pool or pond in the following manner:

- (1) The swimming pool or pond shall not harbor or become infested with mosquitoes, vermin or other pests;
- (2) The swimming pool or pond shall not harbor or support submergent or emergent vegetation.
- (b) Enforcement. The Director shall be authorized to issue a citation or notice of violation to any owner, party in interest, tenant, lessee or occupant of any dwelling, dwelling unit, premises, or property who shall fail to maintain the swimming pool or pond in accordance with the provisions of this section. The citation or notice shall be served upon the owner, party in interest, tenant, lessee or occupant as provided in this chapter. The institution of legal proceedings against any owner, party in interest, tenant, lessee or occupant of any such property shall not prevent the city from abating the violation by use of city resources or a private contractor as provided in section 38-72.

Secs. 38-52--38-60. Reserved.

DIVISION 7. WEEDS AND GRASS

Sec. 38-61. Grass and weeds and wild growth.

- (a) The owner, party in interest, tenant, lessee or occupant of a dwelling, dwelling unit, premises, vacant lot or occupied, unoccupied, vacant, residential and nonresidential properties located within the city shall be required to cut, destroy or remove weeds, grass, bamboo, deleterious or unhealthy growths or other obnoxious matter growing, lying or located in or on any such property with a height equal to or greater than 12 inches and to cut, destroy or remove such weeds, grass, bamboo, deleterious or unhealthy growths or other obnoxious matter lying or located in or on any sidewalk abutting any such property or encroaching upon adjacent property by natural growth or by growth through, over or under fences or walls, regardless of height. No growth described in this subsection shall be allowed to interfere with the passage of any pedestrian on any sidewalk nor shall any such growth be allowed to obscure the clear line of vision of any motorist. Responsible parties shall insure that concrete curbs adjacent to property are trimmed or edged and shall be responsible for vegetation maintenance to the edge of any abutting street surface.
- (b) The owner, party in interest, lessee, or other person in control of any undeveloped, heavily wooded or otherwise inaccessible vacant property which is adjacent to or abutting developed lot(s) or tract(s) shall mow, cut or otherwise clear a minimum 25-foot buffer between the developed and undeveloped tracts or acreage.
- (c) Enforcement. The Director shall be authorized to issue a citation or notice of violation to any owner, party in interest, tenant, lessee or occupant of any dwelling, dwelling unit, premises, or property who shall fail to comply with the provisions of this section. The citation or notice shall be served upon the owner, party in interest, tenant, lessee or occupant of such property as provided in this chapter. The institution of legal proceedings against any owner, party in interest, tenant, lessee or occupant of any such property shall not prevent the city from abating the violation by use of city resources or a private contractor as provided in section 38-72 or by the following procedure:
- A. Notice may be given to the owner of the lot, place, or area, or the owner of the abutting property where the weeds or growths are to be removed, as shown on the last assessment roll of the municipality, has an opportunity of doing the work himself within at least five days after notice has been given him by advertisement in the official journal of the City of Shreveport for two consecutive days or after notice has been given him by registered mail, addressed in accordance with the tax rolls of the City of Shreveport.
- B. The City may undertake the cutting, destruction, or removal of noxious weeds or grass or other deleterious, unhealthful, or noxious growths on any property within the municipality on a

monthly basis without the notice required in Subsection A of this Section if the property owner liable has been notified pursuant to said Subsection at any time during the immediately preceding twelve months and has failed to do the work himself after opportunity to do so. However, prior to undertaking such work, the City shall file and record an affidavit, signed by the Mayor or his designee, at its administrative office. Such affidavit shall include the following: (1) A description of the property sufficient to reasonably identify it.

- (2) A photograph of the property sufficient to reasonably identify its unsafe or unsanitary condition and to justify the necessity for cutting, destroying, or removing weeds, grass, or other noxious growths.
- (3) A statement that the property owner liable has within the past twelve months failed to do such work after notification and opportunity to do so pursuant to Subsection A of this Section. **Secs. 38-62--38-70. Reserved.**

DIVISION 8. LIEN AND PRIVILEGE

Sec. 38-71. Lien and privilege.

The city shall have a lien and privilege for the cost of abating any violation on any property located within the corporate limits of the city.

Sec. 38-72. Administrative charges, lien and privilege for cost of performing work.

- (a) If the owner and party in interest of the property shall fail to comply with any notice sent pursuant to any provision of this chapter or applicable provisions of state law, or shall fail to comply with any order, decision or determination rendered by the Director, the board or the city council as provided in this chapter, the city may cause such work to be performed by city resources or a private contractor, and in such event, the city shall be entitled to assess and collect all costs incurred in performing such work, together with an administrative charge of \$150.00. This charge shall be levied on any case appealed prior to the granting of any time extension by the Property Standards Board or by the City Council.
- (b) The city shall have a lien and privilege for the cost of performing any work, or abating any violation pursuant to the provisions of this chapter or applicable provisions of state law, against the property upon which the work was performed or the violation(s) abated, and shall be entitled to enforce its lien in accordance with the provisions of this section and applicable provisions of state law.
- (c) In order to preserve the lien and privilege, it shall be the duty of the mayor to prepare and sign a sworn statement of facts, giving the description of property and the approximate cost of abating the violation, which statement of fact shall be filed and recorded in the office of the Caddo Parish Clerk of Court. The city shall be entitled to recover the amount of costs and expenses, together with court costs and attorneys fees, by ordinary process in a court of appropriate jurisdiction. No suit or proceeding to contest the validity of any lien filed pursuant to this section shall be initiated in any court after the expiration of 30 days from the date the lien is filed and recorded.
- (d) The lien and privilege authorized by this section shall continue to accrue interest, which amount shall be paid prior to the cancellation of the lien. The rate of interest shall not exceed the rate of legal interest, as provided under applicable provisions of the Louisiana Civil Code, and shall be computed from the date of recordation of the lien until paid or enforced.
- (e) The city's lien and privilege shall prime all other liens or privileges against the property after the notice to the owner and party in interest is filed with the Caddo Parish Clerk of Court, regardless of the date on which the city's lien and privilege is perfected, except that the city's lien and privilege shall be subordinate to other tax liens filed against the property.
- (f) After the city has incurred costs and expenses which constitute the lien and privilege on the property under the provisions of this chapter, the director of finance may include the amount of

such costs and expenses to the succeeding ad valorem tax obligation of the owner and party in interest, and such amount shall be subject to the same interest and penalties as delinquent ad valorem taxes.

- (g) If within six months after the filing of the lien authorized under the provisions of subsection (a), the property owner or party in interest fails to pay such lien and any interest thereon, the director of finance shall have the authority to offer for sale and subsequently sell or otherwise convey such property for the amount of all municipal liens operating against the property and interest thereon. The amount of any municipal lien operating against the property and interest accruing thereon, except a paving lien, may also be canceled in whole or in part by the city in order to facilitate the sale or disposition of the property for the unpaid lien, or to enable a governmental agency or an organization which is exempt from federal taxation under section 501 of the Internal Revenue Code to use the property for a public purpose. The procedure for notice, advertisement and sale of the property shall be governed by the law applicable to the sale of property for delinquent city taxes.
- (h) Alternatively, the lien and privilege may be enforced in the First Judicial District Court, Caddo Parish, Louisiana, pursuant to the state code of civil procedure and may be enforced either against the subject property or against the owner and party in interest by ordinary process. Secs. 38-73--38-80. Reserved.

ARTICLE III. ADMINISTRATION DIVISION 1. GENERALLY

Sec. 38-81. Administration of this code.

- (a) The administration and enforcement of this code shall be the responsibility of the department of community development. The Director may employ inspectors, assistants and other employees to administer and enforce the provisions of this chapter. The Director may assign the duties and responsibilities under this chapter to other employees of the department.
- (b) The delineation of authority under the provisions of this section shall not preclude other departments of the city from administering and enforcing those provisions of this chapter pertinent to their functions. The remedies provided in this chapter shall be in addition to any other remedies afforded by federal and state laws or city ordinances.

Sec. 38-82. Inspection.

The Director is hereby authorized to make inspections and investigations of any dwelling, dwelling unit, premises or property located within the corporate limits of the city to enforce the provisions of this chapter and to determine whether a violation of any provision of this chapter exists. The inspection or investigation may be conducted to determine the condition of:

- (1) The premises surrounding, adjacent or contiguous to any dwelling, dwelling unit or premises under the control or supervision of the owner, party in interest, agent, occupant or tenant of the dwelling, dwelling unit or premises, and any unimproved lot or parcel of land;
- (2) The exterior of any dwelling, dwelling unit or premises;
- (3) The interior of any occupied unit if invited to enter by the owner, any party in interest, agent, occupant or tenant of the dwelling or dwelling unit.
- (4) The interior or exterior of any unoccupied property if the dwelling, dwelling unit or premises is unsecured or in a state of deterioration or disrepair; or
- (5) Any vacant property.

DIVISION 2. DIRECTOR

Sec. 38-83. General powers and duties.

(a) Unoccupied residential building, structure, or premises. The Director may, upon determining that an unoccupied residential building, structure or premises located within the corporate limits of the city violates any of the provisions of this chapter, order the residential

building, structure or premises to be secured or the violations abated as hereinafter provided in this chapter.

- (b) Vacant property. The Director may, upon determining that vacant property located within the corporate limits of the city violates any of the provisions of this chapter, order the abatement of the violations relative to the vacant property as hereinafter provided in this chapter.
- (c) Nonresidential structures. Upon receipt of a written recommendation from the chief building official, the Director may, upon determining that an unoccupied nonresidential building, structure or premises located within the corporate limits of the city violates the provisions of section 38-26, order the nonresidential building, structure or premises to be demolished as provided in this chapter.
- (d) The Director shall serve written notice of the violation upon the owner, party in interest, agent, occupant or tenant of the dwelling, dwelling unit, or premises in the manner provided in section 38-85. Except as otherwise provided herein, any notice served pursuant to the provisions of this section shall automatically become an order, unless a written request for an appeal is filed with the board in the manner provided in section 38-105. The Director may, for good cause, extend the time period in which to comply with the notice of violation.

Any person aggrieved by any decision of the Director shall file a written request for appeal of such order or decision with the board in the manner provided in section 38-105.

A certified copy of any order or decision rendered pursuant to the provisions of this section shall be filed and recorded in the office of the clerk of court of the parish in which the property is located. Any person acquiring any interest in the property thereafter shall be subject to the requirements of such order.

Sec. 38-84. Notice of violations.

The Director, in addition to any other rights, powers, duties or obligations enumerated under the provisions of this chapter, shall be empowered to issue a written notice of violation and/or a citation to any owner, party in interest, agent, occupant or tenant of occupied premises who violates the provisions of this chapter as hereinafter provided.

- (1) Citation. Each citation shall contain the following:
- a. The condition of the premises which are in violation of the provisions of this chapter;
- b. Shall be signed by the issuing inspector;
- c. Shall be signed by the recipient. In the event the recipient refuses to sign the citation, such refusal shall be indicated by the issuing inspector on the citation.

The issuing inspector shall serve the citation authorized pursuant to this subsection upon the owner, agent, occupant or tenant, of the premises, whether occupied or vacant. The citation may also be served upon the owner or party in interest as otherwise provided by law.

- (2) Notice of violation.
- a. Except as otherwise provided in sections 38-42 and 38-51(b), each notice of violation of any provision of this chapter shall be served upon the owner, party in interest, agent, occupant or tenant by the Director. Such notice shall be sent by certified mail, return receipt requested or by personal service by the Director upon the owner, party in interest, agent, occupant or tenant, or by publication in the official journal of the City of Shreveport in two consecutive issues.
- b. Except as otherwise provided in sections 38-42 and 38-51(b), notice of violation of any provision of this chapter relative to corporations or other legal entities shall be served upon the corporation or other legal entity as provided by law.
- c. Each notice of violation shall:
- 1. Be in writing.
- 2. State the legal description of the premises, lot or parcel of ground, or the municipal number of the building or structure.

- 3. State the nature of the violation and the applicable section(s) of this chapter related thereto.
- 4. Provide the individual receiving the notice of violation with available alternatives to abate the violation(s).
- 5. Provide the individual receiving the notice of violation with the name, address and telephone number of the Department of Property Standards.
- 6. Provide the individual receiving the notice of violation with procedures for filing an appeal of the notice of violation.
- 7. Contain a time period in which to comply with the notice of violation.
- 8. State the maximum penalty which may be imposed pursuant to this chapter for failure to abate the violation(s).
- 9. State that any person acquiring an interest in the property cited in the notice of violation shall be subject to the requirements of the notice of violation.
- d. If the notice of violation served by certified mail is returned undeliverable, constructive notice shall be attained by publication of a legal notice of the violation one time in the official journal of the city. A copy of the legal notice shall also be posted in a conspicuous place on or about the building or structure affected by the notice of violation.
- (3) The failure of any party, whether owner, party in interest, agent, occupant or tenant to abate or correct any violation for which notice has been provided pursuant to this section may result in the issuance of a written citation by the Director. The citation shall be issued as provided herein.

Sec. 38-85. Abatement of violation by city or private contractor.

Notwithstanding any provision contained in this chapter to the contrary, the city shall have the authority to abate any violation(s) enumerated under the provisions of this chapter by the utilization of city resources or a private contractor. Any costs or expenses incurred by the city relative to the abatement of any violation(s) under the provisions of this chapter including, but not limited to, orders of the Director, the board or the city council, shall be the responsibility of the owner.

Sec. 38-86. Violations and penalties.

Any person who rents, leases or occupies, or who permits any person to rent, lease or occupy, any structure found to be dangerous and/or unfit for human habitation or use by final order of the Director, the board or the city council; or any building which was placarded by the Director, shall upon conviction by a court of competent jurisdiction, be punished pursuant to section 38-115.

Each day the violation continues to exist shall constitute a separate offense.

Secs. 38-87--38-90. Reserved.

ARTICLE IV. PROPERTY STANDARDS BOARD OF APPEALS

Sec. 38-91. Creation.

There is hereby created a property standards board of appeals, referred to in this chapter as the board. Board members shall be appointed by the mayor, subject to confirmation by the city council. Board members shall serve without compensation and, except as provided in this chapter, shall not be employees of the city.

The board shall consist of seven members who shall each be a qualified elector and resident of the city. The board shall include the following members:

- (1) One licensed architect who has at least three years experience in the architecture profession;
- (2) One licensed health care professional who has at least three years experience in the health care profession;
- (3) Five residents of the city with a demonstrated interest in community affairs.

Sec. 38-92. Term of membership.

Except as otherwise provided in subsection 5.02 (b) of the Charter, the term of each board

member shall be two years except that upon expiration of the term, a board member shall continue to serve until his successor is appointed and qualified. A board member may be reappointed for successive term(s). Any vacancy shall be filled by appointment of the mayor and confirmation by the city council.

Sec. 38-93. Officers; rules of procedure.

The board shall elect a chairman and such other officers as necessary from its members. Election of all officers shall occur at the December meeting of the board of each year and all officers shall begin to exercise the duties of their respective offices on January 1 of the succeeding year. The board shall adopt rules of procedure in accordance with the provisions of this chapter and applicable provisions of law.

Sec. 38-94. Powers, duties and responsibilities.

The board shall have the power, duty and responsibility, as follows:

- (1) To order any dwelling, building or structure which is determined to be unfit for human habitation be vacated and placarded.
- (2) To order the repair of any dwelling, building or structure determined to be in violation of the provisions of this chapter.
- (3) To order the demolition and removal of structures determined to be substandard.
- (4) To order the repair of a substandard structure as an alternative to demolition.
- (5) To order the removal of personal property from a structure to be vacated or demolished. The city shall have the authority to remove personal property from a structure if the owner of the personal property is unknown or the owner fails to remove the personal property from the structure ordered vacated or demolished.
- (6) To order that a vacant structure or vacant portion of a structure constituting a hazard or nuisance be securely closed and made safe.
- (7) To order the abatement of a hazardous condition on any premises.
- (8) To order the abatement of any condition determined to be a nuisance.

Sec. 38-95. Appeal hearings; meetings.

The board shall schedule a reasonable time for appeal hearings and meetings and shall give public notice thereof, as required by law, as well as notice to the applicant and the Director. All appeal hearings and meetings shall be open to the public and be conducted in conformity with applicable provisions of state law. The board shall not be constrained by the legal rules of evidence promulgated under federal or state law.

The chairman or, in his absence, the vice-chairman shall be empowered to compel the attendance of a witness, owner, agent, occupant or tenant and to administer oaths to anyone giving testimony before the board.

Special meetings may be called by the chairman or, in his absence, the vice-chairman, or a majority of the members of the board at any time, upon giving 24 hours notice to the public in the manner required by law.

Sec. 38-96. Determinations.

After hearing all the testimony and weighing all the evidence, the board shall render any order, finding or determination consistent with the provisions of this chapter with regard to the alleged violation including, but not limited to the following:

- (1) Finding the structure a nuisance, and ordering the repair of specified violations within a reasonable period of time, and ordering the Director to monitor the progress of the repairs. The order shall also state that, upon the expiration of the delay for repairs, the Director shall have the authority to forward the case to the office of the city attorney for prosecution and the initiation of foreclosure proceedings;
- (2) Finding the structure a nuisance, and ordering the repair or correction of the violations

within a specified period of time and demolition of the structure, if the repairs or corrections are not timely affected. The order shall also state that if the owner fails or refuses to comply, demolition shall be by city forces or by private contractor retained by the city, with such cost being the responsibility of the owner;

- (3) Finding the structure a nuisance, and ordering its demolition within a specified period of time. The order shall also state that if the owner fails or refuses to comply within the specified period of time, demolition shall be accomplished with city resources or by private contractor retained by the city, with such cost being the responsibility of the owner. In reaching this determination, the board of appeals shall consider the economic feasibility of making repairs;
- (4) Finding a nuisance exists on the premises, and ordering its abatement, removal or correction within a specified period of time. If the nuisance is on a vacant lot or on a lot with a vacant structure, the order shall also state that if the owner fails or refuses to comply within the specified time, abatement, removal or correction shall be by city resources or by private contractor retained by the city, with the cost being the responsibility of the owner;
- (5) Requesting the office of the city attorney to initiate misdemeanor charges in city court against the owner, party in interest, agent, occupant or tenant for violating the provisions of this chapter;
- (6) Finding the property is not in violation of the provisions of this chapter.

Sec. 38-97. Decisions; appeals.

- (a) The concurring vote of a simple majority of the members of the board present shall be necessary to reverse any order, decision, or determination appealed from the Director or to decide in favor of the appellant on any matter upon which the board is authorized under the provisions of this chapter.
- (b) Any person aggrieved by a decision of the board shall file a written request for an appeal of such decision with the city council in the manner provided in section 38-106.

Sec. 38-98. Records.

The board shall prepare a record of its proceedings for each case or matter heard, which record shall be a public record. The record shall delineate the grounds for each decision and the vote of each member on each case or matter heard. The record of the proceedings shall be filed and retained in the Department of Property Standards as required by law.

Secs. 38-99--38-104. Reserved.

ARTICLE V. APPEALS AND PENALTIES DIVISION 1. APPEALS

Sec. 38-105. Appeal from decision of Director.

Any person aggrieved by any notice of violation from the Director, or any person aggrieved by any order or decision of the Director, shall have the right to appeal the notice or decision to the board by filing a written request for appeal within ten days of receipt of such order, notice or decision.

The board, upon hearing all the testimony and weighing all the evidence, shall either affirm, modify, reverse, or remand the decision of the Director.

Sec. 38-106. Appeal from the decision of board.

Any person aggrieved by the decision of the board shall have the right to appeal the decision to the city council by filing a written request for an appeal within ten days of the date of the decision by the board. The city council shall conduct the hearing on the appeal in accordance with its established rules and procedures. The city council shall affirm, modify, reverse or remand the decision of the board.

Sec. 38-107. Appeal from the decision of the city council.

Any person aggrieved by the decision of the city council shall have the right to appeal the

decision to a court of appropriate jurisdiction; provided, however, such petition is filed within 30 days of the date of the decision of the city council.

Sec. 38-108. Notice to the chief building official.

Following the conclusion of all appeals, the Director shall provide the chief building official or his designee with a copy of each order or decision rendered by the Director, the board, or the city council. The chief building official or his designee shall thereafter limit any permits issued on the property affected by the order or decision to the period of time specified in the order or decision.

Secs. 38-109--38-114. Reserved.

DIVISION 2. MISDEMEANOR CRIMINAL VIOLATIONS

In addition to the procedures and civil regulations set forth above, it shall be a misdemeanor criminal offense for a property owner, occupier, agent, tenant or anyone else having control of the premises to violate any of the requirements set forth above.

- (a) Any person convicted of violating any provision of this chapter shall, in addition to being ordered to abate the violation, be subject to the following penalty:
- (1) The first violation, a fine of not less than \$300.00 or imprisonment for not more than 30 days, and the payment of restitution to the city for expenses, including reasonable and required administrative expenses associated with mowing, cleaning and maintaining the premises, or abating any nuisance, whether such services were performed by the city or by a private contractor.
- (2) The second violation, a fine of not less than \$400.00 or imprisonment of not more than 60 days, and the payment of restitution to the city for expenses, including reasonable and required administrative expenses associated with mowing, cleaning and maintaining the premises, or abating any nuisance, whether such services were performed by the city or by a private contractor.
- (3) The third or subsequent violations, a fine of not less than \$500.00 and imprisonment of not more than 60 days, and the payment of restitution to the city for expenses, including reasonable and required administrative expenses associated with mowing, cleaning and maintaining the premises, or abating any nuisance, whether such services were performed by the city or by a private contractor.
- (b) The city's performance of the services necessary to abate any violations under this chapter including, but not limited to services performed by a private contractor, shall not be a defense to the prosecution of any violations under the provisions of this chapter.
- (c) Each day the violation continues shall constitute a separate offense.
- (4) The court may suspend any of the jail terms set forth above only on the condition that the defendant pay all fines and assessments associated with the violation and to abate the nuisance if it has not already been abated.

Secs. 38-116--38-120. Reserved.

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

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

ORDINANCE NO. 90 OF 2009 AN ORDINANCE AUTHORIZING A LEASE OF CERTAIN CITY-OWNED PROPERTY TO THE CADDO PARISH SHERIFF'S DEPARTMENT AND TO

OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the City of Shreveport is the owner of certain property generally identified as the "Stoner Marina" (the "property"); and

WHEREAS, the City's Department of Public Assembly and Recreation previously operated a marina, restaurant, and fueling station on the property on the banks of the Red River; and WHEREAS, the facility closed in 2008 due to declining revenue from the operation; and WHEREAS, the Caddo Parish Sheriff's Department ("CPSD") has requested use of the facility to establish a substation on the Red River; and

WHEREAS, the City is agreeable to the request as it will serve to increase the presence and number of law enforcement personnel in and around the Red River; and

WHEREAS, the City declares and confirms that the Lease Agreement is for a public purpose as defined in Lease Agreement and constitutes a use of the property and a cooperative endeavor between the City and CPSD for a public purpose as provided in Article VII § 14(C) of the Constitution of the State of Louisiana; and

WHEREAS, the Lease Agreement provides for an initial term of one (1) year with successive automatic renewal terms of one (1) each unless sooner canceled or terminated as provided in the Agreement; and

WHEREAS, LSA-R.S. 33:4712 requires that notice of this ordinance be published at least three (3) times within fifteen (15) days, one week apart.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that the lease of City owned property generally identified as the Stoner Marina to the Caddo Parish Sheriff's Department is hereby authorized and the Mayor is hereby authorized to execute, for and on behalf of the City of Shreveport, a lease of the said property to the Caddo Parish sheriff's Department substantially in accord with the draft hereof filed for public inspection in the Office of the Clerk of Council on July 28, 2009.

BE IT FURTHER ORDAINED that a certified copy of the lease authorized herein or an extract thereof, shall be filed and recorded in the conveyance records of Caddo Parish, Louisiana. BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end, the provisions of this ordinance are hereby declared severable.

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

ORDINANCE NO. 93 OF 2009

AN ORDINANCE TO AMEND AND REENACT CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO NO THROUGH TRUCK ROUTES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that sections 90-123 through 90-127 of the Code of Ordinances of the City of Shreveport are hereby enacted to read as follows:

Sec. 90-123. Semi-tractors, semi-trailers and trucks with three or more axles or exceeding designated weight limit prohibited on certain streets.

- (a) *Axle limits*. It shall be unlawful for any person to operate, drive or pull any semi-tractor, semi-trailer, or truck, with three or more axles, on any of the streets or portions of streets listed Section 90-124. When any combination of the above described vehicles is driven or pulled, this section applies only when any one component of the combined vehicles has three or more axles.
- (b)) Weight limits. It shall be unlawful for any person to operate, drive or pull any semi-tractor,

semi-trailer, or truck, exceeding 15,000 pounds, on any of the streets or portions of streets listed Section 90-124.

- (c) For the purposes of this section, semi-tractor means a motor vehicle designed and used primarily for drawing, towing, or pulling a semi-trailer. Semi-trailer means a vehicle without motive power and so designed in conjunction and used with a motor vehicle that some part of its own weight and that of its own load rests or is carried by another vehicle, and having one or more load-carrying axles.
- (d) The provisions of this section shall not apply to the following vehicles:
- (1) Vehicles making deliveries to, picking up items from, a residence located in the residential district, or providing a service in or to the residential area, including but not limited to utility vehicles.
- (2) Emergency vehicles as defined in Section 90-1.
- (3) Emergency ambulances.

Sec. 90-124. Specified No Through Truck Routes.

The following streets are specified No Through Truck Routes subject to the provisions of Section 90-123.

Albany Avenue between East Kings Highway and Fern Avenue

Albert Avenue 100 and 200 Blocks

Alkay Drive between Avalon Drive and Mansfield Road

North Allen Avenue between Ford and Patzman

Amelia Avenue between Lotus Lane and Mansfield Road

Archer Avenue between East Kings Highway and Youree Drive

Ardis Taylor Road between Mansfield Road and Colquitt Road

Ardmore 100 Block between Youree Drive and E Kings Highway

Atkins Avenue between Gilbert Avenue and Centenary Boulevard

Audubon Place between East Preston and Dixie Garden

Avalon Street between Hoyte and Mackey

Baird Road between Bert Kouns and Mansfield Road

Baxter Street between Jewella and Broadway

Bernstein Street between West 74th and West 70th

Bienville Avenue between Hollywood and Corbitt

Brunswick Drive between Millicent Way and Sophia Drive

Cambridge Drive between Camelback Drive and University Drive

Camelback Drive between Millicent Way and Cambridge Drive

Camelia Lane between Azalea Drive and Southfield Road

Canal Boulevard between 70th Street and Hollywood Avenue

West Canal between Hollywood Avenue and Valleyview Drive

Captain Shreve Drive between East Preston and Dixie Garden

Claiborne Avenue between Mansfield Road and Hearne Avenue

Claiborne Avenue. between San Jacinto Avenue and Grove Street

Clanton Street between St. Vincent and Linwood

Clyde Fant Pkwy between Lake Street and North City Limits

Cornwell Street between Stoner and East Herndon

Crabapple Drive between Southland Park Drive and Kingston Road

Creswell Avenue between Kings Highway and Stoner Avenue

Creswell Avenue between Montrose Drive and Thora Boulevard

Dean Road between Colquitt Road and Flournoy-Lucas Road

Deer Park Road between North Market and Old Mooringsport Road

Drexel Drive between Fairfield and Dillingham

Dilg League between Jewella and Lakeshore

Earl Street between Linwood Avenue and St. Vincent Avenue

Egan Street between Coty Street and Centenary Boulevard

Ellerbe Road between LA 523 to South City Limits

East Elmwood Street between Madison Park Boulevard/Parkway Drive and Cornwell Street

Fairfax Avenue between Hollywood Avenue and Corbitt Street

Fairfield Avenue between Pierremont Road and Olive Street

Fern Avenue between East 70th and Pierremont Road

Forbing Road between Dalton Street and Flournoy-Lucas Road

Fulton Street between Linwood Avenue and Joplin Avenue

Gilbert Drive between East 70th Street and Spring Lake Drive

Green Terrace Road between Walker Road and Cana Drive

Greenbrook Boulevard between St. Vincent and Emerald Loop

Greenway Avenue 6700 and 6800 Blocks of Greenway

Hayes between Mansfield Road and Colquitt Road

Henderson Avenue between Pierremont Road and East 70th Street

Hoyte Drive between Mansfield Road and Walker Road

Huntington Avenue between Bolinger Street and Wilkinson Street

Idema Street between Linwood Avenue and Mt. Zion Road

Kennedy Street between Hollywood Avenue and Henry Street

Kent Avenue between Hollywood Avenue and Corbitt Street

East Kings Highway between Shreveport Barksdale Boulevard and Southfield Road

East Kings Highway between Bert Kouns and Flournoy-Lucas Road

Klug Pines Road between Westport Avenue and West 70th Street

Ledbetter between Hollywood Avenue and Vernon Street

Lexington Avenue between Pierremont Road and East 66th Street

Longleaf Road between Line Avenue and Creswell Avenue

Louise Street between West 70th and West Canal Boulevard

Lyba Street between Monkhouse Drive and Curtis Lane

Millicent Way between Bert Kouns and Youree Drive

Millicent Way between LA 3132 and Camelback Drive

Morrison Drive 6700 and 6800 blocks

Ninock Street between Jewella Avenue and San Jacinto

North Southland Park Drive between Mansfield Road and Bert Kouns

Oakdale between Linwood Avenue and St. Vincent Avenue

Ockley Drive between Line Avenue and Fairfield Avenue

Oden Street between Clyde Fant Parkway and Wendy Lane

Pickwick Place between Wyngate and Kingston Road

Pines Road between West 70th Street and Flournoy-Lucas Road

Pomeroy Drive between Youree and Jackson Square Drive

Preston Avenue between East Kings Highway and Youree Drive

Oueens Highway between East Kings Highway and Claiborne Avenue

Red Bud Lane between Jewella Avenue and Valleyview Drive

Rockwell Place 6700 and 6800 Blocks

San Jacinto Street between Greenwood Road and Lakeshore Drive

Santa Monica between Pines Road and Shadow Creek Drive

Sara Lane between Hoyte Drive and Mackey Lane

Savanna Drive between Summer Grove and Bert Kouns

Sidney Street 3200 Block

Sophia Lane between Youree Drive and Brunswick Drive

Southfield Road between Camelia Lane and Gilbert Drive

Southland Park Drive between Mansfield Road and Crabapple

Southland Park Drive between Mansfield Road and Bert Kouns

Springhill between Louisiana and McNeil

Stoner Alley between and parallel to Stoner Avenue and Wall Street, extending from Highland Avenue to Creswell Avenue.

Stratmore Drive between Youree Drive and East Kings Highway

Summer Grove between Mansfield and Savanna

Sussex Avenue between Hollywood Avenue and Corbitt Street

Turtle Creek Drive between Youree Drive and Brunswick Drive

University Drive between East 70th Street and Youree Drive

Vine Street between Marshall Street and Market Street

Vivian Street between Hearne Avenue and Mansfield Road

Wall Street between Creswell Avenue and Highland Avenue

Wallace Avenue between West 70th Street and Browning

Washington Lane 6700 and 6800 Blocks

East Washington Street between Youree Drive and Higgins

Westport Avenue Service between 70th Street and Flournoy-Lucas Road

Williamson Way 8700 Block of Kingston Road extending West to City Limits

Woodford between Hearne Avenue and Mansfield Road

Wyngate Boulevard between Valley View and Pickwick Place

Wyngate Boulevard between West 70th Street and Valley View

Zeke Drive between Anderson Avenue and Shreveport-Barksdale Highway

East 62nd Street between Fairfield Avenue and Lexington Avenue

West 67th Street between Clift Street and Wallace Street

West 67th between Linwood and Union Avenue

West 68th between Linwood Avenue and St. Vincent

West 69th Street between Union Street and Linwood Avenue

West 73rd Street between Wallace Avenue and Union Avenue

East 73rd Street between Fairfield and Southern

West 74th Street between Linwood Avenue and Wallace

West 84th and between St. Vincent Avenue and Fairfield Avenue

East 85th between Fairfield Avenue and Line Avenue

85th Street between Linwood Avenue and St. Vincent Avenue

86th Street between Linwood Avenue and St. Vincent Avenue

Sec. 90-125. Clyde E. Fant Memorial Parkway from Lake Street south to the city limits.

It shall be unlawful for any person to operate, drive or pull any semi-tractor, semi-trailer, or truck of over one ton design on Clyde E. Fant Memorial Parkway beginning at its intersection with Lake Street and extending south to the city limits.

Sec. 90-126. Special permits.

The city traffic engineer is authorized to issue a special permit for the operation of vehicles, or combination thereof, which would otherwise be in violation of this section, if in his discretion the interest of the city highway system or the public requires it. When application for a permit is made, the traffic engineer is authorized to require such information to be supplied as he deems necessary for the protection of the interest of the city, the city street system and the public. The

police special services department or the police Field Support Bureau/Traffic Bureau is authorized to impose conditions upon the issuance of such permits and make requirements upon their use as directing the route and time such vehicle or conveyance shall travel, and also the hiring of a police officer of the city to escort such vehicle or conveyance through the city. Sec. 90-127. Penalties.

The first violation of the provision of this section shall be punished by a fine of \$200.00, a subsequent violation shall be punished by a fine of \$500.00.

BE IT FURTHER ORDAINED that this ordinance shall become effective on September 15, 2009.

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

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith, including but not limited to all previous ordinances creating No Through Truck routes on the streets listed herein, are hereby repealed.

Amendment No. 1 to Ordinance No. 93 of 2009

Delete the ordinance as introduced and substitute the attached ordinance.

Amendment No. 2 to Ordinance No. 93 of 2009.

In Section 90-124, insert the following at the appropriate point alphabetically: "Highland Avenue between Marshall Street and Ockley Drive."

Councilman Webb: If it pleases the Council, Councilwoman Bowman wanted to reconsider something we just passed, I'm going to do it at this time.

9. Ordinance No. 102 of 2009: ZONING APPEAL – C-50-09 An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the NE corner of Jewella Avenue and Sumner, Shreveport, Caddo Parish, Louisiana from B-1, Buffer Business District to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (G/Bowman)

Councilwoman Bowman: Ordinance No. 102, the one that Councilman Walford said that I couldn't postpone a zoning appeal. And from my understanding, when I spoke with Charles Kirkland yesterday, and in my mind, I knew what I was talking about, this was not an appeal.

Councilman Long: Second.

Councilwoman Bowman: I want to postpone this item Mr. - - -

Mr. Thompson: Is the motion to not introduce it?

Councilwoman Bowman: Yeah, let's not introduce it.

Councilman Walford: Why?

Councilwoman Bowman: Because there's some work that needs to be worked out on this, and instead of - - - I would like to at least postpone it for a few weeks, not just two weeks. I'm going to need more time to get with Mr. Kirkland and his folks to try to work something out for my community. Because I see some things that need to be worked out. Here.

Councilman Walford: I guess my question is why not allow it to be introduced so the parties involved will know that it's on the agenda, and then postpone it in two weeks.

Councilwoman Bowman: The party knows it's on the agenda.

Councilman Walford: It's not going to be on the agenda if you don't allow it to be introduced.

Councilwoman Bowman: I'm going to talk to the party involved Mr. Walford tomorrow and try to set up a meeting with Mr. Kirkland. And talk to her about holding up for a little while until we get this worked out.

Councilman Lester: Thank you Mr. Chairman, I believe - - - I think that the thing we have here goes to a more fundamental issue. And I think that fundamental issue Mr. Chairman is that each one of the 7 of us have our own processes and way of representing our district that may be different from the way someone represents their district. But I think that anytime that we in another district substitute our judgement for that of the person who is ultimately responsible to that particular constituency, we do that at our detriment. Having said that, and I've said this on more than one occasion, I think that there should be a certain amount of deference to a Council Member for them handling issues with the way that they need to handle them in their district. I certainly support that notion. Have not always been on the receiving end of that support, and I would be the greatest hypocrite for me to do otherwise and so, I would ask that we support what Council Member Bowman is requesting. It's not illegal, it's not outside of the scope of what our ability to do is, and certainly we don't know what conversations she has had with the constituents and the parties at issue. She made it quite clear that she is in the process of trying to work something out, and I think that we if not owe it to her, certainly to her constituents that she is representing to allow her to represent her district in the manner that she sees fit. So having said that I will second her motion.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Lester</u> to reconsider Case C-59-09. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Walford. 1.

Motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Wooley</u> to not introduce Ordinance No. 102 of 2009 for four weeks.

Councilman Webb: Now Julie, can we do this legally?

Mr. Thompson: I guess she was talking, I guess the motion would be to not introduce it. Then if you instruct us to, we can bring it back whenever you say for - - -

Councilwoman Bowman: Well I'll do that. I'll instruct you all later. Because I need to work this out myself, and I have a long memory too. Thank you.

Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Walford. 1.

Mr. Thompson: So, just for the record, Ordinance No. 102, which is C-50-09 was not introduced at this meeting, and it will be brought back at a later meeting for introduction.

Councilwoman Bowman: Thank you Mr. Thompson. Thank you very much.

Councilman Shyne: Mr. Mayor, my mother always taught me to be aware of people who had long memories.

Councilman Webb: Okay Mr. Thompson, do we have any other Unfinished Business? Mr. Thompson: Item No. 8.

UNFINISHED BUSINESS:

- 1. Ordinance No. 32 of 2008: An ordinance to amend and reenact portions of Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to Retained Risk and to otherwise provide with respect thereto. (Introduced March 25, 2008 Tabled April 22, 2008)
- **Ordinance No. 24 of 2008**: Amending Chapter 42 of the City of Shreveport Code of Ordinances to add Article XI relative to operation of a rendering plant or transfer center within the City of Shreveport and to otherwise provide with respect thereto. (*Introduced March 11, 2008 Tabled May 13, 2008*)
- 3. Ordinance No. 83 of 2008: ZONING: C-35-08 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Hilry Huckaby, 1800' south of North Lakeshore, Shreveport, Caddo Parish, Louisiana, from B-3-E, Community Business/Extended District, to B-3-E, Community Business/Extended Use District Limited to "an office, equipment storage vard, with the addition of stockpile materials (wood chips/recyclable wood products" only, and to otherwise provide with respect thereto. (A/Lester) (Introduced July 22, 2008 Tabled August 26, 2008)
- **4.** Ordinance No. 115 of 2008: An ordinance requiring a permit for use of municipal property for business operations in the City of Shreveport; requiring the provision of certain information prior to issuance of such permit; and otherwise providing with respect thereto. (*Introduced September 9, 2008 Tabled October 14, 2008*)
- **Ordinance No. 166 of 2008**: An ordinance amending and reenacting Chapter 98 of the Code of Ordinances relative to vegetation, and to otherwise provide with respect thereto. (*Introduced November 25, 2008 Tabled January 27, 2009*)
- **6.** Ordinance No. 33 of 2009: Authorizing the City to close and restrict vehicular access to Fannin Street from Baker Street to Douglas Street, and otherwise providing with respect thereto. (B/Walford) (*Tabled July 14, 2009*)
- 7. Ordinance No. 64 of 2009: ZONING: C-34-09 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning of property located on the northwest corner of Flournoy-Lucas Road and I-49, Shreveport, Caddo Parish, Louisiana, from R-A Residence/Agriculture District, to B-3, Community Business District with MPC Approval, and to otherwise provide with respect thereto. (D/Wooley) (Remanded to MPC July 14, 2009)

The Clerk read the following:

8. ZONING BOARD OF APPEALS

BAC-39-09: Property located on the south side of Fortson at its intersection with Thomas Drive, Shreveport, LA *Mr. Bruce G. Roberts* 1500 North Market Street, Shreveport, LA 71107 (A/Lester) (*Postponed August 10, 2009 until August 25, 2009*)

Motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to postpone until the next regular meeting.

Mr. Thompson: I just wanted to bring to the Council's attention. Mr. Richard King called today to say that he is in trial in Monroe, that Judge James would not release him to be here. That he wanted the Council to know that this is a matter that is very high on his list. He wanted to be here, but he could not be here, and he also said that he was not requesting a postponement. He didn't say that he was opposed to it, but - - -

Councilman Lester: Thank you Mr. Chairman. I'm asking for a postponement for several reasons. 1) Counsel for the proponents is not here and once being made aware, I communicated that to several folks. We've had some other discussions or some issues. There is no hurry in this, so I would ask that the Council would support me in the postponement. Councilman Shyne: You have my support.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

9. PROPERTY STANDARDS APPEALS:

- **HBO0700145** 426 Woodrow, Shreveport, LA (F/Shyne) *Ms. Carolyn Miller*, 424 Woodrow, Shreveport, LA 71105 (F/Shyne) (*Tabled August 25, 2008*)
- **PSD0700058**: 557 Egan Street, Shreveport, LA (B/Walford) *Mr. Daniel Markulus*, 853 Place, Shreveport, LA (B/Walford) (Postponed April 27, 2009 until November 9, 2009)
- **PSD0700214**: 2732 Logan Street. Shreveport, LA (G/Bowman) *Willie Roberson*, 6915 Quilen Rd, Shreveport, LA (E/Webb) (*Postponed July 27, 2009 until August 24, 2009*)
- **PSD0700131**: 1530 Arlington, Good Samaritan Funeral Home, Inc., Shreveport, La (A/Lester) *Mr. Winnifred Jackson*, 2200 Laurel St, Shreveport, La (A/Lester) (*Tabled June 9*, 2008)
- **HBO0800039**: 7221 Bethany Street, Shreveport, LA (C/Long) *Mr. Ellis Pope*, 11085 Sandwood Drive, Keithville, LA 71047) (*Postponed June 22, 2009 until August 24, 2009*)
- HBO090005: 241 Wichita Street, Shreveport, LA 71101 (B/Walford) Ms. Deborah McCauley, 241 Wichita Street, Shreveport, LA 71101 (B/Walford) (Postponed July 27, 2009 until October 26, 2009)
- PSD0800336: 1652 ½ Cross Lake Blvd, Shreveport, LA (G/Bowman) Mr. Donald R. Pelham, 150 Humming Bird Lane Blvd, Stonewall, LA 71078 (Postponed July 27, 2009 until August 24, 2009)
- **PSD00900103**: 2860 Looney Street, Shreveport, LA (G/Bowman) Mr. Reginald Mims, 527 East 85th Street, Shreveport, LA 71106 (D/Wooley) (*Postponed July 13, 2009 until September 4, 2009*)
- **PSD090006:** 2006 Looney Street, Shreveport, LA (A/Lester) Ms. Niakia Cook-Jones, 6777 Raspberry Lane, Apartment 1421, Shreveport, LA (G/Bowman) (*Postponed August 10, 2009 until August 24, 2009*)

PSD090017: 171 Ardmore, Shreveport, LA (C/Long) Ms. Shelia Wharton, 3215 Knight Street #147, Shreveport, LA (C/Long) (*Postponed August 10, 2009 until September 4, 2009*)

NEW BUSINESS

PROPERTY STANDARDS BOARD OF APPEALS:

PSD0800344: 2723 W. Jordan, Shreveport, LA (B/Walford) Mr. Clarence Davis, 906 N. Victory Drive, Houston, TX 77088 *DECISION RENDERED AUGUST 24, 2009*

CAB0901565: 3831 Conway Street, Lot 43, Mont-Mac Subdivision, Parcel No. 171411-044-004300 (B/Walford) *DECISION RENDERED AUGUST 24, 2009*

HBO0900027: 5955 Park Street, Shreveport, LA (G/Bowman) Mr. Brian Monroe, 6815 Broadacres Road, Shreveport, LA 71129 (B/Bowman) *DECISION RENDERED AUGUST 24*, 2009

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES

Councilman Wooley: Mr. Chairman, we're putting together another GIS Committee meeting in two weeks. I'll get with Sharon, on the date and we'll inform all those involved.

Councilwoman Bowman: Tomorrow, Wednesday at 1:30 in the Conference Room, we will have our Public Safety Meeting, dealing with Taxi Cabs, and Alcohol permits.

CLERK'S REPORT: The Clerk read the following:

C-46-09: 1901 Ford Street, property located on the SW corner of Ford and Norma. (A/Lester)

BAC-17-09: Property located on the east side of Gilbert, 125 feet north of Erie, Shreveport, LA *Mr. John E. McKinley, Jr.* (C/Long)

THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting) ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 6:34 p.m.

//s// Ron	Webb, Chairman
//s// Arth	nur G. Thompson, Clerk of Council