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**Council Proceedings of the City of Shreveport, Louisiana**  
***June 10, 2014***

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Joe Shyne at 3:03 p.m., Tuesday, June 10, 2014, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Father Andrew Comeaux.  
The Pledge of Allegiance was led by Councilman Name.

On Roll Call, the following members were Present: Councilmen Rose Wilson-McCulloch, Jeff Everson, Michael Corbin, Oliver Jenkins, Ron Webb, Joe Shyne, and Sam Jenkins. 7. Absent: None.

**Motion by Councilman O. Jenkins, seconded by Councilman Webb to approve the minutes of the Administrative Conference, Friday, May 23, 2014 and Council Meeting, Tuesday, May 27, 2014. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

Councilman Shyne: I don't generally do this, but because of Jerry Jones and Tom Arceneaux, I know they're on the clock. And you know how lawyers are, when they're on the clock, they want to stretch it as long as they can. But what I'm going to do is ask the Council to suspend the rules and we're going to take the MPC Zoning Appeal of SC-13-14 to No. 1 on our agenda, and then we'll come back and get the Mayor's comments, cause he might have a lot of comments on this, and then I'll come back and get the Council's comments and they may have a lot of comments on this zoning case so, ah.

Councilman Webb: So moved on the suspension  
Councilwoman McCulloch: Second.

**Motion by Councilman Webb, seconded by Councilman O. Jenkins to suspend the rules. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**Motion by Councilman Webb, seconded by Councilman McCulloch to consider SC-13-14. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**Metropolitan Planning Commission Appeals and Zoning Board of Appeals**  
*The Clerk read the following:*

SC-13-14: East side of Railsback Ridge Drive immediately south of Bayou Pierre, Shreveport, LA (D/Corbin) Mr. Tom Arceneaux, Blanchard Walker, 400 Texas Street, Shreveport, LA (B/Everson)

Mr. Thompson: You want background on the case?

Councilman Shyne: Please.

Mr. Thompson: The Larkin Development made an application with the MPC to approve a plat, that would create lots in the balance of the property that we have seen before and that request was denied by the Metropolitan Planning Commission and it was appealed by Mr. Larkin and that appeal is before you today.

Councilman Shyne: Okay. I believe we have some people here to speak on that appeal. And we usually start with the side who made the appeal. Mr. Larkin, you are the author of that appeal, we'd appreciate it if you'd come forward.

Mr. Larkin: Appreciate the opportunity to be here. My name is Timothy Larkin, and I am the President of Larkin Development Corporation. And Larkin Development and the Railsback and some other related parties are here today to ask the Council to consider a modified appeal of a plat approval that we presented to the MPC. The plat that we are seeking approval of is one of Unit 6, however the approval that we're asking for today is one that would modify it to exclude certain lots in that unit, and those lots are 2001, 2002, 2003, 2000. The reason we did that is because the MPC asked us at their meeting if we would consider modifying the application for that purpose, and when we learned of the reason for that we agreed to it at the meeting, however, I will say that at that same meeting, the motion was made to approve the plat with that modification. After the motion was made, a vote was taken and that motion failed. Then it was followed by a motion to simply disapprove the entire plat and we're here today to - - -

Councilman Shyne: I'm sorry Mr. Larkin, stop here. I need you to speak up a little bit louder. I'm not as young as some of my Council Members are, and I might not hear you quite well. This is a very, very important subject, and I want to make sure that we all are tuned in.

Mr. Larkin: Are these two microphones part of this - - - this one also?

Mr. Thompson: It's up now.

Mr. Larkin: Okay, is the volume now such that everyone can hear? Okay. So, shall I just continue or would you like me to reintroduce myself or, otherwise?

Councilman Shyne: I think we kinda know who you are, but you can continue from where you are.

Mr. Larkin: Well we do know who we are, yeah okay. Well great, then so we're here today to appeal that. And I'll begin by just a little background that our Esplanade Master Plan has been approved by the MPC in the past, so the zoning for the master plan and the approval of the plan itself has been passed on by the MPC and the limit to the residences for the development are 250. However when they passed our master plan, there was some conditions, so called stipulations and two of the most important ones were that we were required to build a bridge across the Bayou Pierre, which we did complete. We spent 19 months on that and approximately about \$1.6 (million) for it and we have completed it. That has been accepted and then we build a connecting roadway from Railsback Road to the Flournoy Lucas Road again, a condition of our master plan approval. That took three years, and we spent approximately \$3 ½ (million) to complete that. And so since those approvals, Larkin development then has an entitled master plan and based on the performance of those obligations to construct those improvements, with those requirements, fulfill the MPC became obligated to approve plats that are consistent with that master plan, and that they did. We began with the approval of our first unit there that you see with the green shading. That's

the plat for Unit 1 done in February of 2008, and then that was followed by Unit 2 in April of 2010, followed by Unit 3 in May of 2012 and followed by Unit 4 in May of 2012 as well. And then followed by Unit 5 which was March of 2013, and then we made application for our last plat here, Unit 6 that is now up in that corner there. That is the part that was shaded and so, the difference between what we made application for and what we're here for in a modified way then if you'll look up there again at Unit 6, what modifies what we'd like to have platted is that. So, that yellow area is left out and the shaded area is left in. So, the plat approvals that we have gone through to date were without objection, Units 1 through 5. Unit 6 met with not only objection, but it was as you know, the MPC voted it down. I did note that the MPC Chairman who was here yesterday and I believe she is here today. If I saw correctly. And she stated that the purpose of the denial was their concern that one of the possible routes of 3132 would go through Unit 6. And then I believe one of you all asked further, then the part that was excluded and voted on, why I think one of you asked why she denied that, and that was to preserve still other possible routes that had been talked about, and they felt like they wanted to just save it all for those possibilities. That's the understanding that we have here. There are - - - it's been so much discussion about the routes, I went back to the previous route tables, those are all of the routes that are actually superimposed over that area right there. It covers I think - - - a whole lot of them have been studied, but I understand that there are even more in there. And so, what happens when they're studying these routes of course is they'll start with something that's just so very complicated as that and cleaned up a little bit more like that, and they narrow those routes down as I appreciate it. And in the narrowing process, in order to not expend thousands of dollars on all of the possible routes, what they do is they conduct in Louisiana, the state conducts what's called a Stage 0 feasibility study, and this Stage 0 feasibility study was the answer to the question that has been lingering for so long, of you know what are we going to do with all those routes and how are we going to stop talking about what we're going to do about the extension of 3132 and actually determine where it's going to be. And a lot of that relates to this very unit right here. And so the Stage 0 feasibility study was in response to not only Willis Knighton's call to action, but all of us, everyone, everyone wanted to get 3132 going. And as a matter of fact, you all funded, contributed funds to this Stage 0, and it got done very quickly. Pretty well on time, had 700 pages of traffic, and just hundreds of pages of maps and studies, and all kinds of things. And it boils down to a - - - about I believe it four principle sites, and even more in its distilled way, it boiled down to two ways to get from 3132 to the points to the south. And so, one of the ways that the study determined to get to the south was - - - I'll show you exactly how they did that. We actually took the study, had our architects superimpose this study on the map, and the reason he did that is there's been so much talk about where things are and whether things would work. And you'll have somebody show up with a map and you know those lines in the secret routes and things like that. And so what we wanted to do is we wanted to superimpose what is to be studied in the next stage of this on an actual map. So everyone could look at it, and, Chief they could either look at it and say 'Well, that's crazy, that doesn't make any sense, or they could look at it and they could know that it does make sense. And so this is Route A right here and let me just stop right there and show you, this is the one that's heading towards Unit 6. This is real important for everybody here to know is that as we envisioned Unit 6, we thought about this route. And oh by the way, if you'll see right there, that's the road that you know we read that was going to be in the way of this road over here. We actually built it. Had big hearings about that, tons of time spent on that. So I thought it would be good to see the road that we finally put in and so you could see the extension of the route and see that everyone would be pleased to see we built the road and it's not in the way. So it's really good. So here goes the route, and there's Twelve Oaks over on the left, and then here's the road that we

built on the right. And then here's - - - here it is, running through. There's Twelve Oaks on the left, and there's us. And by the way right there on the right, we just passed Unit 6 right there. And now we're heading on down skirting to the left is Twelve Oaks. And where we're headed is one of the ultimate places which is Leonard Road. And of course to build the road, you've got to build I-69, cause you've got to have the two federal (inaudible) and I'm not going to get into all of that. What I wanted to do was run the road this way to Leonard Road so you all could see that it went by Unit 6 there, and you could see that that was one, that is one of the paths that in the Stage 1 study that we were going to start. Well we were going to start it 18 months ago, but of course we're locked in a lawsuit and we can't get it going. So it's stalled. And so we're not studying that right there that I showed you, it's just sitting there waiting to get studied. Now there's another way that is very offensive to Willis Knighton. I mean they just boil at the idea of anyone suggesting that there is another way to do this.

Councilman Shyne: Excuse me, not cutting you off, but instead of using the name Willis Knighton, could you say the group that's for building 3132, cause it's probably more than Willis Knighton that's involved in this. And I try to keep people when they come down, I try to keep 'em from calling names. Now some meetings that you go to, you don't want to call 'em a bunch of names, you call 'em what you want to. But in here we try to keep it very professional, and I would appreciate it if you wouldn't - - - you know you can refer to the organization as - - - where is Mr. Stonecipher? Is that the correct - - - is that 3132? Yeah, Finish 3132 Coalition. And let's don't refer to it as Willis Knighton. Now when you get on the outside, if you and Mr. Elrod or somebody from Willis Knighton is talking, then you can refer to them as Willis Knighton. But when you're in here, we want to refer to it as Finish 3132. Not, Willis Knighton.

Mr. Larking: Well I'm not sure that's right Mr. Chairman, see the reason that I said what I did is because this road actually goes by Willis Knighton, and I'm not sure that it may be that Willis Knighton is for this, and it maybe 3132 that's for it, I'm don't really know that.

Councilman Shyne: Well, if you're really not sure and you really don't know, don't say it. That's what I'm trying to get over to you. If you're really not sure, and you don't know, don't say it.

Mr. Larkin: Okay. Well, you're the Chairman and I sure would like to be able to choose your own words, but I'm going to follow your direction and your order sir.

Councilman Shyne: I would like for you to be able to choose your own words, but not when you're in there. Now if you go outside.

Mr. Larkin: Alright, I hear you. I hear you. I will follow your rules sir.

Councilman Shyne: You could call him something that my daddy wouldn't want me to say, but when you're in here we want to keep it very professional. We want to refer to the organization 3132.

Mr. Larkin: Yes sir. Well anyway, I'll say it as least as I can, but anyway as we're - - - let me go back here. Let me back up just a little bit. Alright, now here's the other route. And the way this works, you're driving the same direction as if you would be going to Flournoy Lucas Road, and then there's a ramp here that you would ascend on, and that ramp would then carry you to the southeast, and it would travel in an open field there. And it passes by a church, Elizabeth Seaton Catholic Church there to the right, and it passes by - - - so it is passing by Willis Knighton's property, and that doesn't mean anything, it's just that, that is their property that they're passing by. And nothing meant offensive by that. And so as it passes by that property, it goes over Flournoy Lucas Road. It passes to the east of the Twelve Oaks Subdivision. It proceeds south to the same destination as the other route, and it ultimately arrives at the same location. And so, let me since the Chairman has made that plain, there's no - - - we don't endorse one of these, or we

don't - - - our position on this is that three years ago, we all saddled up and everybody got together and said, we gotta get the Stage I going. We've gotta get this highway built. We can't get the highway built unless we complete the Stage I. So, we're still in that position. One of the things that we did and made a pledge to is that we would program our development in such a way as to hold back on the very last part until we could. And the reason we knew that would work is because two years ago, it was easy to get that Stage I study done. You could study this route, you could study the other route. You could get it done, and if it didn't get done and my understanding is the reason it didn't get done is because the study hadn't moved one inch since we all decided we were going to get it done and get this behind us. And so we started out to do one thing and we just (inaudible) right back where we started. And our company is not critical of that, our company understands that's just reality. But one of the realities is, is that while that effort was being held up, that we're very much in favor of, it was - - - you can't build \$3 ½ (million) worth of roads and get ready for houses and just stop. But what you can do is build your stuff in such a way to try to be cooperative and stay out of the way of the possible route of a possible highway that will be built possibly someday. And I think we've done a good job of that, and I thought we did a good job with Unit 6, particularly because the lots that we said that we would be taking out of Unit 6, when the MPC asked us to take some lots out of Unit 6, they were in their final form. They had if you look at 'em, we made 'em very large, and the reason we did is because we thought that we would be able to get this study done and when we got the study done, then we could figure out what to do with those sites. So you'll see the sites or they're huge sites. So, here's what we did because we saw how difficult it was for again, all of these things that come up and are kinda scary to talk about. Again, we had a, me and our architect, took the aerial map and we put Twelve Oaks in there, and then we put the road that's in there that we had, and then we put all of the units that are developed in this map, we added those, and then we added Unit 6 in the road. And then we added the lot numbers that we were willing to take out. And so that's what this is. Now watch, we're passing over Twelve Oaks here, it's kinda like you're in a helicopter, and look over above the top of the screen, that lake beyond there, that's the units of Unit 6. Do you see the lots that are numbered there. Those lots 2003, 2002. Those are the ones that we said sure, we'll take those out if that's what you'd like. And so here's Twelve Oaks, and here's Unit 6 and here are the lots. And so what I did, we put everything on this map. This is one of those Google Earth Maps that's done by a civil engineer, and so we're around it. And we said, alright, here's what it'd look like if you go the other route with 3132. What would it look like if you now this time, with 3132. So now look, here we go around it with 3132 in it and notice that 3132 heads over 2003, 2002, notice that. Do you see that? And so we thought that it was very reasonable to say look, first of all we don't even know if 3132's going through there, we know the litigation doesn't look like it's ever going to end, and so we're - - - I don't know when we'll study it, but you can't do anything until you complete a study. And so we concluded that it was very reasonable for us to say look, we'll agree to your request. We'll leave those out of there, and like all the other units, just turn us loose. We'd like to do it. And the reason I think that's fair is because what happens in the master plan process that is so important for government and business to know is that's a handshake. That is an exchange of obligation. Business comes in and they say, look, we've got a great idea. We'd like to put a half-billion dollars' worth of property right there and what do you need to do? What do you need to make a master plan? What do you need to follow all of our rules, well you need to do this, you need to do that. And by the way in order to be eligible, you need to spend \$5 or 6,000,000. Well, it probably, it just out to occur to your sense or right or wrong that no idiot would say, well look, we'll spend the \$5 or 6 (million), or in our case to date, \$13,000,000, to get to the point, where the money you've spent within the sites that you agreed to, that you're obligated to do, you

can't get to that point. Fortunately the law protects us, and it protects you. You can't get to that point and say, well look, things changed. I know you spent all that money, but this is good for the public, and what we want you to do is we want you to take care of the public. Just put all your plans aside. We'll get back with you sometimes, you can trust us, we'll treat you right, but for right now, the answer is no. There are laws that protect you and protect us in those things. That is what we think happened right there. Now, the other thing I saw happen yesterday after golly, after that hour of just blasting me, is I saw that there is something bigger here going on. It's not just this. It just seems like - - - I guess we just have to have a bit brawl or fight or whatever it is. Very unpleasant.

Councilman Shyne: Mr. Larkin, excuse me again. You've had about 15 minutes, and we're going to give you five more. And that's 20 minutes. And I've been trying to sit here. We don't generally allow that, but since this case is so important to the future growth of Shreveport, not only you, and not only Willis Knighton, and not only to the group, but this case is so important to the future growth of Shreveport, we're going to give you five more minutes. And Mr. Stonecipher, I hope you can hear me too, so yours will be in the range of about 20 minutes. We're trying to give you as much time as we can, and when you get up Mr. Stonecipher, I would hope that you keep from trying to make this personal or trying to make this get a little bit (inaudible), so you've got five more minutes.

Mr. Larkin: I was just trying to match his 45 yesterday of working me over.

Councilman Shyne: Well, that was yesterday.

Mr. Larkin: Yeah, I understand that, that's kinda my luck.

Councilman Shyne: Well see you're messing up your time by doing all that.

Mr. Larkin: Yeah, well those are good points you're making Mr. Chairman. Alright, let me see here. I guess I'd just like to wrap up here. Mike would you help me with my presentation here, show one more thing. Here's what I think is important. One way or another, I certainly hope I get my plat approved, more importantly here today is something that I wish we could get going is that I wish that after another 18 months of nothing happening and gridlock with lawsuits and the like that we could maybe find a way to stop the litigation and get the study going. Those two routes that I showed you, they're not - - - no one knows if they're good routes, no one knows if we should go there. But here's what experts know. They know they've got to find some things out and I wanted to just some of those things that have to be found out. It's like how does a route choice impact the drainage, or how does a route choice impact the floodplain, how does it impact wetlands, or how does it impact Twelve Oaks, how does it impact Esplanade, how does it impact the 3132 Coalition, how does the route impact traffic, how does it - - - what choices affect the availability of funding? How does a route conflict or comply with the National Environmental Policy Act? Can you finance any route choice with federal government? How does the route impact homes and neighborhoods? There are all these impacts and the answers are not known by you and the answers are not known by me and they certainly aren't known by the Coalition or anybody. They're known by the people who we hired to do this study. So I would appeal to everyone, let's get 3132 going. We'll stay out of the way. I think I've just shown you how we can do it, and we'll also support getting the study in gear anyway we can. We're certainly not stopping it, and we all are doing whatever we can to move away from stop, and get on the go. And for that I thank you very much for your time, and I certainly hope that you'll give a favorable appeal to our what I consider to be a very reasonable alternative to this. When you consider that we're just going nowhere. This time next week, you're not going to - - - nothing further is going to happen. Just more lawsuits. So we do need to move on, and I hope you understand that. Thank you.

Councilman Shyne: Wait a minute, we might have a question for you.

Councilman O. Jenkins: Okay, this may really be a question for one of your engineers. But can you give me the width between the bayou and I guess it's whatever's not in the 200 series that will be built on.

Mr. Larkin: Do I know that width?

Councilman O. Jenkins: No, but I'm thinking somebody on - - - yes, do you have that number and I'd like to see it, or may I have that number?

Mr. Larkin: Are you talking about the - - -

Councilman O. Jenkins: If you go back to your

Mr. Larkin: Yeah, let's do that.

Councilman O. Jenkins: To your presentation, I can tell you - - -

Mr. Larkin: I know quite a few numbers in there, and you might be able to cheat, because I see Jerome back there. Let's see. Let's go to - - -

Councilman O. Jenkins: You can do the power points probably faster.

Mr. Larkin: Let me see there, let me get around there where I think you want to get and I -

Councilman O. Jenkins: Just go to your Power Point, not this - - -

Mr. Larkin: Well I thought that - - - I don't know if the power point is going to have any - - - are you looking at that right there? Are you talking about the space between right there and right there?

Councilman O. Jenkins: No sir, the opposite direction. There to the bayou.

Mr. Larkin: From here?

Councilman Corbin: From the bayou to Twelve Oaks?

Councilman O. Jenkins: From the bayou to (inaudible) part of your subdivision, assuming you've excluded these you know six or eight lots?

Councilwoman McCulloch: Seven.

Mr. Larkin: Okay now here's the dimension I do know. See where my arrow is right there in the center of the bayou, the distance from right there to right there is 500 and - - - it's at least 500 feet.

Councilman O. Jenkins: Okay. I guess, it's a little hard for us to really tell, but can you - - - okay so from the middle of the bayou there behind that 2003 number to the road just south of 203, that's 500 feet?

Mr. Larkin: From the road there to there?

Councilman O. Jenkins: Mm hmm.

Mr. Larkin: That distance would be a little bit more than 500 feet. That curves away from there.

Councilman O. Jenkins: Okay, thank you.

Councilman Webb: Mr. Chairman? Just an observation Mr. Larkin, I think even yourself as you were commenting just a minute ago about we don't know drainage impact, we don't know this, we don't know that, and that's one of the reasons why I think everyone is wanting you to hold up on subdividing your plats until we do know those numbers. And we won't know until there is a designated route.

Mr. Larkin: Here's the - - - just like in the private world, that's not an unreasonable request. Government from time to time sees the need to come and seize your property for their purposes. I understand that. It's called expropriation. Government looks over and they see private property, and they say man, we've got to have it, I'm sorry. We don't care what it does to you, but we got to have your property. And the private citizen says well, they can say anywhere from I'm getting a lawyer to I'll sell it to you or whatever, but if they get along, it's an appropriation, and it's a cooperative thing, and then if you can't come to terms, then government

says the need for this has been identified, we know we need it and so we're taking your property.

Councilman Webb: I know if I was a homeowner, I wouldn't want to buy in that section, not knowing whether ten years down the road, they're going to come in and say hey, sorry, we're going to take your property.

Mr. Larkin: Well that is the stigma that is (inaudible), and boy I'll tell you, you know when you get over in that other one, you got the same thing. I thinking if I want to be in the Catholic Church, or if I want to be in Willis Knighton, I don't want to do that either I understand that.

Councilman Webb: (Inaudible) why you want to not wait. But anyway - - -

Mr. Larkin: But at any rate, my point is this. It is your right as the government to take our property. I mean you can - - - as a matter of fact I think what you could do is - - -

Councilman Webb: I don't want to take anybody's property. That's the reason why I feel like we need to have a designated route way before - - -

Mr. Larkin: Now here's what the law won't let you do. The law won't let you say I might want your property, so you leave your property alone and maybe I'll pay you one day. That's the same thing as saying I want your property. You see you can't take a developer and say look, you just wait right there, and we might use your property one day and we'll get back to you. See that's what they call a taking. That's like - - - that's the same thing as telling me I gotta have it because I can't use it. You're saying look, we sure think we might need it. Well, that's not a very good thing as you can well imagine. You just - - - you could just tie up the whole world with thing you think you might want. And so, that's my answer to that for what it's worth.

Councilman Shyne: We have one more question for you and I hope that question, I know it will be where we can come with a specific answer. We don't have to bring the whole world in it.

Councilwoman McCulloch: I just need you to clarify something. I understand that there was an agreement to do the study, but as I understood it, there was an initiator for this study. Who actually initiated the idea of this study being done?

Mr. Larkin: Well it was a combination of the - - - I believe that I'm correct, it was a joint thing between the Shreveport City Council, the Mayor's office and NLCOG, the Louisiana Department of Transportation and Development and the federal government, because the Stage I study is the first step in determining if you can get federal funding for the highway through here. So that was the one that we all knew needs to get underway so we can get this finished.

Councilwoman McCulloch: Okay, I heard you say something else, and I need you to clarify this. It seems like I heard you say "lawfully" if the plats had been approved, as a developer you can't be denied development. Did I hear you say something similar to that?

Mr. Larkin: Well, here's what happens. And I thought the MPC Chairman said it very well. We don't have - - - you don't inherently have the right to subdivide property. Yet the MPC and the Council are a part of that process. What happens is you get that right by going through a process that ends with entitlement. And so, you entitle your master plan to be platted. And until you entitle your master plan to be platted, what's up here? Somebody might say well I don't know. You don't explicitly have the right to plat that, and so the master plan is going to have to change. And that's what happens, that's why all the meetings, that's why all the things that we've done today we went through. But then what happens is after the MPC enters into this process, and they actually approve and zone your plan for a use, then you do have the right to plat it and use it as the master plan outlined and the MPC insisted you do. And so this process is very important because once you get passed this process, that's the keep somebody from doing just what I did. Spending \$5,000,000. Getting down the road and wondering if you could plat something. It is - - - that is the process.

Councilman Shyne: Just a minute. She is good. Now I have one question I want to ask you and you know you don't have to take me all around the world, you can just give me a number. How many houses have you built on your property already?

Mr. Larkin: In Esplanade? To date?

Councilman Shyne: Yes. If I were to go out there this afternoon and start counting houses, how many could I count?

Mr. Larkin: Let's see. We have 11 permits and \$44,000,000 worth of houses under construction. So, and I believe our actual starts is only like seven. So we still got - - -

Councilman Shyne: So, if I were to go out there this afternoon, I would see seven houses being started?

Mr. Larkin: Yes sir, you would.

Councilman Shyne: Okay now, would those seven houses equal to \$44,000,000, or is that just a number up there?

Mr. Larkin: Yes sir. No, not something I just happen to add up before I came cause I thought you might ask me that.

Councilman Shyne: You're a very smart man if you can read my mind. Cause my mind, sometimes I can't read it. And so if you can read it I know you're smart.

Mr. Larkin: Just so happens all the houses happen to be just huge houses. One of the houses out there is \$7,000,000. (Inaudible) weird things.

Councilman Shyne: Okay, so out of the seven houses, if I go out there and look this afternoon, I would see seven houses under construction, and one would be worth \$7,000,000?

Mr. Larkin: Well, it might be more than that.

Councilman Shyne: Okay, let's say \$14,000,000. Let's say the house that you say is \$7,000,000 but you would have seven houses that would be under construction?

Mr. Larkin: In some stage, yes sir.

Councilman Shyne: Alright, that's all I want to know. Thank you very much, Mr. Tom Arceneaux.

Mr. Larkin: Let me add one other thing to that.

Mr. Arceneaux: (Inaudible)

Councilman Shyne: Mr. Stonecipher, so you'll know and you won't come up and ask for the same amount of time, we gave him right at 40 minutes, so please try to keep yours under 40 minutes. Because we want to make sure that we be fair to everybody. Alright, Mr. Arceneaux.

*Mr. Arceneaux: (400 Texas Street)* If it please the council, I have a packet of exhibits for each of you. Mr. Chairman, I would simply ask that these exhibits which are the two zoning ordinances and the five plats that have already been approved and filed. I don't need to go through the, I simply want them to be made part of the record. At issue today is the approval or disapproval of the unit plat for the sixth unit of the master plan for Esplanade Subdivision. Both master plan and the zoning for Esplanade have been approved by the MPC for these home sites. Unit 6 is the sixth unit in a planned unit development that anticipated 250 home sites. The property is zoned R-1-D, PUD (Planned Unit Development) by ordinance adopted in 2007, and 2011. As you know a PUD anticipates a series of plats that will conform to a plan of development consistent within itself. Just like the previous five units that were approved by the MPC, this unit meets all the technical requirements for approval. Voluntarily, the Larkin Development phased the development of the Esplanade so that it held Unit 6 to the last because it was closer to the routes possible, likely for 3132, if the western route were selected, and all the land other than this master plan, this last part is presently platted. The previous five plats that were approved or either built or under construction, and Larkin Development hoped that the time table for the Stage I study would

not be delayed because it was halted by lawsuits, no one knows anything more today than we did three years ago. At the MPC meeting, the MPC asked if Larkin Development would voluntarily exclude certain lots from the plan application, and Larkin agreed to do that. It was not his suggestion, it was his response to MPC's request. Denial of a subdivision when it is consistent with the previous plan or unit approval to strict scrutiny. Mr. Sam Jenkins, I want to refer you to the Urban Housing case. Yesterday you'd asked me to address that today, so I want to address that. You heard the MPC Chairman quote Section 82-41 of the subdivision ordinance. That same section was quoted and argued by the city in the Urban Housing case precisely as it exist today. It was amended in 2007. That was the argument of the city. The Second Circuit said, that doesn't matter. When you have adopted a plan of development and a unit in the Urban Housing case, it was three, in this case it's five. When you have done that, if you don't approve the next one, you are arbitrary. And it reversed this Council, and it reversed the MPC for that reason. I'll leave that to you to look at Mr. Jenkins and other members of the Council, but the fact is that's exactly what the case says and the exact argument that was made by the Chairman of the MPC yesterday, was rejected by the court, it's subject to a strict scrutiny development. The traffic issue onto Flournoy Lucas from this has already been determined in the master plan. A maximum of 250 home sites with Unit 6 as proposed, there will be 141 home sites. Critical importance. The denial by the MPC was arbitrary because it was based on the possibility that one or more routes of 3132 might go through this property. We've provided you with the authority, and I will emphasize as was said yesterday, is the only undeveloped property, so the goal of the MPC and the goal of Finish 3132 is to prevent any development of the property. When that occurs, that's an inverse condemnation and it's a taking by the City of Shreveport. For which the developer, the person whose land is taken is entitled to compensation. Not only that, because that early taking affects a possible route that would be studied in the Stage I. When Stage I is not completed when that occurs, you run the almost certain risk that there will be no federal funding available for 3132. So, should you choose to take the course of action that the Chairman prefers, and Mr. Webb, you appear to prefer, you will almost certainly kill 3132 and impose liability on the City of Shreveport. Why are we here? Mr. Shyne, I'll let you rely on your lawyers to tell you that I am very confident in what I say.

Councilman Shyne: I think you're wrong by saying that, and I think I have the right to tell you that you are.

Councilman S. Jenkins: Can I ask a question Mr. Chairman?

Councilman Shyne: Hold it. If it's alright with Mr. Arceneaux.

Mr. Arceneaux: Perfectly alright with me Mr. Chairman.

Councilman O. Jenkins: I just want a little bit more explanation on the second part of your argument on how the federal funding would be lost if you chose a route for 3132?

Mr. Arceneaux: Yes sir, there are two acts that are concerned with that one is (inaudible) which is what the Stage I process is about. The other one is uniform relocation which you're probably familiar with, that are folks that are going to be displaced by a potential federal project. Both of those require that there not be any takings prior to a Stage I study, because all those are the factors that Mr. Larkin went through that deal with where a route ought to go. And so when you compromise that choice by an inverse condemnation or by a voluntary condemnation, either by an expropriation or a purchase, then you in the eyes of the federal government and regulations, you compromise the process of NIPA. And when you compromise the process of NIPA, you are no longer qualified for federal funds. The minimum estimate of this road in the Stage 0 study is \$115,000,000. Okay? Without federal funds, no extension of 3132 happens. Plain and simple. But that's really not the issue. It's been tried to make the issue, and I'm addressing it because others have made it a political issue. But the real issue is when someone has a master plan, has the

home sites, the traffic density has been regulated by the master plan at 250, and you're over 100 under that, and it's the same consistent development as the other five units that have been approved. Then when the Council decides not to approve, the Council has acted arbitrary and capriciously. I've provided you with those cases. They say what they say, read 'em yourself, ask your lawyer to explain it to you. Because I am very comfortable that they state the law and that this is a very, very simple decision made complicated by those who wish to confuse the issue by saying to one member of the public, we want you to bear the entire cost of the public interest. Fortunately, the 5<sup>th</sup> Amendment doesn't let you do that.

Councilman S. Jenkins: Would you be able to get around the arbitrary and capricious argument by saying that the areas that have already been developed were not in close proximity to any of the routes for 3132 as opposed to maybe what we're talking about today?

Mr. Arceneaux: I don't think so Mr. Jenkins because in order to consider the 3132 is the reason for doing it, you have to take the property. Because you're preventing development by someone who is trying to develop the property precisely as it is zoned and precisely in accordance with the master plan has been approved in five other units of the subdivisions. No, lastly I want to share with you a letter that we received from Jerry Jones because we asked for an explanation as to why no Stage I contract has been entered into. And the explanation is very clearly, the contractor that was selected is unwilling to go forward unless it is indemnified from both liability and attorneys' fees for defending the lawsuit brought by Willis Knighton and Finish 3132 Coalition. They are the parties Mr. Shyne to the lawsuit, so that's why I mentioned them.

Councilman Shyne: And that's why I didn't stop you. That's why I didn't stop you.

Mr. Arceneaux: Lady and gentlemen, we believe the law is clear and the facts are clear, and that this is a simple decision for you, to do what the law requires you to do, and what is right to do. And that is to approve the plat for Unit 6 with the voluntary modification that Mr. Larkin has made. I'll be happy to answer any questions.

Councilman Shyne: At this point, do we have any questions for Mr. Arceneaux? If not Mr. Arceneaux, I appreciate you directing all of your remarks to us and not turning around and Mr. Stonecipher and Mr. Pesnell, I hope that you all will file the same thing and not turn around. We're the ones that's going to be voting on this, and not the people in the audience. And we have cheerleaders at football games and basketball games and other activities, but in this Chamber, we won't have it. So I appreciate you, cause you've been here. So you know we're the ones that's going to be pushing the button, not the ones out there.

Mr. Arceneaux: Yes sir, thank you Mr. Shyne.

Councilman Shyne: Thank you. Mr. Pesnell, you are next. I'm sorry, Elliott. And when you come up, if you want to, you can give some answers to Councilman Jenkins' question about will we lose federal funds. Cause I'm not a lawyer, but I don't think we will. But I would ask you to report on that.

Councilman S. Jenkins: And I would also like to know why is the contractor made a party to the litigation. Why would we have the contractor named in there as a party to the litigation if both sides are saying they need to study done. Why are we tying their hands?

Councilman Shyne: Did you want to come first, or did you want your attorney to come.

Mr. Stonecipher: I think it would be really good if those questions could be answered by the attorney now. And Councilman Jenkins, I'm sorry.

Councilman Shyne: Let the attorney come on and answer now.

Mr. Pesnell: Mr. Chairman and Lady and gentlemen of the Council. Mr. Jenkins, I'll try to answer your question as briefly as I can. There are two lawsuits that are pending. There is one in the federal court. The contractor that has been I guess that has submitted the winning bid to

conduct the Stage I study is not a party to the federal court lawsuit. In the state court lawsuit, the contractor that submitted a bid for that work is a party to the lawsuit. And the reason you're a party to the lawsuit is that we have filed suit to enjoin work on the Stage I study until such time as the Stage 0 study has been properly completed. Okay? So, we're asking that work on that study not be permitted to go forward until the Stage 0 study has been properly completed. There are defects in or problems with the Stage 0 study because it includes a route that is not proper under the very criteria under which the contractor was let, and there are routes that are feasible and indeed perhaps the best possible routes for 3132 that have been excluded from the Stage 0 study. Neither the public or the MPC, not this Council has been told about those or advised of them before. They were offered and introduced into evidence in the proceedings before the MPC that are up on this appeal.

Councilman Jenkins: So, if you feel like that maybe spend some time and money effort on some routes that really are not playing any role in 3132?

Mr. Pesnell: Well, you will hear different versions of this depending upon who you ask I guess. But the purpose of the Stage 0 study was to identify the feasible routes that would be considered or would be evaluated in the Stage I study. Now, people from DOTD and from NLCOG have indicated that the Stage 0 study is not conclusive. That the engineers performing the Stage I study are free to look at or consider potential corridors or routes other than the ones that are identified in the Stage 0 study. But the contract that was let requires the engineers perform the Stage I study to evaluate the routes that were identified in the Stage 0 study. It doesn't invert to or specifically identify any of the other feasible corridors or routes. That's why we're seeking injunctive relief. We're going to do the Stage I study, we want to do it one time, the right way, including all of the feasible routes so we can move this thing to a conclusion as rapidly as possible. So that's the reason for that. Does that answer your question sir?

Councilman Jenkins: yes it does. I appreciate it, thank you.

Mr. Stonecipher: Mr. Chairman, I need some direction here. I think we have four of these that we were assuming the Council Members would want to see. We're going to need this however for the public as well.

Councilman Shyne: I believe we have - - -

Mr. Stonecipher: I'll explain those too, but everything is going to be facing that way, and we can use this for the public to see on these. Can we get someone to help us with this?

Councilman Shyne: Right, I think that's fine, because I wouldn't want you to say that we gave Mr. Larkin and we didn't give you...so.

Mr. Stonecipher: he was able to handle technology that I didn't even attempt.

Councilman S. Jenkins: I can't see the speaker from where I'm sitting. I want to see the speaker.

Councilman Shyne: Right. Councilman Jenkins wants to see the speaker, and I'm standing here and I don't want to speak for Councilwoman McCulloch, but it's hard to see you from here.

Mr. Stonecipher: Is it better if we just line these up in front right here?

Councilman Shyne: Yes, I think it probably would be.

*Mr. Elliott Stonecipher: (9537 Rochelle Dr.)* I am speaking for the Finish 3132 Coalition. We have - - - I have someone here who can answer specifically if we need to. We've got about 800 and some odd members, Willis Knighton Health System is of course paying the cost of the litigation. The rest of us are providing all of our time volunteer of course, as we've discussed before. I did want to note Mr. Chairman that we have here with us today, several people who have turned in their names to you who will also want to say something in context to 3132. I have also asked some Twelve Oaks residents to be here with us. I am a Twelve Oaks resident. Much of what

you will see which is new and is not in the public record will impact most disproportionately of course people in Twelve Oaks. We specifically want them to be here. We're glad that some of them are. We also have people here that we know who are businesses here now in Shreveport who don't know any of the history. We're going to rush through the history and hopefully not so fast that anything that is really important to this is skipped. I will answer questions along the way if you'd like for me to Mr. Chairman. Very, very quickly on the history, I think it's very important for everybody to understand that what this is about and the reason we are where we are and it's taking so long is that this highway was first conceived and made public in the master plans of both Shreveport and Bossier City in 1956. Project has been underway that entire time and the project was a loop all the way around Shreveport/Bossier. North part of that is I-220, the south part of that on our side is Hwy 3132. I'm not sure what is intended to be on the Bossier City, but I think it's going to be I-69 someday. It would then wind up back at I-20 on kind of the other side of Haughton. So that's how big this loop was intended to be. And it was actually conceived in 1954, showed up in the master plans in 1956. I'll skip through a lot of the intervening dates that have to do with study dates and get to the next important date, which is 1992, and it bears very, very directly on our discussion today that in 1992, there was a preferred corridor route for the final Caddo leg of 3132 which was going to stretch from Bert Kouns Industrial Loop all the way down to the Port. And I want to show you two aspects of that, but it starts with this. This is from the 1992 study, and by the way we have public officials here today who were here and involved in the 1992 study, so this is not some piece of ancient history. This is something that people here know very well. For those of you who were as I would be maybe having trouble understanding what this is, as I say it came straight from the study report itself. This little line is Flournoy Lucas. This is the famous or infamous now 16 acre tract which is just south of Flournoy Lucas. This was the route that was selected in 1992. As you can see it's called the preferred alignment. It's important to remember that this critical piece of work that was supposed to begin the final construction to the Port. It just disappeared. And what you're looking at right here, when you get to about this point, Twelve Oaks is sitting on top of this line. When this was done of course, this was all empty land, and it made perfect sense for this turn to happen to go right straight to the Port. Somehow inexplicably, Twelve Oaks ended up on top of it. No explanation for how that ever happened has been offered by anyone in government. Nobody in Shreveport knows how it happened. Only some of I think probably still want to know, but we don't. 1996, because the route was set in 1992, and we knew where we were going. City Council and the Mayor came to the people of Shreveport in 1996 and asked them to put their money up for bonds to complete some usually federal matching funds and state matching funds as well, to complete as you'll see the language here, the Inner Loop Extension to the Port. Nothing on there that says to Flournoy Lucas. It passed 64-36%. We believe in the world of law, we believe that the people were promised something that they then put their money up to pay for and somehow by April of 2011, that was completely lost. I have trouble understanding why anybody would think that if this highway is lost which is what this discussion is really about, and with all due respect to the developer, and we understand, it's not about the developer to us, it's not about what the developer did or didn't do, it's about making sure the highway gets built. We're in a completely different place to the extent that that development is in the way, we're worried about it. But it's about finishing what was started in 1954 and the people first learned about it in 1956. How do you ever again try to float a bond issue in Shreveport once people know and have a very, very shining example that the language doesn't mean anything. And I find it very, very important to note that we've made that point consistently for three years. But nobody seems to be moved by it. We think that's a sign of the times but the people in the coalition are not a part of those times. We're stuck in the past. We think it matters. After that election in

1996, in 1999, still keeping faith were the people of Shreveport, the city government went and expropriated and bought what we all call the 16 acre tract, we believe that might by the way have been 23 acres, but it is the acreage that was bought to make sure that what has happened didn't happen. That land was bought on the south side of Flournoy Lucas to make sure nobody confused where the highway was going to go. It didn't matter, but that's why it was purchased in 1999. In 2000, as I said inexplicably, Twelve Oaks was built right next door to that 16 acres, and in the preferred corridor route. From the time yet undetermined, unidentified when public officials let Twelve Oaks be built. Responsible officials and these planning agencies, and that includes the Northwest Louisiana Council of Governments (NLCOG), the Louisiana Department of Transportation and Development (LADOTD), and the Federal Highway Administration which is a different acronym, (FHWA), everybody has known what nobody wants to tell the people sitting here with us and the rest of the people in Shreveport so, let me be the one. Once Twelve Oaks was built, it was only one remaining route possible for the 3132 extension. Within that one remaining route, it's possible there are a lot of route alternatives. We're here today because some believe that there is a route is already determined and therefore Mr. Larkin knows where to build his houses. We know for a fact which we're about to show you that that is absolutely untrue. And that the MPC got it exactly right. They voted 3-4 against what Mr. Larkin is offering or asking for, for a very specific reason. There are many possible routes. And I don't know 'em and Mr. Larkin doesn't know 'em, and nobody else does either. How in the world do you start buying houses? We're going to do Twelve Oaks all over again. How do you buy houses when you don't know where the route is going to be, and what the MPC did is they went a step further and said, you're not going to know until the Stage I is done. And that's absolutely correct. So as we leave here today, I want to be sure nobody is confused. This is not about can you build houses in a route that is fixed and determined and can't change? That is absolutely untrue. And we're about to see some of the reasons why. What is true is that everybody in your position, everybody at the MPC, everybody at DOTD, everybody at the highway department, they have to decide between the public interest or the developer's interest. That's the absolute truth. You've got to make a decision, you can stand by the public's preservation of the highway, or you can decide for the developer. The land the developer is using is necessary for 3132. That's nobody's fault, but it happened because Twelve Oaks was built on top of the route, although nobody wants to tell us how that happened. On April 7, 2011, NLCOG met and they decided to kill the highway. So two people spoke. Mayor Glover spoke, Mr. Larkin spoke and the executive committee of NLCOG voted. The only person voted against killing the highway was the person who knew the most. Mr. Sanders of the highway department. He voted 'NO', everybody else voted 'YES'. The 1956...the 2011 dream was meant to be extinguished, we at the Coalition have chosen the public interest. We worked on it for three years. We want to make sure that what was intended on April 7, 2011 doesn't happen. Three times during those years, the developer has asked the MPC to approve actions he has taken in his interest. But against the public's interest. And all three times, the MPC voted for the public interest. One of the MPC's most recent vote or the most recent vote on May 7<sup>th</sup>, the Chairwoman from you've heard, told the Shreveport Times and I quote Ms. Demarteau, "We feel we have an obligation to look at the greater good of the public and what's going to be best for our city members and parish members. If we would have voted in favor of the developer's application, this could possibly block that route. We understood that perfectly, the MPC has voted that way three times, and we're very surprised that we're here again." And we'll talk about the litigation and who's responsible in just a few moments. Today, the City Council will make its choice, we hope the City Council chooses the public's interest, rather than the developer's interest. But I want to stress again, if he starts building houses and by the way Mr. Chairman, I apologize, I

thought there were two houses in the development. So I didn't know it was really up and running. We've made some comments about what it would mean if these extra houses were approved here today, I didn't understand there were even seven houses. So it apparently is already getting active, and that's even more of a threat to 3132. When the Louisiana Department of Transportation and Development drew the supposed new route in 2012, the consultant hired by the tax payers to do that work, Buchart Horn chose the public interest. LADOTD, the project engineer there, a lady I have not met. I wish I had and I should have, her name is Connie Betts, the project engineer on 3132 chose the public interest. The No. 2 at DOTD, the Deputy Secretary under extraordinary political pressure which we monitored carefully, we know exactly what happened chose the developer's interest. In our work the Coalition has used public records requests to learn the details of how this route came about. Council Members and those facing me, this should be the ribbon route down at the end. Is there a red ribbon route through this, that is the route that we were all told is a done deal. That's the route. And by the way, the tiny print down at the bottom of this page way down here tiny, tiny, tiny, this was actually developed for everybody involved in this on the regulatory side and for the City Council. This was prepared by the City Engineer of Shreveport. And it has gone forward as the route, as in the Old Testament, the Bible. That is absolutely categorically untrue. And now we'll talk about why. If this DOTD route was built, those living in Twelve Oaks would pay a very heavy price for Mr. Larkin's subdivision. And they were never intended to know that. Much less have a chance to object to it. In January of 2012, the first of two federally mandated public hearings, which were no such thing was held. No exchange of information between presenters and the public was allowed, most of the public comments have apparently "lost". Soon thereafter, the consultants Buchart Horn had to design a new corridor route, and they did so and on March 19, 2012, they sent the resulting route alternatives to the DOTD Project Engineer, Connie Betts. Their work was engineering in the public interest, not politics and over the next 60 days, the public interest lost. Here's the first email from our public records request. This is Connie Betts, Connie Porter then by the way, March 19, 2012. She's speaking to two people in the DOTD's environmental department (inaudible), I received this draft of the alternative of the exhibits from the consultant last week and wanted to make sure you had a copy. Let me know if you have any comments. This email was important in that it tells us exactly when the 60 day process to draw a route to serve Mr. Larkin's development not the public again, March 19<sup>th</sup>. Within three days, Secretary Kalivoda had received the routes and asked the first of many times to move the route out of Mr. Larkin's property. March 22, 2012, this is from Eric Kalivoda to Connie Porter, Connie, can the alignment hug the bayou more closely from Station 135 to Station 205 and from Station 215 to Station 225, those are the segments of the route. So, as not to leave so much property between the highway and the bayou. This is the first time that Dr. Kalivoda starts asking the consulting engineer and the project engineer, both of whom are suggesting a completely different route right through Esplanade, and Dr. Kalivoda is now beginning to ask them to hector them to move it, move it, move it. So now that's underway. By April 19<sup>th</sup> Ms. Betts, Kalivoda's request notwithstanding, submitted route options which as her email that date specifically says, excuse me. I don't know where we are. Is this the gray route (inaudible)?

Councilman O. Jenkins: Yes.

Mr. Stonecipher: I'm sorry that this isn't showing up better, but I do want everybody to know that three sections, three alternatives were submitted. One of them as you can see over here comes on the other side of Mr. Larkin's bridge and comes deep into Esplanade, this one comes at a different angle I learned, that has to do with the bulge in the highway right here. And you may see right here the highway is going right through Mr. Larkin's bridge. This is another one that yet

further tightens, but in each case, it's moving the highway further and further out of Mr. Larkin's property. Want to be sure everybody hears this. This is Connie Porter to Dr. Kalivoda, even though he's made clear what he wants her to do. Eric, I have attached a couple of different versions of the geometry here at the SPUI, that's the interchange. The first sheet is the original tangent section. This is the one the consultants submitted. This comes deep into Esplanade, this is the consultant's. Even though this is the project engineer. Even though the second version takes out Larkin's bridge, I think it's the best option because it will avoid impacts to Twelve Oaks. I will ask the consultant to use this version in the layout and mention the other two in the text with some pros and cons to each one. Let me know if you think I should go a different way. By May 21<sup>st</sup>, Dr. Kalivoda continues to order routes which protect Esplanade. Each one of which equally damages Twelve Oaks. He adds compound curbs to do so. We were told by the way very faithfully in two different public hearings about various DOTD personnel that know compound curbs are included in the ribbon route. Now you're seeing emails that prove that they are. I hope everyone will notice that. These are devices which are more dangerous and DOTD has paid a lot of lawsuits because people die where there are compound curbs, and they are being absolutely removed from use in highway planning everywhere, But there is one of 'em at least in the ribbon route and maybe two. By May 22<sup>nd</sup> the top man at the consulting engineering firm, oh excuse me. Let me back up. Here's Dr. Kalivoda, Connie Porter, the scale is sufficient. I'd like the consultant to work with it a little more to try to get the road and southbound on ramp a little further away from the bridge. That's moving it into the area of Esplanade that is the wetlands. It's moving it almost out of Esplanade, but the part that's left in is the part that is not going to be developed in any case. They may need to use a compound curb to accomplish that. This is the compound curb that we were told didn't happen. When all this was over, a meeting was held between the top man at Buchart Horn, Mr. Krouse, and Dr. Kalivoda after their meeting, this is Mr. Krouse writing to Connie Porter: Connie attached is a sketch of what we could do to move the ramp roadway away from the bridge. I will see Eric this evening and I could discuss it with him. Let me know if you have any questions. This is the route that comes the very closest to Twelve Oaks. He drew it and attached it with the email. The next statement I want to make very carefully. I do not want to mislead anyone. We don't know why it happened, but the next day after the meeting was held and this was submitted, a sizable contract expansion for Buchart Horn occurred. Maybe it was a coincidence. When all this was over, today's supposed route has been set. In the first of the two Stage 0 feasibility study reports, there were two, (inaudible) which we will enter into the record today Mr. Thompson, the route protecting existing homeowners is used in this study. It shows the maps taking out Mr. Larkin's bridge, it shows the deep incursion into what is now known as Esplanade. All that is in this study. And it says at the top DRAFT ALTERNATIVE EXHIBITS ladies and gentlemen. These are route options. Let's be sure we all understand what this is. They've been designed by consulting engineers and the project engineer, and they're in this report. Then this report disappears. By the way, there'll be a chapter in this book about where we got the copy of that report. It's one of the neatest things that's ever happened to me in my career. Somebody working in one of these agencies had a pang of conscience so severe that in answer to one of our public records request they submitted that copy of the report which was never supposed to see the light of day, is how we got it. We know where they are, we think we know who it is. And we certainly intend to find out. They did a heck of a thing for the public interest. Now, this the two identical top parts of the route, two of them say Twelve Oaks on those say Twelve Oaks, they're blown up.

Councilman O. Jenkins: No, no, that's the middle one.

Mr. Stonecipher: That's the middle one? Okay, good. Here it is. Again this is going to be difficult to see. This is the route drawn by an end Stage 0 study report. It comes deep into Esplanade. It comes way on the other side of Mr. Larkin's bridge. The second one as you remember took out the bridge. But this is the least offensive, although it goes deep into Esplanade. Next to it is the route we got. This is the red ribbon route. So when you hear people today talking about the route, the route, the route, like there's one, one, one, one, one, this is the one they're talking about, and it was in this report. This Stage 0 report. This is the final report. Okay? In the final report, you don't see any of this, you see this. This is the route that everybody on the other side is talking about. This is the holy grail. And it's the one that made the final report. This one was in the report that got lost. Now, here's the point. Can everybody kinda see the distance between the highway here and this top part of Twelve Oaks, versus the edge of the highway here and the top part of Twelve Oaks? Can y'all see how much closer the right hand image is to Twelve Oaks in comparison to the route that was drawn in the disappeared Stage 0 report? It's very close. This one was not very close. I want to show you how dramatic this is. This has two tangent sections that are horizontal it has Hwy 523 on the (inaudible)?

Councilman Shyne: It does.

Mr. Stonecipher: Okay, these are actually in the Stage 0 report. This is in there. It's just that nobody knew it. So let me show you what we're looking at here. I have people sitting behind me that I certainly will not identify who live in this part of Twelve Oaks right here. Can everybody see this little bitty line right here? The little blue line?

Councilman Shyne: Yes.

Mr. Stonecipher: Can y'all see how the little blue line is behind the hedge row?

Councilman Shyne: Yes.

Mr. Stonecipher: That little blue line is the right of way for the highway. The hedge row is somebody's back yard. The right of way is in the backyards of people in Twelve Oaks. Even where it's not in the back yards of people in Twelve Oaks, look further down where one of the cul-de-sacs is, look how close this little blue line is to Twelve Oaks. Now, throughout the study report, you can find these separations and you can measure them. I mean they're close, real close. That's the highway right of way, and here's the point, very simply. Every time Dr. Kalivoda bumped the route, every time it went closer and closer to Twelve Oaks. And closer and closer to Twelve Oaks. And closer, and closer, and closer, and this is where we are. Now, the point of the 3132 Coalition, this is where we step in. As troubling as all of this should be to everyone here, here's the worst part. I mention the January 2012 public hearing which was not a public hearing. Comment cards got lost, they wouldn't let anybody speak. There was only going to be a second one and by the way, this is a part of NIPA that Mr. Arceneaux mentioned. The instruction book for NIPA is 36 pages long. You know what it's about? It's about how NLCOG and DOTD are supposed to stay in constant contact with the people who are going to be impacted by this highway. Constant contact. What we had was two phony public hearings. And in the second one, guess what happened. Everybody showed up to see the route options and alternatives including a lot of folks from Twelve Oaks. Guess what was not at that hearing? Any of those routes. They were knowingly and deliberately withheld from that meeting. It's not only that the Twelve Oaks folks are supposed to pick up the tab, when in fact what they could do is see the highway just go in undeveloped land across Bayou Pierre. It's not just that this was all done, and they pick up the tab for no good reason by the way, it's that they were never allowed to know it had been done to them. Never. So our question to the Council is very simple. Is there anybody here that wants to raise their hand and say we think it's okay that those people were just getting wacked for this development on the other side of Bayou Pierre? And we think it's okay that they didn't know

about it. And what are you upset about Elliot? You're just always looking for secrets and hidden routes. You know why? Because they're secrets. And they're darn sure hidden routes. And the people in Twelve Oaks had a right to know. They have a right to know now. So what did the coalition do? The coalition tried to get NLCOG and DOTD to redo this as soon as we got the documents and found out what was going on. They wouldn't meet with us. Never. So what'd we do? Thanks to Willis Knighton being willing to do it, we filed a federal court suit. Just so everyone knows, the federal court suit is limited to the regulators. Federal Highway Department, State Highway Department and NLCOG. That's all. And it's that way because, what did we ask for? The prayer in that suit is everything I've just said to you. We want the hearing done right. We want people who are going to get nailed and lose their home values to know what's coming, get a chance to talk about it like the federal law guarantees. And then we can shut down the Stage 0 study and go to the Stage I. But when we go to the Stage I, unlike now, all the routes will be in there. Not the magic route, all the routes. And we don't believe there should be a Stage I study until of this is incorporated in the Stage 0 and the people who are going to pay the price for this attempt to kill the highway, at least have a chance to what? Object. So what'd the MPC do? The MPC heard, the MPC figured it out. If you let Mr. Larkin build 14 houses or 12 or 3 or 6 that are not in the route, then what you've done is, you've decided that there is a route that's known. The MPC knew there was no route. What did they do? They voted against that. They voted against approving any more houses until magic words, the route is known. This is not heavy lifting ladies and gentlemen. It's fair, and it might save the highway. We've only been trying to do that since 1956.

Councilman S. Jenkins: Mr. Stonecipher, does the Coalition have a preferred route? I use the word 'preferred' dubiously, okay? Do they have a preferred route or is the Coalition's position wait and let a route be determined through the process of the study?

Mr. Stonecipher: We believe that what we all paid for as taxpayers which was the Buchart Horn Study.

Councilman S. Jenkins: Was that the one in 1996?

Mr. Stonecipher: No, no. That's the one that was just done in 2011 and 2012. The new Stage 0 study. Buchart Horn was paid to do the consulting engineering, they have really good folks. And as it should be they were joined by the DOTD project engineer. We believe they came up with the right routes. We don't think we ought to mess with that.

Councilman S. Jenkins: Do you have anything that shows that?

Mr. Stonecipher: Yes sir. (Inaudible) or this one recommended by the project engineer. Only when Gov. Jindal's folks got involved, his executive assistant, his executive council, only when they got involved did Dr. Kalivoda start moving the route. So we think it was in its unpolitical shape when the Stage 0 was done. We don't - - - look, I live in Twelve Oaks. I've got plenty of people out there who are telling me, Elliott, why don't you just hush. You know the politicians tell us there's not going to be a highway. That what the mayor and the developed intended is where we're going to end up. There's going to be a no build decision. Just hush, and let 'em decide not to build it. There's a problem with that. What about the 64% of the people in Shreveport who said, we want the highway to go to the Port, and what do we do when we have 30,000 more trucks a year which is what is forecast, and we can't get out of Twelve Oaks now? So I remind my friends, it's not fair to the people in 1996, and we better get the highway built, because we've got one entrance and one exit which never should have happened in Twelve Oaks. And we're not going to be able to get in and out because DOTD has refused to put up traffic lights. So Councilman Jenkins we think exactly what was supposed to happen that the taxpayers paid for that we know did happen is what we should be doing. Does that harm the developer's plans?

Absolutely. Are we going to have to pay the tab for that? From what I understand, yes we are to some extent. But I will tell you this, we object to the phrase 'illegal taking'.

Councilman Shyne: Right.

Mr. Stonecipher: And we object for a simple reason, it' confuses the issue. Because the real illegal taking was on April 7, 2011 at an NLCOG meeting. They took the 3132 extension. That's an illegal taking. So, it's up to people a whole lot smarter than us, and I think by the way probably a federal judge participates in that to figure out how you balance all that out, but I do want to mention this and I mean this with respect Mr. Chairman, I am not throwing rocks at anybody. We have nothing to do with how long this court case takes. Mr. Larkin is a Bossier City Councilman. He knows that in the UL Coleman suit before this same court and judge, what they did is deny that developer a curb cut. The city wouldn't settle, same court, same judge four years into it, the parties decided to settle it. The judge had not ruled. It's not us, and by the way Mr. Jenkins, excuse me, Oliver Jenkins, Councilman. I promised you I'd do this, so let me read you the - - - this is the settlement offer that I mentioned yesterday, did I mess up? Okay. This is the settlement offer that I mentioned yesterday that you and I discussed. I tell you what, I'll try to do it this way. 1) Remove from the list the possible routes, the one which moves through land now being used by St. Elizabeth Ann Seaton Church, and the Oaks of Louisiana. That is developed land as everyone knows. Aside from everything else, the route should be removed because its selection would require the City of Shreveport to pay the Federal Highway Administration, \$27,000,000 to tear up the last leg of 3132 from Bert Kouns to Flournoy Lucas. Why that option is in there we all know and we have an email to back it up and it was retribution. Pure political retribution. We'll share that with anybody that wants to see it. It shouldn't be in there, never should have been in there. So that needs to come out too. Hold an official public hearing. A hearing with free exchange of information by those on all sides of the issue which presents and explains all possible routes, especially including the one through the only remaining undeveloped land which is owned by Mr. Larkin. And again as I said yesterday, that shouldn't be. The Twelve Oaks shouldn't have been. Once Twelve Oaks happened and we didn't come clean about it as a community, Mr. Larkin was set up for this. 3) Specifically committing (inaudible) to include the road originally recommended by the Stage 0 consultants for consideration in the Stage I study.

Councilman O. Jenkins: So this was verbally conveyed to whoever is representing those governmental entities?

Mr. Stonecipher: Yes.

Councilman O. Jenkins: And they haven't given you a formal response at this point?

Mr. Stonecipher: They were not interested. That was their response.

Councilman O. Jenkins: Their response was no thanks.

Mr. Stonecipher: That's attorneys for all of these folks, they were not interested. We have no explanation. We can only be willing to do something.

Councilman Shyne: Mr. Stonecipher, we want to appreciate the presentation that you gave and we appreciate it that you didn't turn around and try to chin up the crowd. Attorney Pesnell? Wait any questions for - - - Elliott, I guess not, unless they call you back. Don't leave now. Okay.

*Mr. Whitney Pesnell: (400 Travis Street, Suite 1100)* We represent Willis Knighton Health Systems, Finish 3132 Coalitions and Karen Wells in connection with these matters. I'm going to try and be as concise and to the point as I can. You've heard a lot today about takings and inverse condemnation. You've heard a lot about requirements of NIPA and jeopardizing federal funding for the completion of 3132. Those are all really collateral issues. Issues that are although related somewhat separated and distinct from the one's that are before the Council in connection with the appeal today. The appeal today is an appeal from an MPC ruling denying the approval of

a subdivision plat. The narrow question before this council is whether or not the MPC abused its considerable discretion in deciding to deny that application. I was - - - I guess what you haven't heard about today I guess are the relevant ordinances and the criteria that the MPC is supposed to consider in making its decision and how it arrived at its decisions. That's what I want to address first. Because those are the issues that are most cogent in terms of the immediate appeal. You did hear from Ms. Desmarteau yesterday. I thought her explanation was not only accurate, but eloquent. I think she graciously set out what the MPC did and why it did it. We believe that the MPC was entirely correct. We think it should be affirmed. And I guess I will address that by addressing the arguments that have been advanced by Larkin Development at Railsback, L.L.C., in support of its appeal. Now Larkin at Railsback submitted a letter to this council setting out its arguments in support of its appeal. And that letter it advances basically three arguments. Three reasons why it believes the MPC's denial of Larkin Railsback's application was erroneous. First they contend that the denial of the application will result in a taking or a condemnation of Larkin Railsback's property. Second, they argue that the MPC's denial of the application was arbitrary and capricious, and third, and I think this is a little bit (inaudible) opinionated, they argue that the denial of the application will jeopardize federal funding for Hwy 3132. First of all, the assertion that the MPC's ruling will result in a taking or condemnation of Larkin Railsback's property is erroneous. I don't see any way that the MPC's action on an application for approval of a subdivision can be considered a taking or a condemnation of a property particularly when its considered in context. Now the case (inaudible) that Larkin Railsback cites in support of its taking or condemnation argument reverses the State Department of Transportation and Development. In that case, DOTD denied Mr. Gravette a driveway connection permit to his property. Because of DOTD's denial of his permit, Mr. Gravette had no access. None, to his property and could not develop it for any commercial use. He had no way to do anything with his property because he couldn't access it. That is clearly not the case, it's not even close to the situation that was before the MPC. And that is before this Council. Larkin at Railsback has always had access to its property through Railsback Road, a public street. In addition to that DOTD granted Larkin Railsback's application for a driveway connection permit and it built a second means of access, Forbing Ridge Road, from Flournoy Lucas Road to the bridge that was across Bayou Pierre to Explanade Subdivision. So they have two means of ingress and egress. They have no basis for an argument that they cannot access their property, and they have no basis for an argument that they cannot develop or make some commercial use of their property. In fact, the MPC and this Council have bent over backwards to accommodate Larkin at Railsback in allowing it to develop the property. They approved the general plan for Esplanade Subdivision, and to date they have approved five applications to subdivide within Esplanade Subdivision. The first five units. They've allowed him to go forward with that development and they've approved those applications because the portions of the land and we're talking about approximately 110 acre tract of land. Involved in those applications are not close enough to impact or affect the potential routes or corridors for Hwy 3132. That is not the case with Unit 6, the unit before the MPC and before the Council in this matter.

Councilman S. Jenkins: You don't consider the fact that Mr. Larkin would not be able to develop Unit 6, a taking simply because it's a part of the property? In otherwise if you're distinguishing Rivet from the present situation, the Rivet that was submission by that gentleman couldn't have bought this property at all. If I'm hearing you right, you're saying that Mr. Larkin can develop some of his property and the fact that he cannot develop a section of it, that in your mind, that is not a taking?

Mr. Pesnell: That's correct. Look, he's been allowed to already received approval to go forward with development on the vast majority of his land. Some 90 acres. Unit 6 is approximately, I don't know the exact number, possibly 20 acres. No one has told him and the MPC has not told him that he cannot and subdivide that property. What they have said is you can't subdivide this Unit until the Stage I study has been completed. You need to wait a little while. Now he has 90 other acres to develop out there, he's got lots to build 141 houses and he ain't built seven of 'em yet. He's only started on 'em. So how waiting until the Stage I study is completed, and we know where that highway is going to be is going to adversely impact him, is very difficult to understand. They're not telling him, they're not trying to take his property away from him, they're not telling him he can't develop it. What they said was in the public interest, you can't do it right now. And they're 100% right about that. At Rivet is distinguishable because that man had no access to his property and couldn't do anything with any of it. And as I said, I think the MPC and this Council have bent over backwards to try and accommodate Mr. Larkin and let him do everything that he can without jeopardizing the completion of 3132. So the two situations are not analogous at all. They'd have to show a regulatory taking and in my mind on this record, they don't have a snowball's chance of doing that. Now, the second argument that they advance is that the MPC was arbitrary and capricious in denying their application to subdivide Unit 6. That is an argument that is also without merit. The reason is this. The MPC in this case, and you heard Ms. Desmarteau yesterday quote from Section 82-41A of the Municipal Code, we quoted Section 82-41A in our letter to the Council. That section talks about the approval process for subdivisions. It says and I quote in pertinent part, "These requirements do not imply an inherent right to subdivide property or to create building sites except as consistent with the public health, safety and welfare of the entire community. It is intended that this review and any potential approval including the evaluation of all aspects that might relate to this decision. Moreover it is specifically within authority of the Planning Commission to require specific improvements, easements, or other limitations to development rights that further these public interests as a condition of approval." Now the MPC in this case was presented with evidence that there were routes, potential corridors or routes for Highway 3132, that not only go along the northeast corner of Unit 6, but go directly through Unit 6. And evidence that any development that was permitted and those potential corridors or routes was going to prejudice Hwy 3132 and under NIPA presumably its funding, at least if Mr. Arceneaux is to be believed. The MPC looked at that and they said, well Mr. Larkin, the public has interest here, and we can't sacrifice that to your development. We don't think it's unfair to ask you to wait until the Stage I study is completed to finish developing this last unit. I don't think there's anything that's unreasonable about that. Much less arbitrary and capricious. But they cite two cases in support of their argument that the MPC's decision was arbitrary and capricious. The first one involved a planned unit development as Mr. Arceneaux noted and it's request for approval of the third unit or phase of that development. The court also specifically cited and referred to Article 82-41A, but the court didn't say that 82-41A didn't apply, and it didn't say that the MPC erred by advertent to it or relying on it in arriving at its decision. The problem in those cases was that no one had offered any evidence that showed that there had been a change in circumstances or that there was a public interest that was going to be harmed by going forward with the subdivision. That is not the case here. There is ample evidence of the routes, both the ones that have been identified in the Stage 0 study, and the ones that have not, their affect, and the fact that they go through Unit No. 6, and the fact that whether or not development is allowed in those potential corridors or routes, is going to prejudice 3132. The MPC got this right.

Councilman S. Jenkins: The argument about the interstate coming through Mr. Larkin's property haven't they been there with the other developments also? I mean this is not being brought up for the first time.

Mr. Pesnell: It's not against Mr. Larkin's property. There's a route that goes through Willis Knighton's property. There's a route that goes right back Twelve Oaks.

Councilman S. Jenkins: Yeah, but I'm talking about Mr. Larkin's property right now. I'm saying that the developments that he's already undertaken on this property, hasn't there been some argument about the potential of 3132 coming through the property and I think I heard this a few minutes ago, there should be no development at all on that property? Hasn't that already been out there and considered when the MPC approved the other developments?

Mr. Pesnell: Not quite. The argument was there should be no development within the potential corridors or routes for the highway. Most of his land is not located within the potential corridors or routes of the highway. As I said, the potential routes or corridors that we're talking about, the ones that were identified by Buchart Horn, and the project engineer and the one that Mr. Stonecipher just identified for you all go through Unit 6 of Esplanade Subdivision. They don't go through or impact any other units. That's why Unit 6 is distinguishable from the other units and that's why Unit 6 should be treated differently from the other units and that's why the MPC did exactly what it should have done when it voted to deny that application in the public interest. Now the last argument that they (inaudible) is that if you deny his application for approval to subdivide Unit 6, you're going to jeopardize funding, federal funding for the completion of LA Hwy 3132. Now I would ask you, stop and think about that for a minute. They're telling you that you're going to jeopardize federal funding for LA Hwy 3132, if you protect the corridors by preventing development in the potential corridors or the routes. That doesn't make any sense at all.

Councilman S. Jenkins: If I understood their argument, if there is some occurrence of eliminating or picking a certain route or something like that, that would be reason to lose the funding.

Mr. Pesnell: I believe the argument was that if you favor one route over another by taking property for that route before the Stage I study is completed, then you're violating the need for process. You're selecting an alternative before it's been evaluated under NIPA, and that's what jeopardizes federal funding. Well, they've already violated the NIPA process. They've violated the NIPA process when they excluded the three routes that go through Unit 6 of Esplanade Subdivision. They're all feasible routes, they're all alternative routes, and they were suppressed or concealed. They were not disclosed in the Stage 0 study, they were not given, made known to the public, there was no public notice, no opportunity to comment, no opportunity to object, no consideration of those routes. Those are feasible alternatives. NIPA requires that every feasible alternative be evaluated and considered. If there is a failure in the NIPA process that jeopardizes federal funding for the completion of LA Hwy 3132, is the failure to include those routes in the Stage 0 study and the failure to make sure that they're going to be evaluated in the Stage I study.

Councilman Shyne: Mr. Pesnell, let me say this before you go any further. We're not here today to select a route.

Mr. Pesnell: That's correct. (Inaudible) you don't have the information you need to do it.

Councilman Shyne: Right, right. So let me say this, kinda like the judge would say. Strike that from your records what Attorney Arceneaux said earlier. And I love him like a brother. But we're not here today to select a route. We're here today to either uphold or deny the ruling that was made by the MPC. And the ruling that was made by the MPC comes down on the side of the public. And this is the way it ought to be.

Mr. Pesnell: And it comes down, it's not a question of favoring one route over another. I will tell you sir, that I believe the MPC and Council both have obligations to protect all of the potential corridor routes to prevent further development in all of the potential corridors and routes. Not just this one, until the Stage I is complete and we know where the highway is going to be. At that point, those considerations cease to be relevant and the people who can and want to go forward with development of their property, certainly should be able to do that.

Councilman Shyne: Right and you're exactly right. And one other thing. And then I'll let you come back in, cause you're - - - you know. Councilman Webb and I, it was alluded that what we were looking at would deny federal funds. That's not true.

Mr. Pesnell: I don't believe that it is. I think the more serious danger to the federal funds is in the suppression and concealment of feasible routes. However, there's one other point I'd like to make Councilman if I may. Mr. Arceneaux's arguments that federal funding is going to be jeopardized under NIPA and under Uniform Relocation Assistance Act, presuppose that there's been a taking, a legal or compensable taking or condemnation of property. Until the city or someone who has an interest in completing 3132, goes out and starts purchasing or expropriating property (inaudible) and they haven't done that with the exception of the 16 or 23 acre tract that's immediately adjacent to Flournoy Lucas Road, okay, those NIPA alternatives are all there. There's not a taking or a condemnation, there's not an expropriation, and you haven't done anything that's going to jeopardize federal funding. Under the Uniform Relocation Assistance Act, if you look at their own letter, it says if the property is condemned or taken and you don't follow the procedures of that act, then you jeopardize federal funding. So the underlying assumption for all of those arguments is that property is going to be taken or condemned if this application denied. It ain't so. What the MPC has done, all zoning restricts the use of property. Okay? We still have an MPC, and the Zoning Board of Appeals and the City Council as the government of zoning because the restrictions of uses of property are not only not necessarily invalid, they're needed if we're going to live together in the city and have an orderly development planned. And again, I'd be happy for Mr. Larkin to develop all this property. I hope he makes a ton of money. We're not opposed to development in the city. We're only opposed to the development in the corridors or routes until the Stage I is completed. Because that threatens the highway. Beyond that, we couldn't give a fit. Okay?

Councilman Shyne: Alright. Let me say this again. Today, we're here to do either one thing or the other. To uphold the decision that was made by the MPC that would be in favor of the general public, the greater good of the general public. If we deny the decision that was made by the MPC, this comes down on the side that hey look, developer, not only Mr. Larkin, but any developer can just go head on and develop and you don't need to take into consideration the greater good of the public. This route and this highway has been in progress for the last 30 years or more. And it was initiated because of the greater good of the citizens of Shreveport, not for the greater good of James White or John Smith or whatever. So we're not here today to decide on what route and whether this will impede any federal funds or not. We're not here for that. Now Councilman, I'll come back to you and if we don't have any more questions, then what we'll do, we will store then with people in the public and what we'll do, we'll go back to looking at 3:00 minutes. And it will be the discretion of the Council and the Chairman if you need an extra minute or two. But we will not go this long again.

Councilman S. Jenkins: Well, I don't know if it's a question or not.

Councilman Shyne: Observation, if you got an observation.

Councilman S. Jenkins: I'll just say I believe what's being determined here today, we can try to avoid the issue on routes, but what's being determined here today based on what I heard

yesterday, coming from the MPC Chairman was the rationale as to why they denied the application. That rationale was the preservation of potential routes for 3132. So to me, I mean it's gonna be hard to separate. If that was the rationale that the MPC used, now and I didn't pick that rationale for them. That's what was verbalized to us, that it was being denied, preservation of routes. So it's going to be hard in my mind to separate all that, because I think that's what we're having to decide. When you start talking about what's arbitrary and capricious.

Mr. Pesnell: Well that's the integral part of the public interest argument. You're exactly right Councilman.

Councilman S. Jenkins: We have to look at the reason they are verbalizing as to why the denial was made.

Mr. Pesnell: I agree with that. One other point that I would like to make. Mr. Larkin also mentioned that they had offered a motion to modify their request in connection with this appeal. And exclude the 200 and 2000 series lots from the land they were seeking approval to subdivide. I want to address that very briefly. That modification doesn't make any difference, it doesn't solve the problem because as you noted Mr. Chairman, we don't know which corridor or which route is going to be selected for 3132. We don't know if it's the ones that are shown in the red ribbon drawing that are mentioned in the Stage 0 report. We don't know if it's one of the three that's mentioned by Buchar Horn and subsequently suppressed, we don't know if it's going to be some other one, they will not know until the Stage I is complete. What we do know is that many of the routes that we're talking about go squarely through Unit 6. They may not be the ones that are selected, wetlands or something else may trump that. But they go right through the middle of Unit 6. Not just the 200 and 2000 series lots, and so even with that modification, you still have the same problems. That modification does not address or solve the problem. So the modification is really irrelevant. I just wanted to make that point. That said, if any of you have any questions (inaudible) I'd be happy to.

Councilman Corbin: Attorney Pesnell, I need clarification on something. A few minutes ago, I heard you refer to and we've heard previous speakers refer to the hidden routes. And would you clarify for me, although we've certainly seen copies of emails and documents that the Finish 3132 Coalition has done in preparation for their court case. But any hidden routes or anything like that, at this point, is simply your opinion until that makes its way to the court system.

Mr. Pesnell: Well whether or not they were hidden or concealed, that may be true. We refer to them as the hidden routes simply because they did not show up here in the Stage 0 study. Okay? No reason for that has ever been given because no one was notified of it, and never knew it, no one was ever able to comment on it or do anything else with it. That is a part of the NIPA process that has been circumvented, that we object to. Now let me make one other point clear. Our suit is to compel them to comply with the requirements of NIPA by looking at all feasible alternatives. We cannot tell them which one to choose. Okay? They may decide that the one that's in the Stage 0 study now that goes right by Twelve Oaks is the one they want to use. We cannot compel them to pick a particular route or tell them which route should be selected. But NIPA does require that all feasible routes be examined and be disclosed to the public and be the subject of comment and debate. After that, the decisions they make is their decision. We have no control over that. And so we've said from the very outset of these lawsuits, these lawsuits could, they could put an end to this and move forward with this process a long time ago. All they had to do was include those three routes in Stage 0 study so that they could be included in the Stage I study, and the lawsuit goes away because at that point, they're considering all the alternatives we know of and we do not have grounds for compelling them to do anything different under NIPA, okay? So we can't control where the route is going to move. I don't know, just as the Chairman

doesn't know, anyone here who says they know where the route is going to go is not telling the truth, because until the Stage I is done, no one knows okay? So we can compel them to go through the process and do it the right way.

Councilman Corbin: Let me ask my question a little simpler because this is not court and we're not all lawyers up here. My question was we've seen documents referring to hidden routes, that won't be settled until the court cases are settled, is that yes or no correct?

Mr. Pesnell: Well, I would say it won't be settled until the court cases are settled. The court cases could be settled short of litigation everything on the merits. I mean we have approached them about settling it, we haven't gotten anywhere with that yet. But until that issue is resolved one way or the other, that issue won't go away.

Councilman O. Jenkins: Okay, quick question. Looking at those three routes you termed hidden routes, but these routes that - - -

Mr. Pesnell: Previously discussed.

Councilman O. Jenkins: Previously discussed, can you tell me looking at the first two, obviously 6 is impactful, aren't there several other units like 3, 4 and maybe 5 that are also impacted by these additional routes. I mean I don't have his (inaudible) doing it in front of me, but.

Mr. Pesnell: And I can't see the - - - I can step around there and look at it if you'd like me to do that. But from a prior review of those routes, I believe they all veer to the east and edges Esplanade Subdivision before they get south of that pond. Okay? Unit 6 is from that pond or that lake up to Bayou Pierre. And I believe that all the routes that were identified by Buchart Horn and discussed through the DOTD emails by Ms. Betts veer to the east north of that pond. If that's true, they don't affect any of the units in Esplanade Subdivision other than Unit 6, the one that we're here on today.

Councilman O. Jenkins: Please do. I'm gonna have to ask somebody previously to show me that picture, only because I'm a little - - - I don't have the two in front of me. I'm assuming the bridge is in one of the units, but I don't know which unit that would be.

Mr. Pesnell: The first of the routes identified by Buchart Horn, this is Mr. Larkin's bridge above, across Bayou Pierre right here. Okay? This is the lake or pond. Unit 6 is right here. You see, so the (inaudible)

Councilman O. Jenkins: No, no, no. But I got that part of the deal. On the other side of the main route that splits his subdivision which I don't know how well you can see it on there. But yes that's got to be one or the other units, right?

Mr. Pesnell: Actually, you're right I was thinking about this portion. But this is I forget how they're numbered, but I believe this would be Unit 5, if I remember the chart that Mr. Larkin put up there, but it does (inaudible) as well you're right.

Councilman O. Jenkins: Okay, and I guess that's going to be the question. I don't know how I can maybe go through this again, but I would like whether it's Mr. Larkin or Mr. Arceneaux just to show us that diagram that shows what these newer routes, how many other of the units are impacted, have already - - - I don't want to say already impacted.

Councilman Shyne: Can you hear him good Mr. Arceneaux? Can you hear?

Mr. Pesnell: The other thing I'd like to say is this one comes up through the north part of Unit 5, (inaudible) unit at the northern end of the property. But these two do. The one that affects the bridge - - -

Mayor Glover: Mr. Chairman, I would comment we're not getting these comments on the record.

Councilman Shyne: Oh, you're not picking them up Bea?

Councilman O. Jenkins: Well I think we have a different way to answer that.

Mr. Pesnell: Well the first of the routes that were identified and discussed, the one in which the corridor and the route is west of Mr. Larkin's bridge just pass through Unit 5 or the northern most unit on that side as well as Unit 6 okay? The other two routes that are shown there, there's the one that goes directly over the bridge, there's the one that goes east of the bridge, and the one that goes just east of the bridge, only impact Unit 6. Okay? But on the first one it would also take a portion of the other unit. You are correct about that.

Councilman Shyne: Any more questions? If not, we appreciate it and we appreciate the presentation that you gave.

Mr. Pesnell: Thank you Mr. Chairman, thank you ladies and gentlemen.

Councilman Shyne: Mr. Arceneaux? Mr. Jenkins, did you get what you needed or you wanted some more.

Councilman O. Jenkins: Oh, I'm gonna hope that they can answer this with their document right there. That is Larkin Development.

Councilman Shyne: Tom, please?

Mr. Arceneaux: Mr. Chairman, Mr. Chairman, we were - - - we had requested Mr. Sinclair be able to speak after the opponents, and he'll be able to address that question.

Councilman Shyne: Okay, Mr. Sinclair.

Councilman O. Jenkins: That's good with me, whoever has the map and can show us, that's good.

*Mr. Scott Sinclair: (4014 Edwards Street)* We would prefer to be able to rebut all of the remarks, not just these Mr. Chairman and I believe that their remaining speakers likely are in opposition.

Councilman Shyne: I understand, but I want to make sure that - - -

Councilman O. Jenkins: I'm not really interested in the rebuttal part of it.

Councilman Shyne: Right, he's not interested in any rebuttal.

Councilman O. Jenkins: I'm not denying your rebuttal, I'm just saying my query is just a function of that one specific (inaudible).

Councilman Shyne: Mr. Stonecipher? Would you come closer. No we're just trying. Hold it, hold it, hold on. Yeah, right we're just trying to get a question answered, and then - - -

Mr. Sinclair: Let me just and this to you, but it does show the outlines, I've outlined in red-  
- -

Councilman O. Jenkins: Right, okay. That's all I wanted to know.

Mr. Sinclair: A comparison of the hidden routes with those outlined for Units 4 and 5 do reveal that the hidden routes would have clipped Units 4 and 5. So, two units prior to Unit 6 have been impacted by 3132 issues.

Councilman Shyne: Let me say this too. Mr. Sinclair are you down to speak in favor of Mr. Larkin?

Mr. Sinclair: I am, but I noted on my sheet that I'd like to speak in rebuttal if that's alright with the Chair.

Councilman Shyne: Well, what I'd like to do, I'm trying to keep you all together. Now if you have some comments, I'd like for you to make your comments now, and later on because we're going to go with the other side. And this is not about the rebuttal right now, but if you're in favor, I'd like for you to come and make your comments.

Mr. Sinclair: I am and I can do that. And my comments really relate to what you've already heard. Mr. Jenkins just answered one of the questions and that is prior plats prior to Unit 6 have impacted the 3132 issue so the MPC has made prior decisions and approved plats even though they are related to the 3132 issue. There's a big talk about putting the federal funding in

jeopardy. Mr. Pesnell says that it doesn't make sense to him, but in the materials that we've provided to the City Council included three pages of laws and rules that relate specifically to this. In order to protect the constitutional rights that private parties have that their property not be taken for public purposes, there are rules under the Uniform Act that have to be complied with in taking property. And I think Mr. Pesnell would even agree with us that that if this is a taking, and we believe it is, and you've got your own counsel that you can hear from on that issue, if this is a taking, then there is no question that federal funding would be jeopardized for this project. And that's in the three pages that we laid out. Here's what I really want to tell you. There are only two persons standing in the way of 3132. Ironically, one of this is called Finish 3132. The other one is Willis Knighton and they have filed lawsuit after lawsuit, after lawsuit, the objective of which is to stop the 3132 process. So on the one hand they're saying wait until Stage I is completed before you do anything. On the other hand they're saying don't go forward with Stage I. And the reason they're saying don't go forward with Stage I is all of what Mr. Stonecipher talked to you about. I've heard that speech so often, I could probably give it to you myself. He presented that speech in one of their lawsuits. And they not only had 40 minutes, or hours, but they had days to present that issue and the conspiracy theories and the secret routes and the compound curbs and all of that in court. And they did that. And they did that in a scenario where you don't just get up and have the opportunity strikes your fancy, and make whatever accusations you choose to make. But they did that in a forum where it requires proof, it requires evidence, and it requires you to back up what you say. And in that process, in that proper form for dealing with these kinds of issues, the trial court said, we're not buying it. We don't believe that. What you're saying is not going to impact Larkin Development's rights. Finish 3132, Willis Knighton didn't like that decision and so they filed an appeal to the Second Circuit Court of Appeals, and they made the same arguments, presented the same story, presented the same conspiracies and secret routes. And the Second Circuit Court of Appeals said, we're not buying that. They didn't like that decision, so they took it to the Supreme Court and they asked the Supreme Court to reconsider all these decisions, all this evidence and find please that there really is a conspiracy out there. And the Supreme Court said, we don't want to listen to that. And so the point that you need to know is that the 40 minutes that Mr. Stonecipher spoke to you about has been presented in a proper form, in a proper court with scrutiny and it didn't survive the scrutiny.

Councilman Shyne: Mr. Sinclair, let me just stop you one minute. I wish you kind rephrase that as this is your opinion, because if you watch court proceedings, what you're giving us are the interpretations of third parties opinions. And we were not privy to the actual minutes and all, and we would kinda appreciate it if you wouldn't privy us to those third parties, because it's basically your opinion now. Unless you come with this is my opinion, but not this is the God's truth. Because I wouldn't want Mr. Stonecipher to do the same thing. So these are your opinions, and this is a third party that you're giving. So we would appreciate it if you would keep it to that. We want to try to keep this as professional as we can.

Mr. Sinclair: I agree, we should keep it professional and we should keep it accurate. And the accuracy is that three sets of judges consider these issues - - - this is a fact, this is not an opinion, consider these issues and found them to be wanting. Now, here's the second thing I want you to know from today. By eliminating the lots from the plat that Larkin Development has agreed to do, you are being presented today with an opportunity for a win/win. You can protect the public interest. We've demonstrated that there's a possibility for a route in between the other lots in Unit 6 in Twelve Oaks, and split the difference and you can protect the public interest. The public interest is finishing 3132. The public interest is not moving 3132 as far away from Twelve Oaks as possible. That's not the public interest. That's a personal/private issue. But the public

interest is preserving a route for 3132. You can that today. The other thing that you can do today is you can protect Larkin Development's Fifth Amendment Rights, to the protection of his private property. So, carving out those lots leaves a path and it allows Larkin to move on with his private property rights. And you can make that decision today and preserve both of those very important things. And we think that's what you should do.

*Ms. Lea Desmarteau: (4720 Richmond Ave)* good afternoon. I think we coordinated our outfit today Mr. Chairman.

Councilman Shyne: We did, we did. And let me say this. Mr. Larkin and Elliott, I'm letting her come up now because she's dressed like me. I'm taking Chairman's yeah (inaudible).

Ms. Desmarteau: There's just a few things I want to clarify. First I'd like to answer Councilman Jenkins' question about what we took in consideration, and you were saying that.

Councilman Shyne: That's Councilman Sam Jenkins, right?

Ms. Desmarteau: Oliver Jenkins. You asked about the hidden routes and what we were considering?

Councilman O. Jenkins: Were you, let me ask this before we go into that. Were you aware of these (inaudible) before? I'm assuming you hadn't.

Ms. Desmarteau: That's what I'm going to address. No we cannot, we cannot. We can only take in consideration what was publicly displayed in the Stage 0.

Councilman O. Jenkins: That's what I assumed. And so if I (inaudible).

Ms. Desmarteau: It kinda sounded like we already made decisions that we already jeopardized 3132 with the other, you know doing the other subdivisions.

Councilman O. Jenkins: No, no you didn't know those even existed or whatever? I assumed that from the get go.

Ms. Desmarteau: I just wanted to clarify it, thank you. So I just wanted to make sure. What else? I can clarify some of the other statements if you'd like, or if you would like to ask me questions.

Councilman Shyne: Please do.

Ms. Desmarteau: Alright, first of all when the MPC staff made recommendations to the Board, that's their job to make, when we come up in front of the case, part of their job is to make recommendations to us. And one of the recommendations with emission of those specified lots, that was one recommendation out of three. So, they did ask the Larkin group if they were willing to do that, but that does not mean that was the preference and/or that's what we were going to vote obviously. So we had to hear the case entirely. It was one of the suggestions. It was voted down as you know. So I didn't want to get the impression that they said the MPC recommended to them to emit those lots. No, it was the staff that was recommending it to the Board as an option. So I just wanted to clarify that. I want to clarify that the Larkin group thought I said some things about the proposed routes. I want to clarify that I stated that until after the Stage I study was done, we don't know where the three proposed routes, we don't know exactly where those routes are going to land in those properties so we felt for community interest, and the better of the public, that we keep all three of these routes from being that come up in front of us from being subdivided, and potentially blocking those three routes that were in Stage 0, that (inaudible) Stage I until you see exactly where they're going to land. So I wanted to clarify that statement too.

Councilman Shyne: And Lea, I appreciate you coming because we do have people who will come up and say well such and such a group said this and I'm giving you what they said, and they don't understand that most of us are intelligent up here and we didn't come to town yesterday, and we understand how facts are a lot of times are whatever that person wants it to be that's giving it. So, you know I don't want them to think that they're coming up and we're buying into what

they're saying and their interpretation, and that's why we didn't want to interpret to MPC of doing something that you know you might not have had in mind. So this is why we appreciate you coming up.

Ms. Desmarteau: Well thank you. I just wanted to you to know and I think I said this yesterday and I probably don't need to repeat it, but we studied it from the beginning to the end. I have you know they want to say it was me. I have a group of nine individuals, very smart individuals that took a lot of time to look at this. And a lot of thought. And we don't have any biases one way or the other. We just looked at the facts, looked at the ordinance that we're bound by, and we feel as though Metropolitan Planning Commission, we're here for the community, for the greater good. You know we donate our time to do this. So, we're going to err on the side of the greater good of the public and the growth of the community and we feel that 3132 going to the Port would have a great impact to build and grow our community and we don't want to see that blocked.

Councilman Shyen: Lea, we appreciate it and the city is indebted to what you all do. You all look at the greater interest and the greater good of the community and not one group or another, and we appreciate that, and I like your outfit.

*Mr. Bill Pesnell: ((400 Travis)* Contrary to appearances, I'm going to briefly comment. I'm going to tell the City Council exactly what I told the MPC. You need to consider the question why is Mr. Larkin seeking approval of this subdivision plat. Now I can suggest two potential reasons. First of all, he wants to sell lots to prospective investors. And I think we can reasonably assume that Mr. Larkin is not going to post a sign down on his subdivision property saying buyer beware. This property is subject to expropriation for LA 3132. Secondly, Mr. Larkin wants to get the approval of this subdivision plat because if his property is expropriated, it will be entitled to just compensation based on subdivision property instead of raw subdivision land. And that affects the public interest as well, because then the public interested has to pay estimated just compensation for that status. Now, it's clear to me that the MPC was correct. The public if it is approved, if this subdivision plat is approved by the MPC and by the City Council, the public is going to assume that this is a safe investment. And it won't be. It will be expropriated, and not anyone here at this - - - knows where that road is ultimately going to be placed at this point. Now, I want to raise one other comment or one other point. We were contacted, and I don't think I'm speaking out of school on this, I won't mention any names, but we were contacted by a member of the defense team that wanted to know if we would be willing to settle this case. And we made an offer (inaudible). You go conduct a new public hearing, inform the public of these three concealed or hidden routes, and furnish them the data and the information needed for the public to address those points, and eliminate the retaliatory routes which was suggested against Willis Knighton, simply because they were courageous enough to stand up and express their opinion about this procedure or what was going on here. Now, I submit to you that that was in the public interest as well. Mr. Stonecipher has gone into great detail to lay out what has happened and contrary to what Mr. Scott Sinclair told this Council, no court has ever passed on the merits of those allegations. Now, with that, we think the Council should affirm the decision of the MPC, and thank you very much for listening to us.

Councilman Shyne: Mr. Pesnell before you take your seat, I just want to let you know you made a whole lot of sense. I wouldn't mind having you on my payroll. I couldn't afford you, but, Elliot I believe, Mr. Pesnell was so good, until he kinda got me off track.,

*Mr. Dick Bremer: (400 Edwards Street)* Mr. Chairman and members of the Council, I'm the President of the Shreveport Chamber of Commerce. And I'm speaking on behalf of the Chamber and the Board of Directors of the Chamber of Commerce. It was in 1992 that the

Chamber first passed a resolution in support of 3132 being extended to the Port of Caddo/Bossier and ultimately tie it into Interstate 69. And that resolution was based upon a study, an engineering study done by NTB. And NTB was commissioned to do a study to look at the feasibility of tying into 3132 to I-69, and they determined yes it is very feasible to do. So, over the years, we have reaffirmed that original resolution that was passed by the Chamber, and (inaudible) a couple of years ago, the Board voted again unanimously to support the completion of 3132 to the Port and ultimately to the interstate. It was a few years ago, you will recall, the voters in both Caddo and Bossier Parishes, passed a tax, and that tax is used and is in place today, that tax brought an increase in property tax is used to help fund the operations of the Caddo/Bossier Port. And I think everyone would agree, that the voters are very wise in imposing that tax on themselves because today, we enjoy a lot of fantastic companies located in the Port that employ a lot of people and there are a lot more jobs to come. Not only do we have the Company within the Port, but yesterday, the Mayor and several of us were at an announcement of MBI (inaudible) solutions and this company is going to take off. And they're in the facility, the Baird Industry, the old facility. And they announced Steve Mr. Steven Schoonover the addition of several hundreds of jobs out there and the product that they're going to make, not only is it going to be blast proof buildings, which are being made out there today, but they're also going to add another line to make buildings to be used in the telecommunications industry. The reason I mention that is because not only do we have companies that are located in the Port bringing product out of the Port, here's a company that's going to build product in Shreveport and use the Port to ship overseas. They're going to sell a lot of their product in the middle east, and in Europe and we have that Port to assist in that operation. We believe that the corridor study, the State I study needs to be completed first. And we would encourage you to support the decision of the MPC. It is unfortunate that these studies take a long time. The federal government has certain regulations the agencies impose and it's unfortunate. It does take a long time, but you have to follow the rules set out by these agencies of otherwise you will jeopardize the use of federal funds for the construction of 3132. So our recommendation to you would be to support the decision of the MPC. Let the study, the corridor study be completed and it is our hope that this corridor study, once it's done, that we will have a corridor that'll tie into the Port and I-69 that will be an acceptable corridor for everyone and that the Esplanade development can go forward and be a very, very successful development, because it too is important and beneficial to our community. So that is our recommendation to you and we appreciate the opportunity to take a few minutes and share these comments.

Councilman Shyne: Just a minute before you go to your seat. Any questions? If not, Mr. Bremer, I want to congratulate you for making a whole lot of sense.

*Mr. Rick DesCoteaux: (9641 Calliope)* I'm the Plant Manager for (inaudible) U.S.A. located in the Port of Shreveport/Bossier, and also the Chairman-Elect for the Greater Shreveport Chamber of Commerce. I drafted my comments otherwise, we'd be here all day, and I'm getting tired. One of the continued economic development Port of Shreveport/Bossier is critical to the citizens of Shreveport/Bossier. This isn't the primary purpose of my decision to address you. The concerns I share with you are those of me and my fellow Port tenants. Each of us who've located there in the past decade did so with the expectation 3132 continue into the Port of Shreveport/Bossier. There is no doubt our trucks are going to get to us whether you do it or not, but at what cost? Just between my company, and my closest neighbor Pratt Industries, we currently send over 2,000 trucks every month up and down LA 1 to 3132, via Flournoy Lucas. This doesn't include the other tenants that are predominantly heavy, nor do oil and gas trucks run the same stretch, nor the construction trucks for the new facility building at the Port and soon to be finished goods. There it'll bring our total number just between Pratt, us and our new neighbor,

to 3500 trucks per month. That's just between the three of us. My concern I want 3132. I don't care how it gets there, don't care whose property it crosses, I really don't. My concern 100% in regards to the safety of my employees and those of my colleagues within the Port. I drive it every day. I observe the many ways vehicles are trying to circumvent the intersection of LA 1 and Flournoy Lucas. I'm not even talking about Flournoy and 3132. If you can picture that intersection going past the water, the sewer and our department, E. Kings ends at LA 1. Cars are now coming north taking a right onto E. Kings and an immediate left onto Flournoy Lucas so that they can cross LA 1. They're stopping in front of the fire station, a risk to public safety. I'm watching cars continue from the south through Flournoy Lucas, get into the cutoff about 2-300 yards north making U-turns in front of south bound traffic, so that it can take a right on Flournoy Lucas. And then I'm watching my real favorites are the ones that are turning left onto Flournoy Lucas, turning a one lane turn signal into a two lane, which is not designed for. The issue is our employees down there live in every one of your districts. And make no mistake, it's not if someone gets killed down there, it's when. If you drive it every day like I do, I would encourage you to come down for the circus between 4:30 and 5:30 especially. I have changed the hours of my employees to off hours to 6:30 and 7:00 p.m. shift changes so that they can avoid it during peak hours for their safety. Okay, they work 12 hour days, 12 hours nights. I've changed it. The Port Commission supports it on record in their 2013 report. As activity increases there will be a need for further improvements to our regional roadway network. The Port will continue to support the extension of 3132, completing I-49 and widening of the Jimmy Davis Bridge and I-69. I personally witnessed an accident last year that happened coming off Flournoy Lucas, turning left turning north on LA 1 where somebody came across, got hit and hit the telephone pole. Within 30 seconds of that one, there was an accident at the E. Kings at LA 1. That one I gave deposition to, and two elderly women were seriously hurt. Because it got backed up because people are trying to do crazy things at that intersection. I encourage the media to go watch it because it is a circus. It's getting crazy. So I don't care how they get there, I don't want to hinder Mr. Larkin, I don't want to hinder anybody, I just want 3132 like it was promised to me nine years ago, or to my company nine years ago. Was promised to Pratt, was promised to our Butler people. Okay? Nobody is delivering on the promise and that's all I have unless you have questions.

Councilman Shyne: We don't generally allow the clapping, but what you said was so good until I'll look over it this time. Anybody got any questions? If not Rick, I'm so glad to see you come down and speak for the Port, because we go and we try to recruit industry out to the Port and we tell them that we're going to put you on an unsafe highway, that some of your truckers might get killed, some of the local citizens might get killed because we're concerned about somebody building three or four houses. I mean if you go to Dallas, or if you go to Houston, or you go to some of these other cities, that's what they're about, transportation. They're not about trying to develop some lots for somebody to build some houses. They're about the greater good of the city, the greater good of the economy. And I'm glad that you mentioned that hey, this would be unsafe. This would really be unsafe. And you're concerned about your drivers, and you're concerned about me telling you to come and locate at the Port. And I'm not giving you a good way of bringing your products in and out. Doesn't make sense does it.

Mr. DesCoteaux: No sir, and Pratt just (inaudible) a truck over there rolled one about two weeks ago on Flournoy Lucas, so it's getting worse.

Councilman Shyne: It is God will bless you and we appreciate it. Okay, and I'm sorry if I messed your name up. Scott? Please. And Rick again, you make a lot of sense.

*Mr. Scott Martinez: (2600 Celebration Cove)* Well I hope I make a lot of sense. I'm with the Northwest Louisiana Partnership, 416 Texas Street, Shreveport, 71101. I'm here to talk about

3132. Obviously my interests are economic development. We see what's happening at the Port and Rick, I appreciate what you said, Dick I appreciate what you said about what's going on currently, but I'm looking at a billion dollar facility that's under construction out there. We're about to dump 675 more people to work out there every day. Regardless of what route this thing takes, we need to work as a community and work diligently to get this thing complete so it connects the Port. There's still over 700 acres of developable property at that Port. That has been and has really grown into an economic engine, not only for Shreveport, but also for North Louisiana, and I think that for us not paying attention to this roadway, and getting this thing forward is just not going to let us realize what we need to realize as a community from an economic development standpoint. I came here today, and I didn't realize the contentious nature of this particular issue before this Council, but I do know that we need that roadway protected, that right of way protected, regardless of what route it takes, we've got to get that done. I would hate to be in a situation where we're having this same conversation five or ten years from now, and we've got people continuing to get hurt on our roadways. So after listening really to both sides today, I encourage you to affirm MPC's recommendation. And I've got friends on both sides of this issue. This is speaking for me.

Councilman Shyne: Scott, just before you go, anybody got any questions?

Mr. Martinez: And I don't want to be repetitive to what Mr. DesCoteaux said or what Mr. Bremer said, so.

Councilman Shyne: But you made a lot of sense. And- - -

Mr. Martinez: Well the bar was set high.

Councilman Shyne: It was, you made a lot of sense, because you're coming behind some lawyers, and you know anytime you have to come behind some lawyers - - -

Mr. Martinez: But I'm salaried, and not hourly.

Councilman Shyne: Well that's what I'm saying. You know they're going to stretch it. Because they want to make that money. But we appreciate you coming down and you're about economic development for this community and this is what this ought to be about. You're exactly right. I mean, I don't know why we got this discussion going on. I mean common sense right? I got a grandson that's in the 4<sup>th</sup> grade, and he would know how to settle this. Thank you very much.

*Mr. Vernon Hasting: (6105 Gaylyn)* I was at that second meeting at NLCOG, and I told them they were talking about how they had to make sure that 3132 went down and met 69. And I told them no one here is going to be alive when Hwy 69 comes through, and I'm starting to think no one is going to be alive when we get 3132 done. Because since that time, nothing's moved. Nothing. Just like you said, you take a five year old boy or girl and stand them there where 3132 ends and say son, where should we go next? And they'll do that. We should go straight down to the economic engine, which we don't have any more in this town, and do whatever it takes to get it in.. Mayor Glover? Hello, hello, Mayor Glover? May I speak to you sir?

Mayor Glover: This is a situation that's going to be decided by the Council, so I will tell you what the Chairman will tell you before and you need to direct your comments to the Council Mr. Hasting.

Mr. Hasting: Fine, fine then. Go back to the phone.

Mayor Glover: Absolutely.

Mr. Hasting: There's one man in here who makes the difference, there's one man who had a chance to vote at NLCOG who would have taken care of this. That man did not vote with the city. That man is a city employee, that man is a leader of the city. That man is going to make this the Next Great City of the South.

Councilman Shyne: Who is that man?

Mr. Hasting: Well, we won't call any names because everybody's busy on the phone, but that man could have taken care of it at that point. He voted at every turn with the NLCOG boys and Mr. Larkin. So here we are three or four years later and nothing's done. And we're looking like a city that cannot do its job. Have y'all seen the population figures for this city lately? Everyone's leaving. Where are they going? They're going to Bossier, they're going to get out of here. We need to do all we can to produce jobs to get things going, and we're not doing it. Don't ask me why we end up like this. You have to ask the people who did the NLCOG thing. Well how did that get started, why are we going to basically kill 3132 at that point. That was the fight three years ago. They were just going to kill it and leave it right there. And let all these 3000 trucks drive down to take a left. So, I'd like to point out that Keith Hightower gave us the Convention Center and that Hotel that's killing us. We had a Mayor who screwed around, and we didn't get to build an auditorium so now you have CenturyTel over there. And we had a Mayor who screwed up and we got one or two votes and we could have gotten a bunch of 'em. Decisions that the leaders make in this city, all cities don't just impact them and the people today, they impact the future. The kids who might be riding on that road, who may be driving down that road to get a job. And you start pouring concrete, you change the whole thing. People wonder how things are. Someday people are going to be driving around, and they're going to take a left on Flournoy Lucas, and say Daddy, how come we always do this? And they'll say well, they just couldn't decide to build 3132 years ago, and now those houses out there, so they can't do it son. I mean grow up people, what is it? I'm not just talking about y'all, I'm talking about NLCOG, DOTD, everybody. I can't understand it. All the people who are supposed to be working for our interest, public bodies who have written rules and regulations to produce for the citizens, they're the ones we've got to fight the most to get anywhere. What is it? That's my last statement. I probably won't speak on this again. I'll speak it about five times, I beg you. If you want me to I'll get down on my knees and crawl around here. I beg you to back up the MPC. You know the money we spent on lawyers already, you could have bought those damn three or four lots. You know and they'd be ours, and we wouldn't have to worry about it. You wouldn't have all these high power guys up here. So, c'mon, whatever it takes, let's get this thing done. See ya.

Councilman Shyne: Vernon, just before you go, Vernon. You didn't have anything in writing, and you made a whole lot of sense. Gill, please come forward.

*Mr. Gil Pittard: 492 Grand Oaks*) I don't have anything in writing, that's your agenda. And I don't know that I can say anything different from what Mr. Hastings said. I wasn't here then, but I was in the general area, I've heard about 3132 and with my home being in Desoto Parish, I knew what was going on here. I looked forward to it. I came back to Louisiana into Shreveport on southeast Shreveport. I expected that road to be going in. There's been a lot of in-fighting. And there's a lot of things in government from the Presidency on down that we don't understand why our morals and principles and our liberties are always at stake. Because somebody maybe has their hand under the table. It's time to get this done. The way to get it done is to get it back on track, sustain what the Planning Commission has done and let's get back on the road to build the road. Thank you Gentlemen.

Councilman Shyne: Gill appreciate it and again you made a lot of sense.

Mr. Pittard: I did it quicker too.

Councilman Shyne: You sure did.

Councilman Webb: Amen

Councilman Shyne: Mr. Willie Bradford, I believe you're the last on the list. And Elliott, where is Elliott? Okay, Willie just before you start, those of you who are for 3132, would you please stand? To build, to affirm the decision of - - - well let me say this. Don't you all sit down.

Those of you that are here to affirm the decision of the MPC, would you please stand. Alright I see some folks that's still standing. Alright thank you very much. Mr. Bradford, I'm sorry, could I call up Mr. Ross Barrett before I get to you? Would that be alright Mr. Bradford? Okay. I'm sorry.

*Mr. Ross Barrett: (450 Pierremont Rd)* Mr. Chairman and City Council Members, Mr. Thompson, thank you for letting me speak very briefly. I'm here today on behalf of the Committee of 100. We are a nonprofit group of businessmen and businesswomen. We do many things, we volunteer our time to help make the greater Northwest Louisiana conducive to business. We believe that creation of jobs is perhaps the most important thing the private sector can do. It creates stability in the world and the community and just makes things go around. At any rate, we support and secure infrastructure projects, we have helped LSU Health Sciences Center when they were being privatized. We advocate for Barksdale AFB for example sakes. This came to our attention. I currently am the head of the economic development committee and when this came to our attention, we asked Ronnie (Inaudible) whose on the MPC to just give us an overview. The committee is about 15 members, very diverse industries. Unanimously we passed a resolution to support the MPC decision, unanimously. There was no debate on whether or not this should happen or should not happen this way or this way. It went through the process. The MPC has made their decision, and as a private sector we implore you to please support and affirm the decision of the MPC. Thank you very much.

Councilman Shyne: Thank you very much. Any questions? You see you all get off easy, all the lawyers get all the questions.

Councilman O. Jenkins: By the way, he's a lawyer. Just so you know, (inaudible) different veil, but he is actually an attorney.

Councilman Shyne: Well now I hope Mr. Bradford here is not a lawyer, so.

*Mr. Willie Bradford: (3826 Independence)* I am an employee of Willis Knighton Health Systems, but I'm not here to day representing Willis Knighton Health Systems. I'm here today as a resident of Shreveport who is concerned about the safety of other residents of Shreveport. Residents who have to travel to the Port of Shreveport/Bossier daily for their jobs and work opportunities. We've had three hours of what I consider enlightening as well as healthy discussion regarding this matter. Starting in 1956, but more specifically in 1992, city leaders - - - let me just say this. Someone once said that the future belongs to those who prepare for it today. So years ago, city leaders saw the future. They saw Red River and the Port of Shreveport as being a future economic engine for this city. They had vision to see that. In 1992, that's when they really started to see it that transportation was a vital and essential component in this vision of getting to and from the Port of Shreveport/Bossier. Three commissioners studied. They called it the Inner Loop Corridor Extension Study, and within that study, other things started to happen. We've debated this issue at least two years ago I think before you. I would have hoped that you would have yourselves did some research so that you would understand the importance of what we're talking as well, but I'm sure you do. But as far as what has happened since then. When I first heard that Mr. Larkin was before MPC again, I asked Elliott Stonecipher, I said what's new? Because I knew that we had pretty much aired out pretty much everything that we could air out to sort of preserve what we were trying to preserve and that was that preferred route to the Port. So he said, nothing new. So then I asked myself what was new that Larkin Development could come back to the MPC to - - - did they have additional information so that they could persuade or influence the MPC that they were wrong in their previous decisions as it relates to this highway? Obviously they had nothing new because the MPC two weeks ago affirmed their previous decisions in denying the necessary permits to allow the development of the neighborhood to move forward. Then I asked

myself the question, what's new with the City Council, that Mr. Larkin would feel compelled or feel comfortable appealing the MPC's ruling once again to you? I considered that a protest had been made because votes are essential on this Body, I felt like that they may have felt that they had gotten the proper votes to make this ruling overturn. So Mr. Chairman our city leaders in the past understood the importance of this extension. Many people for many years spent years of planning and anticipating of this highway coming to fruition. As you've heard, it's important that Twelve Oaks was allowed to be built, obviously because of money and profits. It's unfortunate that Mr. Larkin purchased land that was in that route to the Port of Shreveport/Bossier. Very unfortunate. It's unfortunate that he made such large investments to that extent Mr. Chairman, and we understand large investments, people in this room understand large investments. The institution that I work for, for years has purchased properties and lands for expansion purposes only to find out that their investments and the projects and the land that they purchased could not be used. Often times not to be used because of the decisions made by the MPC. So we understand. We understand that millions of dollars have been dealt and obligated, but at the same time Mr. Chairman, the MPC researched, put in countless hours before coming to their decision. Mr. Stonecipher yesterday and he said again today. Mistakes have been made, many mistakes have been made. Some of the mistakes were intentional, yet some were innocent. They were only innocent because according to Mr. Stonecipher, because the truth was not told. And when the truth is not told, then we can only base what we do on the information that we have. Now, I'm concerned about being here today with this appeal. Because I say again, what change? To vote up the MPC? I thought was proper. I don't think Mr. Larkin's rights were violated at all in their decision. So I came today to say enough is enough. Enough misinformation, enough half-truths, enough political pressures. Millions of dollars are now being spent for feasibility studies. DOTD is in the process of conducting those. Litigations are pending in both federal and state courts. There has been mountains, let me say miles of emails as well as mountains of other evidence that has been uncovered that will show that there is a dead cat on the line from here to Baton Rouge. I ask you to uphold the decision of the MPC and allow 3132 extension the opportunity to happen. The opportunity Mr. Chairman, allow the city the opportunity to grow. We don't know what DOTD's decision is going to be regarding a route to the Port. It may be a decision of a no build. We don't know that. But we need the opportunity for that to happen. I was before you two weeks ago addressing you on another matter of great importance to this city. I asked you then as I ask you now that you will maintain your governing principles, there is a process in dealing with this matter as you have with other matters. Allow the pending matters to be resolved. Nobody has been violated. The citizens deserve the opportunity to see if this highway could be built to so that we can relieve the traffic congestion, the unsafely of that router powering into Flournoy Lucas, going past elderly homes and Twelve Oak homes and other people's homes and powering in as a bottleneck into Hwy 1, and everybody is driving the obstacle course trying to get to where they want to go. That's not fair to the citizens, and I'm asking you to do the right thing. It's not about whose right, it's about what's right, not who is right. But what is right and what's wrong. I exhort you today. We've heard a lot of information, but I exhort you today to uphold your government principles and give the citizens of this city the opportunity to see if indeed we can travel a safe highway to and from work. Thank you Mr. Chairman.

Councilman Shyne: Just before you go to your seat, any questions? If not Mr. Bradford, again, you're not an attorney, but I want to tell you, you made a whole lot of sense. Thank you very much. At this time, I will move that we uphold the decision of the MPC.

Councilman Webb: Mr. Chairman, you weren't going to give the rebuttal to Tom?

Councilman Shyne: Okay, Mr. Sinclair wants to - - -

Mr. Sinclair: Thank you. You've guys have heard enough, we waive our rebuttal.

Councilman Shyne: Thank you so much.

Councilman Webb: Okay, I second your motion.

**Motion by Councilman Shyne, seconded by Councilman Webb to uphold the decision of the MPC.**

Councilman Shyne: Okay, do we have any questions or discussion from any of the Council Members?

Councilman Corbin: Mr. Chairman, I want to make a couple of statements. I think it's I don't know what the word is, ironic or unfortunate, but this matter continues to come before the City Council, and we are not the body that is charged with transportation planning, we're not charged with building roads that are outside the city limits, and I think certainly from our conversations over the past couple of years, we know that we're not the body that has funding to build a road. We've heard representatives from the Chamber, from NLAP, from the Committee of 100 here today, but nobody has talked about how this project is going to move forward. There's been no talk of if the state has money set back for it. We talked about I-69, but I've not seen any proclamations encouraging we move forward with I-69. It's good to hear that our businesses at the Port are successful and are thriving and we may have more businesses coming in. I don't know who made the promises to Pratt or (Inaudible), that there would be 3132 built by now. But my questions is and nobody seems to be able to answer is, how is it going to get built. Because nobody has stepped up to say here's funding and here's a method, here's a way to do this. There's not going to be a quick relief for companies who have trucks. We've heard a lot of emotional appeals. A lot of things that we've heard before. As you said earlier, Mr. Chairman, we're here to look at MPC Appeal. Not things related to the court cases that are still pending. Not were shenanigans pulled in Baton Rouge or in other bodies? We have to put our blinders on to some extent and look at the MPC Appeal was a decision made that needs to be modified, overturned, whatever, or upheld. I believe based on the information that I've heard and seen and my research that I've done, I believe that Mr. Larkin would be eligible to have some money coming his way for a taking. I heard Mr. Stonecipher say earlier that he believed there would be a price for upholding the MPC appeal to Mr. Larking. I've talked to both sides and I'll address Mr. Elrod and Mr. Stonecipher and their group right now. When we talked, I told you something. And I don't know how the votes are going to come out today, and I can hide behind the vote and take the easy way out, but I'm not willing to put the citizens of Shreveport on the line for a \$10,000,000 lawsuit that I believe we're going to have to pay. If we don't move forward with an amended, approaching this with an amended motion. I think that still gives time for everything to play out in court, and obviously it's going to. Obviously there's going to be continued court cases, because we need to get to the bottom of things. I applaud the work that the Finish 3132 Coalition has done. Some of the things that they've uncovered, and if it shows that something was done wrong in Baton Rouge, something was done with studies, and studies need to be redone, that's fine. But at this point, we're at a place where nothing, not one thing is moving forward. And so Mr. Chairman, I would offer a substitute motion. I move to modify the decision of the Metropolitan Planning Commission in Case SC-13-14 by approving the application subject to a revised plat, to be submitted to the Interim Executive Director for signature, that eliminates the land shown on the previously submitted plat as Lots 201, 202, 203, 2000, 2001, 2002, and 2003 from the plat; all other portions of the revised plat to remain the same as the previously submitted plat.

Councilman Shyne: At this particular point, I will not entertain that motion as the Chairman, I will go back to the previous motion. If there is anyone else who would like to speak

on the previous motion, I will entertain your observations or questions at this particular point. If not, I'd like to speak on it. But I'm not going to entertain.

Councilman Webb: Point of Order Mr. Chairman. Can we do that?

Councilman O. Jenkins: I will tell you, since we've been on this council, we haven't done it. But I'm not going to say (inaudible).

Councilman Shyne: But I can as the chairman, because we have not. We might have somebody else that wants to speak on the previous motion.

Councilman S. Jenkins: Oh, you're just saying you want to take up discussion on the previous motion?

Councilman Shyne: Yeah, right we're going to take up discussion on the previous motion. And if he wants to come back later on and make his motion. He can.

Councilman Webb: I thought you were not going to accept his Substitute Motion.

Councilman Shyne: Not at this particular point. I'm not going to accept his substitute motion. Where is the attorney.

Ms. Glass: Mr. Chairman, the Council's normal practice is if there is a main motion, and then a substitute motion, they have always taken the substitute motion first. I don't have Robert's Rules in front of me.

Councilman Shyne: If you have Robert's Rules of Order, we will take the substitute motion. Let me say this. I think we have heard, and spent too much time in order not to do anything. And this is what we're doing if we take the substitute motion. We're not doing anything. I think like Mr. Bradford said, that we need to give the City the opportunity to grow. About the \$10,000,000 lawsuit, we don't know anything about that, that's guessing. That's guessing the \$10,000,000 lawsuit. That's guessing. I don't think we need to make decisions on what we're guessing at. Because if we do that, we will always be making decisions on guessing at things. We need to make a decision. We need to make a decision as to what's going to be in the best interest of the citizens of Shreveport, and what's going to be in the best interest of the business community. We've had business leaders to come down and make the statement. We've been going selling the Port by saying if you come, and locate your company out at the Port, you will have a good infrastructure to get your goods from Point A to Point B. And I think Mr. Larkin ought to understand this. After we make this decision, if they want to go to court, go to court. That's what we got courts for. We can't keep them from going to court, don't care what kind of decision we make. And I don't think we need to start doing that. I don't think we need to start making decisions on if we make decisions, then somebody is going to take us to court. That's what courts are for. Let 'em take us to court. So, I will say now, you want to state your substitute motion again?

Councilman Corbin: I've already stated it. I think it's time to vote.

Councilwoman McCulloch: Second.

Councilman Webb: May I speak on the motion? I think we're doing the citizens wrong if we allow to make any alterations to what Mr. Larkin presented to the MPC, and what they based their decision on, and as you said earlier, our vote today is to voter up, to uphold the MPC or deny the MPC's decision, and not to make changes in what Mr. Larkin can do or what cannot do with the land, whether you take away Section 6 or whatever, as we say, is really not for us to decide. This is going to wind up in federal court, there's no doubt about it. But I don't think that we - - - I think we're doing the citizens an unjust if we allow Mr. Larkin to move forward with any changes. WE need to stop the entire project out there until a study is made and finalized so that you know exactly where he can and where he cannot build. And I hope this council will think about what the citizens of this city want, and I think every one of the Council Members know that there's not one

person in this city that does not want to see 3132 completed. And so giving Mr. Larkin an alternative is just muddying the water, and I just think we're wrong to do that, and I hope this council will vote no, and will vote on the original motion to uphold the MPC. Thank you.

Councilman Shyne: Thank you very much. Okay, since we all understand the substitute motion that was made, I would ask you to please let's vote 'NO' on it. Let's get back to the original motion, and let's settle this, cause if we don't, we're going to be right here two years from now. All in favor vote 'YES', opposes vote 'NO'.

**Substitute Motion by Councilman Corbin, seconded by Councilman McCulloch to modify the decision of the Metropolitan Planning Commission in Case SC-13-14 by approving the application subject to a revised plat, to be submitted to the Interim Executive Director for signature, that eliminates the land shown on the previously submitted plat as Lots 201, 202, 203, 2000, 2001, 2002, and 2003 from the plat; all other portions of the revised plat to remain the same as the previously submitted plat.. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, and S. Jenkins. 5. Nays: Councilmen Webb, Shyne. 2 Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

Councilman Shyne: So that means, we'll be right back here Elliott.

Councilman O. Jenkins: May I make a comment? I would like to say just one thing. There are a lot of good points and people working hard on both sides of this particular issue, I would like to see that same level of cooperation, hard work, overtures in terms of - - - you know in these court proceedings about coming up with some ways to move forward. Because I am of the opinion that the actions by the attorneys on both sides and the governmental agencies are making this a lot more difficult. Because I like Councilman Shyne do feel that it's not going to be long until we're here again with the rest of Unit 6. And I don't want to deal with that then. And I think you know if I could send a message to whoever represents those governmental agencies and that federal court case, I think the overture that the Coalition has made is reasonable approach so that we can actually, if there's hidden routes or these other routes or whatever, get those out there, let's start the process over because if we're here four years from now, I can assure you Mr. Larkin is going to be back here in front of us before then about more subdivision. So that's my appeal. If there's one and I don't know if I have any standing for an appeal, but I'd really like to see people move forward in that regard so that we can at least move in the 5<sup>th</sup> Stage I, and find out where this route will or will not end up. So that's my one comment.

Councilman S. Jenkins: Can we take a short recess Mr. Chairman?

Councilman Shyne : In just one minute we can. Mr. Larkin, Mr. Arceneaux, good victory. I know it was a surprise victory, I know it was very surprising to me. We will take a 5-minute recess. We got some old men up here and they might need a break.

*Ms. Julie Smith: (3154 Milton)* I got a complaint. I try to do the right thing, but still take advantage. And I'm tired of taking advantage now, I want my peace now. I want my peace, some kind of way, I gotta have my peace. I don't have no kind of peace in the city. City just pulls me down everything. Everywhere I go, I pull me down, I'm tired of that. I need peace. I can get no peace in my house. No children, no children, (inaudible) I need peace. I ain't got no project, I ain't got no (inaudible) I ain't got nothing. I need that. I ain't did nothing. I got problems, everybody look at me. Personal problems, money problems, every kind of problem, I got it. Family problems. I'm doing the best I can. I got a family and they don't have nothing. I can't do what I can't do. And they come into my house, vandalize my house. I can't do nothing for 'em. I be gone, they put cameras in my house. I don't like that. Holes in my walls cause cameras coming

through there peeping through there with a light. And I'm vandalized, and I ain't got no money. My electric out, and I still ain't got nothing to get it on. I need that. I ain't gone get no peace until I get it. All the neighbors treat me bad, everybody, people in the store, everywhere. I'm tired of that. I need peace now. I don't want to wait, I want it now.

Councilman Shyne: Chief, I hate to do this but, if you and Ms. Bonnie Moore, if you all would get her name and Chief to see what we can do, if you can get her address, and see what we can do, Ms. Moore, if you'll come up and get her name too and address and see what kind of social programs we can get her in that will provide her with some help. We would all appreciate it. Miss, these two people will help you, the Deputy Chief and Ms. Bonnie Moore, they will help you solve some of the problems that you have. So, if you will go back in the back and sit down and talk to them and tell them your name and address, they'll have somebody to come out and contact you. We have officers who come out and will check on whether somebody's got some cameras in your house or whether.

Ms. Smith: Nothing in there, I can tell you. I can tell something in there peeping through the cracks in there. It's cold in there and I can't get nothing. Everybody vandalizing my home. I can't do it. They do it when I leave the house and come straight back, they still in there.

Councilman Shyne: Okay, well they will make sure that that does not happen to you anymore. Thank you for coming down. Okay. Mr. Mayor, we're back into our regular agenda, and we will call on you for any awards or recognitions.

### **Awards, Recognition of Distinguished Guests, Communications of the Mayor relative to city business, and Required Reports**

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

Mayor Glover: In the interest of time, Mr. Shyne, we shall pass with the exception of expressing thanks to Mr. Steve Skoonover and all the folks out at Module X for the outstanding job announcement on yesterday, \$17,000,000 worth of State investment and another \$7 ½ (million) by Mr. Skoonover and his lovely wife, which will result in the maintaining of 109 jobs and the addition of at least 357. And so much welcomed news and great opportunity for us to put that particular piece of property in a better posture, and we have some legislation that's in line with that that we will address at the proper time.

Councilman Shyne: Thank you Mr. Mayor. Okay, any communications from Councilmembers at this time?

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

Councilwoman McCulloch: I just shared this information with the news media, I got a call just before I left home regarding a resident in the Allendale Community, Ms. Eloise Edwards. She resides at 1840 Anna Street and she's turning 100 years old today. So, we want to give her a shout out in Allendale. Happy Birthday on your 100<sup>th</sup> Birthday.

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

### **Reports**

## Property Standards Report (*Res. 7 of 2003*)

Councilwoman McCulloch: I have something I need to share regarding and I want to express my gratitude to Councilman Oliver Jenkins in his absence. I don't know if you all recall the property standards issue with I think his name was Mr. Hawkins, but it was recommended that his property be demolished on Skelly Street. I was able to contact him on yesterday. He was thinking or under the impression that the meeting date, of course it wouldn't have really mattered, was June 7<sup>th</sup>. And he does have a disability, he's a wheelchair patient. But anyway you know when it was mentioned Ron that the house wasn't secure? That the part that was actually showed unsecured Sam, he said that was really a placement for the hot water tank. It wasn't that the back of the house was unsecured. So, I actually had him to speak with Dorothy Farnell today, and it seems like she's given that some reconciliation. And as a matter of fact, he was supposed to be here today. But after he explained that he was in a wheelchair, I told him that I would make sure that I brought it before the council to make you all aware that I had spoken with him, and he's also spoken with Ms. Dorothy Farnell. And I shared it with you as well Mr. Green, right?

Councilman S. Jenkins: Yeah, I'm always concerned when they are not here and we order those demolitions, because sometimes people, they can get confused on the meeting times and dates.

Mr. Green: Right, it was the hot water heater door.

Councilwoman McCulloch: Alright, thank you.

## Revenue Collection Plan & Implementation Report (*Res. No. 114 of 2009*)

Councilman Everson: Mr. Sibley, do you have a revenue collection plan?

Mr. Sibley: Yes sir Mr. Vice-Chairman. You guys should have received it electronically. I'll simply note that the positive trend in sales tax continues. It's down in hotel and auto sales, but still positive for the year. The sectors appear to be what talked about before in terms of wholesale durable goods, mining, etc., I will note to the Council that those of us on the revenue side will be sitting here in the next 30 days doing what we did last year, kind of a (inaudible) analysis coming forward to the Mayor and the Council with any recommendations or adjustments that need to be made, but we're certainly optimistic based on the collections thus far that we are having a pretty good year in that sense. So if there are any questions, we'll take them otherwise we'll save a little time.

## Surety Bond Forfeitures Report (*Res 238 of 2010*)

Councilman Shyne: Ms. Scott please? Bond forfeiture report.

Ms. Scott: Mr. Chairman, we don't have anything to add other than the report that was sent to you all on Friday, but I'll be happy to answer any questions that you may have.

Councilman O. Jenkins: I have one. Just a quick question for Ms. Scott. How are we coming on that lawsuit that is more than half of it or more than half of it.

Ms. Scott: It is more than half of it and that's what I was about to say. I hope to have some good news for you next month. We're trying to get a court date for that and hopefully we'll have those set and I can give you the court date next month. And the resolution of those will actually hopefully bring in about half of the \$300 or so thousand that's still showing outstanding and that has been showing as outstanding for some time.

Councilman O. Jenkins: Yeah, I mean the rest kinda just takes its course.

Ms. Scott: Exactly.

Master Plan Committee Report (*Res. No. 132 of 2012*)

**Public Hearing:** None.

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

Adding legislation to the agenda (regular meeting only) and public comments on motions to add items to the agenda.

*The Clerk read the following:*

1. **Ordinance No. 52 of 2014:** Authorizing the Mayor to execute a contract with Dr. David Clemons to grant access and permission to plant and maintain Live Oak trees on the east right of way of Creswell Avenue, and otherwise providing with respect thereto.(Postponed May 27, 2014)
2. **Ordinance No. 66 of 2014:** An Ordinance authorizing an amendment to the agreement and lease with MBI Global, L. L. C., and to otherwise provide with respect thereto.

Mayor Glover: Mr. Chairman, if you all Council Members, if you all remember on yesterday that this is an evolving set of circumstances, an example of the City of Shreveport Mr. Jenkins moving at the speed of business if you will. If you all will remember the original intent was for there to be an amendment to the MBI lease, and then there was a decision on the part of the entities involved to do a sublease of the current lease which would've have not necessitated any actions by the City. But the request was that we would as opposed to withdrawing that legislation, place it on the table. So it would be in a position that in the event that there was a meeting of the minds with regards to actual new lease terms, not have to go through the six week, minimum six week time for layover. But still be able to take advantage of the process that is already underway. Well in researching the matter further with staff, because the new lease would not be an amendment to the MBI lease, but would in fact be a lease within the Module X. Then what we're asking at this point is that we do in fact withdraw the MBI, but that we introduce the legislation that would potentially start the clock ticking on a new lease for the Module X folks.

Councilman O. Jenkins: I have one concern. Do we not need a different heading for this ordinance? The ordinance says a lease with MBI Global on this new ordinance.

Mr. Sibley: Under the current ordinance Mr. Jenkins, the MBI lease will be assigned to MBI Global who then would execute a sublease with Module X. So our - - -

Councilman O. Jenkins: Okay, so our agent, I mean our contract would be with Mr. Sibley: MBI Global.

Councilman O. Jenkins: So not with MB Industries, MBI Global. Gotcha.

Mr. Sibley: Right, related but separate companies.

Councilman Shyne: Let me say this. Why don't we get it on the agenda, and if we need to do any modifications or whatever, let's do that, but let's try to get it on the agenda right now.

Mr. Sibley: And we would ask to remove Ordinance No. 54, is the one that has the old title on it.

Councilman Webb: Now with MBI, their lease was \$1?

Mr. Sibley: No sir.

Mayor Glover: Not much more than that.

Mr. Sibley: Yes, that's pretty close.

Councilman Webb: What was it a thousand? \$1000 per month. Alright, what's it going to be now?

Mr. Sibley: The same terms and conditions. As we indicated we're hopeful this will be an opportunity that we could tweak that lease a little, but since they don't have to come to us because they're doing a sublease, then we don't get the opportunity to modify it.

Councilman Webb: Do we have anything in our contract that would disallow them from subleasing?

Mr. Sibley: Only if they did it with a nonrelated company. Basically. Someone that either wasn't a merger, wasn't an acquisition and didn't have co-ownership. So they read the lease pretty well.

Councilman Shyne: My two cents on that is to make sure that they can produce some jobs.

Councilman Webb: Well yeah, that's true, but I knew we were disappointed that we weren't able to charge MBI higher rent.

Mayor Glover: Well we were disappointed that we could not charge them a higher rent, if they were not able to produce jobs. It's one thing to have low rents and jobs. It's another thing to have no jobs and low rent. And you simply hold on to the lease in order to be able to just keep us from being able to make any additional use of it. In this particular situation, what you have is Mr. Skoonover and his company that's come in, that's working essentially a partnership, joint venture with MBI, with the intention of actually forming a new entity. In the meantime, they are executing a sublease with the MBI folks, with the future intent of being able to fully emerge as the tenant for the facility with a direct relationship with the City of Shreveport. For their purposes, the ability to be able to sublease and bring jobs ends up being in their favor because of the favorable terms already in existence for the MBI lease.

Ms. Scott: And Mr. Chairman, just for correction the lease payments are \$20,000 a year. They pay us \$100,000 per five years, payable in advance. So it's \$20,000 a year for lease payments.

Councilman Shyne: Okay. Thank you very much. And of course Mr. Mayor, I know you and I'll be on that for the next six months checking the job situation.

Councilman Webb: Well they've got five years.

Councilman Shyne: But I know, but he and I got about six months.

Councilman Webb: But you'll be running again right?

Councilman Shyne: Naw, naw, no, no. no. After today, I'm washing my hands of politics.

Mr. Sibley: You can't Mr. Shyne.

Councilman Shyne: But that's the way it goes sometimes. You know.

Mayor Glover: Mr. Chairman, council members, just to be clear, what we have here is a situation that will take us from the impasse I guess for lack of a better way of putting it, that we were not able to effectively fine the MBI folks in sufficient enough default to be able to remove them from the facility. They did not have the resources necessary to be able to do much more than what they were doing. We're very fortunate that Mr. Skoonover saw this as an opportunity to make this a win/win all the way around, and simply it's a smart shrewd business move on his part to simply move forward in a way that allows him to continue to operate under the present terms of the lease at least at an interim with the intent of being able to adjust those as we go forward. And by introducing this legislation ,

Councilman Shyne: Cause we started on this years ago.

Mayor Glover: It was still Beardco and that situation had its ups and downs and eventually flattened out, the Beardco folks had an option with MBI to allow them to be able to take over the facility under the same lease terms that Beardco had and we have been pretty muchy

stuck up until this point.

Councilman Shyne: Cause Ron and I thought we were going to have to go out there and go to work, and we're going to take Dale with us.

Mayor Glover: Here is the good news Mr. Shyne, if you'll give me just one additional moment. Mr. Webb is correct and based on the contractual terms that they have for the \$17,000,000 worth of assistance coming from the state they have five years to meet those job numbers. Mr. Skoonover stated yesterday during the press conference that he anticipates that within the next 15 to 24 months, (inaudible) hit those numbers. And he said while he's not making his approach is to under promise and over deliver, and he gave an example. He said when he opened up it was either Fiberbond or (Inaudible), can't remember which one, commitment was for 100 jobs, they now employ 700. And so, I said to him afterwards, if he can just give that same factor of 7 in terms of what you do here, then we'll have a few thousand in just a couple of years.

Councilman Shyne: That's what we need. Thank you Mr. Mayor. Alright at this particular time, do we have anyone who would like to speak in opposition of adding this legislation to the agenda? Do we have anyone who would like to speak in favor of adding this legislation to the agenda? If not give me a motion.

**Motion by Councilman McCulloch, seconded by Councilman S. Jenkins to add Ordinance No(s). 52 and 66 of 2014 to the agenda. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

Public Comments (*In accordance with Section 1.11 of the Rules of Procedures*)

*Ms. Adrienne Critcher: (817 Ontario)* Well I started to say good afternoon, but good evening. I am here to speak again in favor of an ordinance before you today, Ordinance 55 that will create the Human Relations Commission. There were quite a few people here in the audience earlier in support of this ordinance, most of them had to leave. A few of them if you'll just raise your hand or stand up, are the ones that are here that managed to stick around a little longer. There were children to pick up and mothers to take care of and jobs to go to. So, we have about a dozen people here, but I was the only one who was going to speak, we didn't want to try your patience too much longer. But I've spoken to you before about the Human Relations Commission that will be established I hope today. This is simply a follow on from the Shreveport Fairness ordinance that you passed back in December. This will be the enforcement mechanism, but we anticipate that it will be primarily a commission that will educate and mediate. This commission is going to be very similar to the one in New Orleans and based on conversations with their director there, most of the grievances filed are handled through mediation. 99% of their grievances are handled through mediation without any fines. It turns out that most of their grievances come from the African-American community, and even though they have recourse through the courts, it's much simpler, it's cheaper for everyone if a grievance can be filed and handled especially through mediation with the Human Relations Commission. So this just creates understanding among diverse elements in the community. There will of course be grievances filed by the LGBT community because they have no recourse through the courts. There are no state laws in Louisiana or federal laws that protect LGBT people. So we will have a minimum number of claims from them I'm sure as New Orleans does. New Orleans receives about 1-2 complaints a month. We expect that we will have a similar situation, maybe fewer once the commission is established. We have a mediation expert, retired Judge Frank Thaxton who was offered his services on a volunteer

basis as our whole commission will be to do some training for the commission once it's in place on mediation. He's offered to help the commission in any way possible that he can. I attended a workshop in Shreveport back in April that was given by the Greater New Orleans Fair Housing Action Center, and they too have offered to help us on any housing issues. Also recall that the Greater Shreveport Chamber of Commerce here in Shreveport and the African-American Chamber of Shreveport/Bossier both strongly supported the Shreveport Fairness Ordinance. Those of us who have advocated for a fairness ordinance have strongly believed that its primary purpose is preventative, not punitive. A human relations commission is a powerful platform to help create better understanding between the diverse community that make up our city. We believe through education and mediation, we can bring our city together. Working together, we can do so much more together than any individual or any one group can do acting alone. So I hope that you all will all vote today to create this Human Relations Commission. I think it can do a lot of good for our city. So thank you very much.

Councilman S. Jenkins: Mr. Chairman, can we suspend the rules and bring up that Human Relations vote? Seem to have some people that's been hanging around a long time,

Councilman Shyne: If that's the pleasure of the council.

**Motion by Councilman S Jenkins, seconded by Councilman McCulloch to suspend the rules and consider Ordinance No. 55 of 2014. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

*The Clerk read the following:*

5. **Ordinance No. 55 of 2014:** An ordinance amending and reenacting Chapter 39 of the Code of Ordinances relative to Human Relations to establish a Human Relations Commission, to provide relative to its officers and powers, to provide relative to administrative matters and to otherwise provide with respect thereto.

**Having passed first reading on May 27, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Corbin, seconded by Councilman S. Jenkins and O. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Shyne, and S. Jenkins. 6. Nays: Councilman Webb. 1. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

Confirmation and Appointments:

*The Clerk read the following:*

Assistant to the Director  
Superintendent Customer Service

Ms. Janet Jackson  
Ms. Sharon Pilkinton

**Motion by Councilman Corbin, seconded by Councilman O. Jenkins to confirm the executive appointments of Ms. Janet Jackson and Ms. Sharon Pilkinton. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**Consent Agenda Legislation  
To Introduce Routine Ordinances and Resolutions**

**Resolutions:** None.

**Ordinances:** None.

**To Adopt Ordinances and Resolutions**

**Resolutions:**

*The Clerk read the following:*

**RESOLUTION NO. 99 of 2014**

**A RESOLUTION AUTHORIZING HOLTECH BUILDING AND DEVELOPMENT CORPORATION TO CONNECT LOTS 159, 160, 183 AND 186, NORRIS FERRY CROSSING UNIT NO. 6 TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, Holtech Building and Development Corporation 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 Holtech Building and Development Corporation be authorized to connect Lots 159, 160, 183 and 186 , Norris Ferry Crossing Unit No. 6 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 Corbin, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

**Ordinances:** None.

**Regular Agenda Legislation**

**Resolutions on Second Reading and Final Passage or Which Will Require Only One Reading**

*The Clerk read the following:*

**RESOLUTION NUMBER 94 OF 2014**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND PROVENANCE DEVELOPMENT, L.L.C., HEREINAFTER CALLED "OWNER" AND ACTING HEREIN THROUGH DAVID M. ALEXANDER, MANAGER, FOR THE PRIVATE WATER AND SEWER IMPROVEMENTS FOR PROVENANCE PHASE 2 UNITS A&B AND RELATED FACILITIES AND TO OTHERWISE PROVIDE WITH**

**RESPECT THERETO**

**WHEREAS**, Provenance Development Company L.L.C., hereinafter called "OWNER" and acting herein through David M. Alexander, Manager, desires to donate to the City of Shreveport the private water and sewer improvements for Provenance Phase 2 Units A&B and related facilities; and

**WHEREAS**, these improvements have been installed under the inspection of personnel from the Office of the City Engineer, reviewed by the Shreveport Fire Department, and determined to meet all city codes and specifications; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened, that Cedric B. Glover, Mayor, be and is hereby authorized to execute on behalf of the City of Shreveport a Donation Agreement with Provenance Development Company, L.L.C., represented by David M. Alexander, Manager, substantially in accordance with the terms and conditions contained in the draft of said agreement which was filed for public inspection with the original draft of the resolution in the office of the City Council on May 27, 2014.

**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 all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Corbin, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

**RESOLUTION NO. 95A OF 2014**

**A RESOLUTION AUTHORIZING THE MODIFICATION OF THE TERMS OF THE HOME LOAN AGREEMENT BETWEEN THE CITY OF SHREVEPORT, CORNERSTONE ASSISTANCE FOUNDATION, INC, AND SOUTHWOOD GARDENS ADULT COMMUNITY PARTNERSHIP IN REGARD TO SOUTHWOOD GARDENS APARTMENTS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

**WHEREAS**, in 1997, the City of Shreveport awarded a \$480,000 non-recourse development loan to Cornerstone Assistance Foundation, Inc. ("Cornerstone"), for construction and development of Southwood Gardens Apartments (the "Project") subject to terms and conditions contained in the HOME Loan Agreement ("Agreement"); and

**WHEREAS**, under the terms of the Agreement, the loan funds were then to be re-loaned to Southwood Gardens Adult Community Limited Partnership ("SGACLP"), for purposes of the Project; and

**WHEREAS**, the loan was funded with HOME funds provided to the City of Shreveport by the U. S. Department of Housing and Urban Development ("HUD"); and

**WHEREAS**, the interest rate on the loan is four (4%) percent for a term of twenty (20) years; and

**WHEREAS**, the City has received a request from Cornerstone to forgive the accrued interest on the loan (\$67,185.93) in order to facilitate early repayment of the remaining principal balance on the loan; and

WHEREAS, Cornerstone has paid over \$225,000 in interest payments since the inception of the loan in 1997; and

WHEREAS, as an alternative to the request to forgive the entire amount of the accrued interest on the loan, the City, through its Department of Community Development, proposes and desires to forgive a portion of the accrued interest on the loan subject to the condition that the City shall receive an amount no less than the \$480,000 principal amount of the loan, excluding interest, as repayment for the loan; and

WHEREAS, approval of this resolution would permit the Department of Community Development to utilize the funds received from the early pay-off of the loan to complete other projects as well as relieve the department of the responsibility for oversight and administration of the loan and the Project which are public purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the City of Shreveport is hereby authorized to modify the terms of the HOME Loan Agreement between the City of Shreveport, Cornerstone Assistance Foundation, Inc., and Southwood Gardens Adult Community Partnership in regard to Southwood Gardens Apartments subject to the condition that: a) modification of the loan shall facilitate early repayment of the loan by Cornerstone Assistance Foundation, Inc.; b) the City of Shreveport shall receive an amount no less than the \$480,000 principal amount of the loan, excluding interest, as repayment for the loan; and c) other terms and conditions beneficial to the City of Shreveport as determined by the Department of Community Development and the Office of the City Attorney.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, for and on behalf of the City of Shreveport any and all documents necessary to evidence and to accomplish the loan modification subject to the contains contained herein.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to the 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 S. Jenkins, seconded by Councilman O. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

3. **Resolution No. 96 of 2014:** A resolution affirming the City of Shreveport's endorsement of Home Federal Bank to participate in the benefits of the Louisiana Restoration Tax Abatement Program and to otherwise provide with respect thereto. *(Public Hearing to be held June 24, 2014) (Not to be adopted prior to June 24, 2014)*
4. **Resolution No. 97 of 2014:** A resolution affirming the City of Shreveport's endorsement of Petroleum Building, LLC to participate in the benefits of the Louisiana Restoration Tax Abatement Program, and to otherwise provide with respect thereto. *(Public Hearing to be held June 24, 2014) (Not to be adopted prior to June 24, 2014)*

**Read by title and as read, motion by Councilman O. Jenkins, seconded by Councilman \_\_\_\_\_ Corbin, to postpone Resolution No(s). 96 and 97 of 2014 until the next regular meeting.**

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**RESOLUTION NO. 98 OF 2014**

**A RESOLUTION SELECTING THE TIMES AS THE OFFICIAL JOURNAL FOR THE CITY OF SHREVEPORT FOR THE PERIOD COMMENCING JULY 1, 2014 THROUGH JUNE 30, 2015 AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, the City of Shreveport is required by its Charter and State Law to select an Official Journal to publish minutes, ordinances, resolutions, budgets, official notices, advertisements, and other official proceedings of the City of Shreveport for the period July 1, 2014 through June 30, 2015 and

WHEREAS, The Times has submitted the following proposal:

All printing of required legals in the Classified Section - \$0.23 per agate line (7.0 point);

All printing of required legals in the Retail Section - \$6.48 per column inch;

All other (non-required) ads in the Classified Section - \$2.52 per agate line;

All other (non-required) ads in the Retail Section - \$42.84 per column inch;

Affidavits: \$20.00 each; and

WHEREAS, it is recommended that The Times be selected the Official Journal for the City of Shreveport to provide the services required by law for the prices described above.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened that the proposal of The Times is accepted and The Times be and is hereby designated the official journal of the City of Shreveport for the period July 1, 2014 and ending June 30, 2015 and the Mayor of the City is hereby authorized to execute an agreement with The Times under the terms and conditions described above.

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

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

**Read by title and as read, motion by Councilman Webb, seconded by Councilman \_\_\_\_\_ Everson, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

**RESOLUTION NO. 100 OF 2014**

**A RESOLUTION TO SUSPEND CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES ON JULY 12, 2014 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AT 1251 DALZELL STREET, THE GREAT RAFT BREWERY HOSTED BY GEAUX PLAY, HIGHLAND RESTORATION ASSOCIATION AND FAIRFIELD HISTORIC DISTRICT ASSOCIATION FOR 5K RACE, BENEFITTING GREAT RESULTS EQUINE ASSISTED THERAPIES (GREAT) AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

BY: Councilman Jeff Everson

**WHEREAS**, Geaux Play, Highland Restoration Association (HRA) and Fairfield Historic District Association (FHDA) will host a 5K Race, benefitting Great Results Equine Assisted Therapies (GREAT) at The Great Raft Brewery located at 1251 Dalzell Street on July 12, 2014 between the hours of 8:00 a.m. and 11:00 a.m.; and

**WHEREAS**, The Great Raft Brewery at the request of Geaux Play, HRA and FHDA desires to dispense and allow the consumption and sale of alcoholic beverages on the parking lot of the establishment, on July 12, 2014 between the hours of 8:00 a.m. and 11:00 a.m. during the charitable event; and

**WHEREAS**, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure; and

**WHEREAS**, any special exception approval granted to the establishment for alcoholic beverage sales, consumption and/or dispensing does not specifically authorize outside sales and/or consumption on the premises; and

**WHEREAS**, Section 10-80(a) makes it unlawful for any person to sell, barter, exchange or otherwise dispose of alcoholic beverages except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance; and

**WHEREAS**, Section Chapter 10-103(a)(5) provides that the city council may suspend or revoke any permit if a retailer allows any person to consume any alcoholic beverage on the licensed premises or on any parking lot or open or closed space within or contiguous to the licensed premises without a proper license; and

**WHEREAS**, the adoption of this resolution would allow the dispensing, consumption and sale of alcoholic beverages on the parking lot of The Great Raft Brewery, 1251 Dalzell Street, on July 12, 2014 for the 5K Race, benefitting GREAT.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened Sections 106-130(6), 10-103(a)(5) 10-80(a) and 10-172 are hereby suspended on July 12, 2014 for the 5K Race, benefitting GREAT, between the hours of 8:00 a.m. - 11:00 a.m., at The Great Raft Brewery, 1251 Dalzell Street.

**BE IT FURTHER RESOLVED** that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

**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 Everson, seconded by Councilman McCulloch, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

#### **RESOLUTION NUMBER 101 OF 2014**

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

**WHEREAS**, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and

**WHEREAS**, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell said properties as authorized in R.S. 47:2201-2211, and

**WHEREAS**, pursuant to Section 26-300 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

**WHEREAS**, the City of Shreveport has an adjudicated tax interest in the properties described in Attachment "A-9" for the non-payment of City property taxes; and

**WHEREAS**, the purchasing agent has inquired of all City departments regarding the properties described in Attachment "A-9" and has not received any indication that they are needed for city purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, regular and legal session convened that the properties described in Attachment "A-9" are hereby declared surplus.

**BE IT FURTHER RESOLVED**, that pursuant to Section 26-301 of the Code of Ordinances, this declaration that these properties are surplus satisfies the requirement of Section 26-301(1)(d), therefore the MAYOR, Cedric B. Glover, is authorized by said Section 26-301 to do any and all things and to sign any and all documents, including Acts of Cash Sale, in a form acceptable to the City Attorney, necessary to effectuate the purposes set forth herein.

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

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

**Read by title and as read, motion by Councilman S. Jenkins, seconded by Councilman Everson, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0**

#### **Introduction of Resolutions (*Not to be adopted prior to June 24, 2014*)**

*The Clerk read the following:*

1. **Resolution No. 102 of 2014**: A resolution ratifying the use of certain equipment by Urban Support Agency, and to otherwise provide with respect thereto.
2. **Resolution No. 103 of 2014**: A resolution authorizing the Mayor to execute a donation agreement between the City of Shreveport and Juniper Builders, Inc., hereinafter called "Owner" and acting herein through William L. Mayfield, Manager, for the private water and sewer improvements for Long Lake Subdivision Unit No. 21 and related facilities and to otherwise provide with respect thereto. (D/Corbin)

**Read by title and as read, motion by Councilman Corbin, seconded by Councilman Everson, to introduce Resolution No(s). 102 and 103 of 2014 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0.**

**Abstentions: 0.**

**Introduction of Ordinances** (*Not to be adopted prior to June 24, 2014*)

*The Clerk read the following:*

1. **Ordinance No. 65 of 2014**: An ordinance amending the 2014 Capital Improvements Budget and to otherwise provide with respect thereto. (*Airfield Directional Guidance Sign Replacement*)
2. **Ordinance No. 61 of 2014**: An ordinance amending the 2014 Community Development Special Revenue Fund Budget and to otherwise provide with respect thereto. (*ESG Funds*)
3. **Ordinance No. 62 of 2014**: An ordinance repealing part of Ordinance No. 9 of 2007 which created a four-way stop intersection at Danfield Court/Helmsdale Court and Stonehaven Drive and to enact the intersection of Danfield Court/Helmsdale Court and Stonehaven Drive as a two-way stop intersection and to otherwise provide with respect thereto. (*E/Webb*)
4. **Ordinance No. 63 of 2014**: An ordinance amending the 2014 General Fund Budget and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman S. Jenkins, seconded by Councilman Corbin, to introduce Ordinance No(s). 65, 61, 62, and 63, of 2014 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**Introduction of Ordinances** (*Not to be adopted prior to July 8, 2014*)

*The Clerk read the following:*

1. **Ordinance No. 64 of 2014**: An ordinance authorizing the Mayor to execute all necessary legal instruments to effect the exchange of certain immovable property owned by the City of Shreveport for certain immovable property owned by Louisiana CVS Pharmacy, L.L.C., Repealing Ordinance No. 35 of 2014, and otherwise providing with respect thereto.
2. **Ordinance No. 66 of 2014**: An Ordinance authorizing an amendment to the agreement and lease with MBI Global, L. L. C., and to otherwise provide with respect thereto.

**Read by title and as read, motion by Councilman O. Jenkins, seconded by Councilman McCulloch, to introduce Ordinance No(s). 64 and 66 of 2014 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

**Ordinances on Second Reading and Final Passage (*Numbers are assigned Ordinance Numbers*)**

*The Clerk read the following:*

1. **Ordinance No. 36 of 2014**: An ordinance amending and re-enacting Article IV of Chapter 30 of the Code of Ordinances relative to fireworks and to otherwise provide with respect thereto. (C/O. Jenkins) (*Postponed May 27, 2014*)

**Having passed first reading on April 8, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman O. Jenkins, seconded by Councilman Corbin, to table until July 22, 2014. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

2. **Ordinance No.52 of 2014**: Authorizing the Mayor to execute a contract with Dr. David Clemons to grant access and permission to plant and maintain Live Oak trees on the east right of way of Creswell Avenue, and otherwise providing with respect thereto.(*Postponed May 27, 2014*)

**Having passed first reading on May 13, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Corbin and seconded by Councilman McCulloch to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

3. **Ordinance No. 53 of 2014**: An ordinance amending the 2014 Capital Improvements Budget and otherwise providing with respect thereto. (*Postponed May 27, 2014*)

**Having passed first reading on May 13, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Everson and seconded by Councilman McCulloch to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

4. **Ordinance No. 54 of 2014**: An ordinance authorizing an amendment to the agreement and lease with MB Industries, L.L.C., and to otherwise provide with respect thereto. (*Postponed May 27, 2014*)

**Having passed first reading on May 13, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman O. Jenkins, seconded by Councilman Corbin, to withdraw. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

6. **Ordinance No. 56A of 2014: ZONING - C-22-14:** An Ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the NW corner of West Canal and West 70th Street, Shreveport, Caddo Parish, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT and to otherwise provide with respect thereto. (F/Shyne)

**Having passed first reading on May 27, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Shyne, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

7. **Ordinance No. 57 of 2014: ZONING - C-30-14:** An ordinance amending Chapter 106 of the Code of Ordinances, the City Of Shreveport Zoning Ordinance, by rezoning property located on the NE side of N Market 1200 feet north of Tanglewood Drive & being also 190 feet NE of N Market, Shreveport, Caddo Parish, LA., **FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT LIMITED TO “AN INDOOR DOG TRAINING, GROOMING, AND OVERNIGHT BOARDING FACILITY” ONLY**, and to otherwise provide with respect thereto. (A/McCulloch)

**Having passed first reading on May 27, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman McCulloch, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

8. **Ordinance No. 58 of 2014: ZONING - C-31-14:** An ordinance amending Chapter 106 of the Code of Ordinances, The City Of Shreveport Zoning Ordinance, by rezoning property located on the south side of Olive St bounded by Southern Ave & Buckner Street, Shreveport, Caddo Parish, LA., **FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO R-A-E, RESIDENCE-AGRICULTURE/EXTENDED USE DISTRICT LIMITED TO “A NON-PROFIT COMMUNITY GARDEN AND OUTREACH FACILITY” ONLY**, and to otherwise provide with respect thereto. (B/Everson)

**Having passed first reading on May 27, 014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Everson, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

9. **Ordinance No. 59 of 2014: ZONING - C-32-14:** An ordinance amending Chapter 106 of the Code of Ordinances, the City Of Shreveport Zoning Ordinance, by rezoning property located on the NW corner of Youree Dr & E Washington St, 176 feet north of E Washington, Shreveport, Caddo Parish, LA., **FROM B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT**, and to otherwise provide with respect thereto. (B/Everson)

Having passed first reading on May 27, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Everson, seconded by Councilman S. Jenkins, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.

10. **Ordinance No. 60 of 2014: ZONING - C-33-14:** An ordinance amending Chapter 106 of the Code of Ordinances, the City Of Shreveport Zoning Ordinance, by rezoning property located on the SE side of E 70<sup>th</sup> St 2300 feet east of Dixie Gardens Road , Shreveport, Caddo Parish, LA., **FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT,** and to otherwise provide with respect thereto. (D/Corbin)

Having passed first reading on May 27, 2014 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Corbin, seconded by Councilman McCulloch, to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.

*The Adopted ordinances and amendments follow:*

#### **ORDINANCE NO. 55 OF 2014**

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 39 OF THE CODE OF ORDINANCES RELATIVE HUMAN RELATIONS TO ESTABLISH A GREATER SHREVEPORT HUMAN RELATIONS COMMISSION, TO PROVIDE RELATIVE TO ITS OFFICERS AND POWERS, TO PROVIDE RELATIVE TO ADMINISTRATIVE MATTERS 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 Article II of Chapter 39 of the Code of Ordinances of the City of Shreveport is hereby enacted to read as follows:

Article II. Human Relations Commission

Sec. 39-10. Organization.

a) There is hereby created a Greater Shreveport Human Relations Commission composed of nine residents of the City who have demonstrated an interest and have acquired experience in matters relating to human relations concerns in the City, and who support the principles of Chapter 39 of the Code of Ordinances.

b) Commissioners shall be appointed by the Mayor and confirmed by a majority vote of the City Council. Each member of the Commission shall serve for a term of three years or until a successor is appointed and qualified, except for the initial members whose terms shall be as follows. Three members shall be appointed for terms ending on December 31, 2015. Three members shall be appointed for terms ending on December 31, 2016. Three members shall be appointed for terms ending on December 31, 2017. Thereafter, members shall be appointed for terms ending three years after the ending date of the previous term.

c) Service on the Commission shall not be compensated.

Section 39-11. Officers; Rules.

The Commission shall elect a chair and a vice-chair from among its membership, each of whom shall serve in that capacity for one year. The Commission may adopt such rules and regulations as it deems necessary and desirable for the regulation and conduct of its meetings and activities.

#### Section 39-12. Powers.

The Commission is authorized to:

- 1) Accept complaints relating to discrimination; refer the complaints to existing authorities as appropriate; conduct its own investigation; convene initial hearings and appeal hearings in accordance with Section 39-13; seek conciliation between the parties, impose fines in accordance with Section 38-5 of this Chapter, if it deems appropriate; and publish the findings of any hearing as it deems appropriate;
- 2) Arrange for public hearings and survey current practices and conditions relating to the treatment of persons in areas of public accommodations, employment, housing, recreation, education, and other human relations areas;
- 3) Make recommendations to appropriate authorities and propose legislation with regard to human relations practices and conditions;
- 4) Conduct programs for the purpose of informing the general public, businesses, organizations, and other entities regarding matters of human relations and of bettering human relationships within the community;
- 5) Act as a mediator to resolve disagreements in matters of human relations;
- 6) Coordinate activities with and utilize the resources of other public and private human relations bodies; and
- 7) Perform other duties and functions as may be specified by the City Council from time to time.

#### Section 39-13. Hearings and Appeals.

- 1) When the Commission receives a complaint that a person has violated the provisions of this chapter and determines a hearing should be held regarding a complaint, it shall send written notice of the date, time and place of the hearing to the complainant and the person alleged to have violated this chapter, not less than fifteen days prior to the date of the hearing.
- 2) The Commission shall hold an initial hearing before a quorum (at least three members) of a five member panel of the Commission. It shall notify the parties of its decision either in person during the hearing or in writing if the person is not present at the hearing.
- 3) If the complainant or the person alleged to have violated this chapter is aggrieved by the decision of the panel at the initial hearing, he or she may file an appeal with the Commission, not less than ten days after notification of the initial decision. The Commission shall then send written notice of the date, time and place of the final appeal hearing to the complainant and the person alleged to have violated this chapter, not less than fifteen days prior to the date of the hearing. The final appeal hearing shall be before a quorum (at least five members) of a nine member panel of the Commission. The Commission shall notify the parties of its decision either in person during the hearing or in writing if the person is not present at the hearing.

#### Section 39-14. Administrative.

Until otherwise provided by the Council, the following administrative personnel will assist the Commission in the fulfillment of its duties:

- 1) The Mayor's office will provide administrative staff to collect and distribute grievances, schedule meetings, issue notices of hearings, record and report the outcomes

of hearings, to the extent practicable.

2) The City Attorney's office will provide legal advice to the Commission as requested or as deemed necessary by the City Attorney. However, the City Attorney's Office shall not be responsible for presenting to the commission the case or complaint on behalf of persons who have filed a complaint. Any person who has filed a complaint may present the complaint to the Commission, or may be represented by another person chosen by the complainant.

3) Any fines imposed by the Commission shall be paid to the City's Director of Finance. Said funds shall be deposited into the general fund to help defray the Commission's administrative costs.

4) The City Attorney's office will be responsible for the collection of fines not voluntarily paid, including judicial enforcement if necessary.

Sec. 39-15. Other Authorities.

It is not the intent of this Chapter for the Human Relations Commission to undertake the enforcement of any law or regulation other than the provisions of this Chapter. No complaint, investigation or hearing hereunder shall be a prerequisite to, preclude, or take the place of any other enforcement proceeding relative to federal, state or local laws regarding discrimination or unlawful practices in employment, housing, public accommodations or related matters.

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 are hereby repealed.

#### **ORDINANCE NO. 56A OF 2014**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NW CORNER OF WEST CANAL AND WEST 70TH STREET, SHREVEPORT, CADDO PARISH, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of Lots 33 & 34, Sunset Acres Subdivision, Unit 12, Shreveport, Caddo Parish, LA, property located on the NW corner of West Canal and West 70th Street, be and the same is hereby changed **from B-2, Neighborhood Business District to B-3, Community Business District.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulations:

**1. Development of the property shall be in substantial accord with a revised site plan showing the location of a maximum of 8 autos for sale, tire display, tire storage, and garbage dumpster placement and removal of the existing hydraulic lift. This plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Planning Commission. No permits shall be issued until the revised site plan and/or replatting of lots has been approved by the MPC Director or the Planning Commission.**

**2. A Landscape Plan shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits.**

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. 57 OF 2014**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NE SIDE OF NORTH MARKET, 1200 FEET NORTH OF TANGLEWOOD DRIVE, 190 FEET NE OF NORTH MARKET, SHREVEPORT, CADDO PARISH, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT LIMITED TO “AN INDOOR DOG TRAINING, GROOMING, AND OVERNIGHT BOARDING FACILITY” ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of the east 157 feet of Lot 1, Page Square North Subdivision, Shreveport, Caddo Parish, LA, property located on the NE side of North Market, 1200 feet north of Tanglewood Drive,

190 feet NE of North Market, be and the same is hereby changed **from B-2, Neighborhood Business District to B-2-E, Neighborhood Business/Extended Use District limited to “an indoor dog training, grooming, and overnight boarding facility” only.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulation:

**1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**

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. 58 OF 2014**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTH SIDE OF OLIVE STREET BETWEEN SOUTHERN AVENUE AND BUCKNER STREET, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO R-A-E, RESIDENCE AGRICULTURE/EXTENDED USE DISTRICT**

**LIMITED TO “A NON-PROFIT COMMUNITY GARDEN AND OUTREACH FACILITY ” ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of Lot 1, Dittle’s Garden, Shreveport, Caddo Parish, LA, property located on the south side of Olive Street between Southern Avenue and Buckner Street, be and the same is hereby changed **from B-2, Neighborhood Business District to R-A-E, Residence-Agriculture/Extended Use District limited to “a non-profit community garden and outreach facility” only.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulations:

- 1. All improvements shall be in substantial accord with a revised site plan showing required alley improvements and adjustments to the height and/or location of the fence.**
- 2. All necessary variances required by the submitted site plan shall be obtained from the Zoning Board of Appeals prior to the issuance of permits.**
- 3. Sales of items not produced on the site shall be prohibited.**
- 4. Use of the property for public outreach shall occur between the hours of 7:00 a.m. and 10:00 p.m.**

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. 59 OF 2014**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NW CORNER OF YOUREE DRIVE AND EAST WASHINGTON STREET LOCATED 176 FEET NORTH OF EAST WASHINGTON, SHREVEPORT, CADDO PARISH, LA, FROM B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of the south 258.3 feet of Lot 14, Forest Park Subdivision and the north 30 feet of abandoned East Wilkinson Street adjoining on the south, Shreveport, Caddo Parish, LA, property located on the NW corner of Youree Drive and East Washington Street, located 176 feet north of East Washington, be and the same is hereby changed **from B-2-E, Neighborhood Business/Extended Use District to B-3, Community Business District.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulations:

- 1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the**

**Planning Commission.**

**2. A Landscape Plan shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits.**

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. 60 OF 2014**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SE SIDE OF EAST 70TH STREET 2300 FEET EAST OF DIXIE GARDEN ROAD, SHREVEPORT, CADDO PARISH, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of Lots 9 & 10 of the 70th Street East Subdivision, Shreveport, Caddo Parish, LA, property located on the SE side of East 70th Street, 2300 feet east of Dixie Garden Road, be and the same is hereby changed **from B-2, Neighborhood Business District to B-3, Community Business District.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulation:

**1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**

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.

**Tabled Legislation.**

Mr. Thompson: Mr. Shyne, I believe that is all of the legislation that's on the agenda to be adopted today, unless somebody wants to pull something from the table.

Councilman Shyne: Mr. Thompson, I believe you are right. Now is there anybody who wants to pull anything from the table?

Councilman O. Jenkins: No, but I'd like to if I can make a motion about a piece of ordinance that is in the Clerks report today. Can I do that?

1. **Ordinance No. 170 of 2012:** Amending and reenacting portions of Chapter 90 of the Code of Ordinances relative to Residential Parking Permit Zones, and to otherwise provide with respect thereto (*Tabled December 11, 2012*)

2. **Ordinance No. 90 of 2013:** Amending and reenacting Section 102-47 of the Code of Ordinances relative to insurance required for Vehicles for Hire and to otherwise provide with respect thereto. (F/Shyne) (*Tabled August 27, 2013*)
3. **Ordinance No. 12 of 2014:** Changing the name of Steeple Chase Plaza Drive to Gregory Kirby Plaza Drive, and to otherwise provide with respect thereto. (G/S. Jenkins)
4. **Ordinance No. 19 of 2014:** Amending the 2014 Water and Sewerage Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
5. **Ordinance No. 20 of 2014:** Amending the 2014 Community Development Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
6. **Ordinance No. 21 of 2014:** Amending the 2014 Airport Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
7. **Ordinance No. 22 of 2014:** Amending the 2014 Golf Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
8. **Ordinance No. 24 of 2014:** Amending the 2014 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
9. **Resolution No. 52 of 2014:** A resolution amending the Pay Plan for General Classified Employees to provide a one-time lump sum pay increase and to otherwise provide with respect thereto. (E/Webb)

## **Appeals**

### **Property Standards Appeals**

**PSD1000086** 2837 Logan Street, Shreveport, LA (G/S. Jenkins) Ms. Carolyn Ivory Wilson, 3646 Del Rio Street, Shreveport, LA 71109 (G/Jenkins) (*Postponed May 23, 2014 until September 22, 2014*)

**PSD1000141** 728 Austin Pl, Shreveport, LA (B/Everson) Ms. Deborah Bryant, 9640 Tammy, Shreveport, LA 71106 (Caddo Parish) (*Postponed March 24, 2014 until August 25, 2014*)

**PSD1300218** 360 E. 68<sup>th</sup> Street, Shreveport, LA (C/O. Jenkins) Mr. Daniel Southern, 368 E. 68<sup>th</sup> Street, Shreveport, LA 71106 (C/O. Jenkins) (*Postponed May 23, 2014 until July 7, 2014*)

**PSD1300137** 1447 Hollywood Avenue, Shreveport, LA (F/Shyne) Ms. Mary Dickens, 6004 Fox Ridge, Shreveport, LA 71129 (G/S. Jenkins) (*Postponed May 23, 2014 until July 7, 2014*)

**PSD1300213** 2701 Martin Luther King Drive, Shreveport, LA (A/McCulloch) Ms. Sherri Smith, 5992 Canada Court, Bossier City, LA 71117 (*Postponed March 10, 2014 until June 9, 2014*)

**PSD1300253** 3640 Del Rio Street, Shreveport, LA (G/S. Jenkins) Mr. Terry Williams, 900 Whispering Lake Drive, Shreveport, LA 71107 (*Postponed March 10, 2014 until June 9, 2014*)

**PSG1300703** 3640 Del Rio Street, Shreveport, LA (G/S. Jenkins) Mr. Terry Williams, 900 Whispering Lake Drive, Shreveport, LA 71107 (*Postponed March 10, 2014 until June 9, 2014*)

**PSD1300207** 1622 Creswell Avenue, Shreveport, LA (B/Everson) Mr. John C. Smith, 224 Cane Bend Drive, Haughton, LA 71037 (*Postponed April 7, 2014 until October 13, 2014*)

**PSD1300319** 3040 Skelly Street, Shreveport, LA (A/McCulloch) Mr. Thadious L. Hawkins, 650 Kingridge Place, Shreveport, LA 71108 (*Postponed April 7, 2014 until June 9, 2014*)

**PSD1300040** 600 W. 73<sup>rd</sup> Street, Shreveport, LA (F/Shyne) Mr. James McReynolds 135 Mahaffey Road, Princeton, LA 71067 (*Postponed May 12, 2014 until June 9, 2014*)

**PSG1400174** Vacant lot north of 615 W. 70<sup>th</sup> Street, Shreveport, LA (F/Shyne) Ms. Lola Armstrong, 315 Camp Zion, Haughton, LA 71037 (*Postponed May 12, 2014 until July 7, 2014*)

**PSD1400022** 2806 W. Maple Street, Shreveport, LA (G/S. Jenkins) Mr. Gary Sweatt, P.O. Box 3212, Shreveport, LA (*Postponed May 23, 2014 until July 21, 2014*)

### **Alcoholic Beverage Ordinance Appeals**

Denial of Application of Daniel Beatley for Alcohol Permit for *The Southern Pantry*, 8790 Youree Drive, Shreveport, LA , 71115 (D/Corbin) Mr. Daniel Beatly, 8790 Youree Drive, Shreveport, LA , 71115 (D/Corbin)

### **Other Appeals**

Caddo Parish Animal Services Board decision appealed by Mr. Daniel R. Keele, Attorney at Law, P.O. Box 303, Shreveport, LA 71162 on behalf of Mr. Matthew Phiffer. (*Postponed May 23, 2014 until June 9, 2014*)

**Taxi Appeal:** None.

**SOB Appeal:** None.

### **Reports from officers, boards, and committees**

#### **Clerk's Report**

*Appeal Letter:* BAC 35-14 – South side of Thora Blvd., 150' west of Thornhill Avenue, Shreveport, LA, Mr. Tom Neely, 911 Thora Blvd, Shreveport, LA 71106 (C/O. Jenkins) (*To be considered June 24, 2014*)

*Appeal Letter:* BAC-36-14 – South side of E. Kings Hwy, 350 feet west of Youree Drive, Shreveport, LA (C/O. Jenkins) (*To be considered June 24, 2014*)

Councilman O. Jenkins: And that motion would be to postpone BAC-44-14 until July 22<sup>nd</sup>. That piece of legislation has to do with an appeal by Broadmoor Baptist Church and the neighbors. Both sides are trying to work things together. There's a community meeting tomorrow night about it. There's a lot of things that they just need time to kinda come to some agreement, and so I'd like to get it out there early to give everybody a chance.

Councilwoman McCulloch: Second.

Councilman O. Jenkins: Is it the 22<sup>nd</sup>, right?

Ms. Johnson: Yes.

*Appeal Letter: BAC-44-14 – 4200 Block of Clingman Drive & SE Atlantic Street and Finley Drive, Shreveport, LA, Mr. Durr, Broadmoor Baptist Church, Minister of Business Administration, 4110 Youree Drive, Shreveport, LA 71105 (C/O. Jenkins) (To be considered June 24, 2014)*

**Motion by Councilman O. Jenkins, seconded by Councilman Everson to postpone until July 22, 2014. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: 0. Out of the Chamber: 0. Absent: 0. Abstentions: 0.**

Mayor Glover: Mr. Chairman, by the power vested in me as the Mayor of the City of Shreveport, I shall declare on tomorrow that Mr. Jenkins shall be known as Councilman Solomon Jenkins.

Councilman Shyne: WOW! Now that is quite a title.

Councilman O. Jenkins: You know when one is given those names, it's always best to do a little research about some other implication before you accept that anointment.

Mayor Glover: You can drop the "Councilman", you can drop the "Jenkins" and put King in front. (Inaudible) the wisdom thereof.

Councilman Shyne: WOW! Where is the Shreveport Times? We need to see that headlined. "Mayor Declares Councilman "

Councilwoman McCulloch: Councilman Oliver Jenkins.

Councilman Shyne: That doesn't happen very often Mr. Mayor.

Councilman O. Jenkins: Let's move onto Committee of the Whole.

Mayor Glover: (Inaudible) Divine intervention to bring that to a (inaudible).

Councilman Everson: Let's move on before he renames anybody else.

Councilwoman McCulloch: Yeah, cause I'm thinking Delilah sitting up here.

Councilman Shyne: I know what it is, I know what it is Mayor, I believe you're looking to get that vote that you need.

Mayor Glover: I want to help him with that problem he has over there.

**The Committee "rises and reports"** (reconvenes the regular council meeting)

**Adjournment:** There being no further business to come before the council, the meeting adjourned at approximately 7:41 p.m.

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//s// Joe Shyne, Chairman

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*//s// Arthur G. Thompson, Clerk of Council*