



## **Council Proceedings of the City of Shreveport, Louisiana**

*October 9, 2012*

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Sam Jenkins at 3:10 p.m., Tuesday, October 9, 2012, in the Government Chambers in Government Plaza (505 Travis Street).

Councilman S. Jenkins: (Inaudible) breast cancer death rates have been going down. This is probably the result of finding the cancer earlier, and better treatment. Right now, there are more than 2.9 million breast cancer survivors. And I think that's something worth applauding, don't you? What we'd like to do at this point in our service is call for an invocation, and we're going to ask Rev. Dr. R. Jones Moore, Pastor of the Sunrise Baptist Church to come forward for our invocation. Dr. Moore, I want to congratulate him. He is the Bishop-Elect, Region 1, the National Assembly of Christian Churches and Ministers Fellowship. So we certainly want to congratulate you on your elevation Pastor Moore and ask that when you give this invocation today too, you will keep in mind the many families who have been affected by breast cancer.

Councilman Shyne: Is that Pastor Moore, or Bishop Moore?

Councilman S. Jenkins: Bishop-Elect Moore.

Councilman Shyne: Okay then.

Invocation was given by Councilman Rev. Dr. R. Jones Moore.

The Pledge of Allegiance was led by Councilwoman McCulloch.

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 Shyne to approve the minutes of the Administrative Conference, Monday, September 24, 2012 and Council Meeting, Tuesday, September 25, 2012. Motion approved by the following**

**vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

Councilman S. Jenkins: What we're going to try to do today in order to accommodate. We've got a lot of people down today on different subjects. So, what we're going to try to do today is entertain a motion to suspend the rules.

Councilman Shyne: So moved Mr. Chairman to suspend the rules.

Councilman O. Jenkins: Second.

Councilman S. Jenkins: Right, so we can take up a few matters that I know a lot of you are down to speak on.

**Motion by Councilman Shyne, 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: None.**

Councilman S. Jenkins: What we'll do first is, the Council is going to recognize Mr. Sammy Mears. Please come forward.

*Mr. Sammy Mears: (1901 Centenary Blvd)* I'm here to speak today on behalf of the First Baptist Church of Shreveport and First Baptist Church School. On Monday night, October 1<sup>st</sup> at 11:45 p.m., it was learned and reported that a trash can tic tac toe board and a playhouse went up in flames which is known to be as arson. I want to thank Kevin Rambin who might be listening for calling me and telling me to watch the news as I was already watching at the time. The selfish bully cowards that did this arson should turn themselves into the law, because if they don't, it won't look good when they're caught. And the longer they hold out, the worse its going to get for them. They had no right nor permission to do such an awful thing. If you're man enough to go break the law and do the crime, you're man enough to go to jail and do the time. It's likely this was no accident. Word has it, it could have been on purpose. I won't be surprised if something turns up as evidence and these people end up in jail. This is just so horrible. The kids have lost probably a lot of memories from the things that they had, that they could play on the at the school ground. Of course I know its going to be replaced with a lot of other stuff. But the fact is they have no memories, only the teachers might have memories, but that stuff is gone. And I know it can be replaced. I do want to thank the Centenary College students who came out on Thursday of last week to help clean up the mess as it needed to be done. My heart was really broken that they even cared about it, but since Kevin Rambin wanted me to know that it was going on, I'm glad I tuned in before I watched the Mad Money show with Jim Cramer,

because this was really something that I needed to see for myself, since I didn't know anything about it. Had I not known, I never would have addressed this today. The First Baptist Church of Shreveport, First Baptist Church School and myself will not stand for this childish, ridiculous, inappropriate, unacceptable behavior, and we will not put up with it. We will not. Needless to say, we want justice done about this at once, and I know I'm close to the three minutes, but I just wanted to let you know that if you were in the situation that these children, if you were in their place, and this happened to you, you'd feel horrified, just as much as they felt and the way the teachers feel. I'm not sure if I had any support from anyone at First Baptist, but I do want to let it be known how I felt about this. I may not be a member of First Baptist, but I do go to the supers and worship service on Wednesday night whenever I can. I just wanted to let you know, we want something done. Thank you.

Councilman Everson: Very timely Fire Prevention Awareness (inaudible) as well. So you know it's a good time for us to know that preventing fires is very important and knowing your fire safety.

Councilman S. Jenkins: I tell you what. Something got under Sammy's skin. I don't think I've seen him as upset and as straight forward as he's been today, and as serious as he's been today in a long time. So, whatever that is, we're certainly going to look into it and see if there is something we can do. Councilman Everson, I understand that we have some students from Centenary College down with us today.

Councilman Everson: We do. We have some students from Dr. Loren Demerath's Sociology class that I don't know if - - - Loren, did you want to come up and introduce the students?

*Dr. Loren Demerath: (115 Atkins)* I'm a professor of Sociology at Centenary College. And I brought in my class today to see the Council Chamber and to see how democracy works at this level. How accessible it is, how you can speak to an issue that interests you, like the dog park, which I hope to speak to in a bit. And I just want to say that one of the first things that was mentioned coming in by one of the students was, I think Haley it was, said, boy it's so beautiful down here in downtown. The buildings are beautiful. Said, I ought to quit school and go into real estate. But we do have a beautiful city, we've got a beautiful riverfront too that we think would be enhanced by the dog park and we hope that (inaudible) passed.

Councilman Everson: Do your students want to stand and - - -

Dr. Demerath: Yeah, stand students in Urban Sociology, Centenary College ladies and gentlemen.

Councilman Everson: And are most of these students what age range?

Mr. Demerath: It's a 300 level class in Sociology. Its advanced Sociology, and they'd be 19-21, I think pretty much. We've got some other students.

Councilman Shyne: That's about Jeff's age, you ought to invite him over sometime.

Councilman Everson: Well I did have Dr. Demerath when I was at Centenary, so I can tell you, you're being taught well. And I suppose it's appropriate if you want to go ahead and make your comments about the dog park.

Dr. Demerath: Thank you, I'd appreciate that. Well, one of the things that's interesting, we walked in from Centenary, and I was trying to demonstrate to the students how a city is accessible. It's interconnected, you can have - - -

Councilman Shyne: Excuse me. You said you all walked?

Dr. Demerath: We walked. We walked here from Centenary. That's right. No blisters or anything like that. It took us about an hour, because it's 3 miles. You know you walk about 3 miles an hour. And we stopped and chatted with people here and there. But the point being that if you live close to the city, there's a lot of things that are accessible to you. The walking which is a very healthy way of getting around, you could hop on a bike and do it too, with the route that we took. Marshall is a very important inlet to the city that doesn't have a lot of traffic. And A Better Shreveport has talked about how that and Gilbert and SPAR knows all about Gilbert becoming a complete street and having bike lanes and so on that would increase the access, and increase the likelihood that people would walk in our city and get healthier and happier. Along the riverfront though, the riverfront is a wonderful set of amenities for us in Shreveport ranging from Sci-port and the splash fountains, and the riverfront with the roses, and of course all the amenities downtown here. But connected via bike path, all the way down to the Jimmy Davis Bridge. At the end of it which would be the dog park. And that's linked through a beautiful bike path that we've made here in Shreveport. Its also linked to a lot of mountain bike trails that have been made just cutting through the woods. And that's another place where people were to go and to walk along those trails along the river, they can't help but say, wow this is beautiful, this is gorgeous. And so that would increase, we think the dog park would increase people's awareness of that. But that's simply what I wanted to point out. That in Urban Sociology, we talk about how increasing access to amenities through interconnectivity, not just through cars, but through biking and paths and trails, really enhances a city's quality of life. And our drainage ditches afford that possibility. We pushed that at A Better Shreveport, we go so many drainage ditches around that could be easily capped and made into sidewalks

where there's only people walking and biking is another idea that we pushed. But the dog park stands in good stead for increasing our connectivity because of its placement.

Councilman Everson: Thank you so much. We certainly appreciate you all being here.

Councilman S. Jenkins: Absolutely. And we certainly hope that Council will be on its best behavior today, so your class will go back with a very good report.

Councilman Shyne: Sam, I will. I promise you all I will.

Councilwoman McCulloch: I will too, I promise.

Councilman Everson: (Inaudible) the only ones we've got to worry about.

Councilwoman McCulloch: I promise.

Councilman Shyne: I promise to be on my best behavior.

Councilman S. Jenkins: That's a good sign when we've got Councilman Shyne and Councilwoman McCulloch promising that they're going to be on good behavior today. That's a good sign we're going to be alright. Speaking of signs, we're going to move now and I know we've got some matters on the agenda, we're going to allow people to speak ahead of time here. The Council recognizes Mr. Joe Kane. Ask that he would come forward and give us his name and address. And this is your opportunity to speak on that legislation that will be handled later on, on the agenda.

*Mr. Joseph Kane: (1800 Pierre Ave)* I appreciate you hearing us out yesterday, I'm going to pretty much say the same thing. That I think this could be worked out without a moratorium. I think it sets the wrong precedence for the city. I think this could be worked out through a series of workshops where we could sit down and meet. One thing that Councilman Sam Jenkins brought out yesterday, was that we heard from a neighborhood association, you've heard form Lamar Advertising, you've not heard from the business community. And some of these businesses started with us seven years ago, and are still using the product. Very effectively and believe in it. I'd like to if it's possible to provide the Council with a list of our current advertisers and contact people. So that if you were inclined to contact a local business who has been with us for - - - some of them have been with us six and seven years. There's a group that are current, that if could be kept proprietary, I'd like to share that with you, in case you wanted to contact these businesses on your own. Because they are running business and may not come to this type of forum. With that, I'd either ask for a delay so we could have a workshop and really see how apart we really are, because we really don't know.

Councilman Shyne: Now Ms. Keith, speak loudly so that the Mayor can hear you, here?

*Ms. Cynthia Keith: (2063 Shadywood Lane)* Yes, I would like for him to hear me. Thank you Council, and Mayor Glover, we do wish you our best, we want you up and back on your feet as soon as possible so you can enjoy the amenities on the riverfront, and we also have a therapy dog that would like to come visit you in the hospital. We know you do love dogs, I know he does and his wife does too. If you're open to it, we'll send you a little visitor your way.

Mayor Glover: Thank you for the kind sentiments Cynthia.

Ms. Keith: They're sincere, they are, they're sincere. Yeah, there's been some talk about dogs versus people in this dog park. I wanted to start with a little joke. A man was talking to another man about his wife, and how much he loves his wife. Oh she's my best friend, she'll be with me forever, she loves me more than anything. And the other man says no she's not. He said, yes she is. He said I love my wife. He said she's not your best friend. He said, yes she is. He said, do a test. You go home and you lock your wife in the trunk of your car for 30 minutes. And then you go lock you dog in the trunk of your car for 30 minutes. And you go open up the trunks of those cars, and you tell me which one is happy to see you, that will be your best friend. I know there's been some talk about maybe putting this dog park in another place. I believe Mr. Shyne you brought that up, why are we wanting to put the dog park on the river? That was a suggestion of the city. This is the third time this dog park has come up. The first time it was at Veterans' Park, and the second time, the city suggested we put it at Hamel Memorial, because we've got room to grow. And we love that idea. And I think the riverfront is a great place for it. I would like to address some of the things the Mayor has in his veto. The first one being that this was not transparent, asking the Red River Waterway Commission for the money. And he didn't know about it and all that, and we know now that Commissioner Mathew Lynn said that they did have a discussion with him, he did have the email. What he did after that, I don't know. I know that two of our councilmen went down to the waterway commission and also talked about it. We think it's an ingenious idea obviously the dog park was not on the Mayor's \$2,000,000 list. That is because he was waiting for the Shreveport Dog Park Alliance, which I am the director of to gather all the funding. So why would he ask for funding? So that's when the Parish asked if they could come in and get money and give it to the city. It's the perfect scenario. Hopefully the Mayor gets all he wants, the Parish gets the one thing they want. It's perfect. Nothing's taken away from anybody else. I understand they're taking everything independently, and the Mayor will hear about his soon. He talks about the dog park not being a priority. We feel the dog park is a priority, it's mentioned here in a 2006 study that was done for Parks and Recreation Master Plan. 2008, here it is again, the Clyde Fant Parkway recreational plan complete with map. It

was in '08. February of '09, the Mayor says in an email. I do keep emails. This is something we're very interested in, I look forward to figuring out how we can make it happen. Are you attending Robinson's rescue tomorrow opening, if so maybe we'll get a chance to talk more. If not, I'll follow up with a phone call. June of '09, dog park is online for review. Drawings for the Clyde Fant/Veterans' Park Dog Park are online for public access and comments. July of '09, Mayor Glover tells a person a dog park will be built by capital dollars. That's because there was confusion about people wanting swimming pools. Not realizing those are operating dollars. December '09, it goes out in the newspaper Shreveport planning a riverfront dog park. SPAR should have the money for this dog park in its Capital Projects, Tim Wachtel says. January 2010, we had intended to have a dog park under construction, but now, we found that money is not available and it is on hold. SPAR is aware of the community support for this facility. - - Tim Wachtel. April 13, 2010, after the Mayor says in a public place, a little get together, we're proud of Cynthia Keith and her work on the dog park, we're excited to start our first dog park. It shows we're a progressive city. Shelly Ragle calls me in April of 2010. We don't want to wait to build this dog park. She tells me she thinks they have funding in their SPAR budget. October 2010, planning of the dog park is underway - - Katherine Kennedy. Then Oliver Jenkins gets elected and says you know it would be better if y'all could help us with the funding. We were a little reluctant to do that, and we hoped the city would kinda come in on the end and pick up the slack. July, the ordinance is passed, September 13<sup>th</sup> the Hamel Park location is passed. That brings us to where we are today. Have a very primitive graph here. This is what the Mayor wants \$2,000,000 plus funding from the Red River Waterway Commission. This is what the Parish ask for. \$280,000. This little piece has torn this city up. People are wanting to leave, people are not wanting to come here. This little bitty piece. Can we get this behind us please? Let's go ahead and get this done. Lets do what the people want us to do. What your constituents want to do. Lets build this dog park. Thank you.

Mr. Thompson: Mr. Chairman, I have an email concerning that, that a citizen wanted us to read.

Councilman S. Jenkins: Okay, go ahead, get that in the record.

Mr. Thompson: This is from Linda Scott, to the Council.

*The Clerk read the following:*

We the members of the Concerned Citizens Coalition Precinct 38 respectfully submit the following statement to be read publicly at today's meeting. Members of Concerned Citizens Coalition Precinct 38 Neighborhood Association in the Hollywood area of the City want to go on record as opposing the development of a Dog Park. We believe that

there are other things that should take priority for the advancement of the city and the needs of the citizens; therefore, we support the recent veto by Mayor Cedric Glover. We ask that you allow the veto to stand.

Mr. Thompson: It has the signature blocks of Linda Bankston, President and Linda Scott, President Emeritus.

Ms. Keith: Do they realize it's Riverfront recreation only?

Councilman Everson: They have the right to make any public comment.

Councilman S. Jenkins: It's just a matter of public comment that was sent which we wanted to recognize while we're on the subject of the dog park. Let me ask a question. While we're under the suspension of rules, is it appropriate to take up the legislation or do we need to go back to the regular agenda to do that.

Mr. Thompson: Unless there are objections.

Councilman Shyne: Lets take it up.

Councilman S. Jenkins: Okay, is there any exception from Council Members from taking up the legislation on the dog park at this point and time?

Councilman Shyne: No.

Mayor Glover: Mr. Chairman, also would like to make you aware that we do have a presentation from the Administration regarding the dog park and the veto of said dog park. So, if you are about to take that up, we would ask that you afford the opportunity for Shelly Ragle to come forth and to detail for you all exactly why it is that we have offered the position and the posture that we have regarding the dog park.

Councilman S. Jenkins: Alright, we will allow an opportunity to do that. While Ms. Ragle is coming up, I do understand that Ms. Swaine is present with us today with a special guest. Please come forward and bring your special guest forward, and Ms. Ragle as soon as we take care of this business here, we'll hear from you.

*Ms. Swaine: (Executive Director, Downtown Development Authority)* Thanks so much Mr. Chairman for bringing us up. And I'm here with State Fire Marshall Butch Browning. And I know that he is a popular guy, but I had no idea that this many people would turn out to see him. He'll be giving autographs in the back of the room later, so please no pushing, no shoving. He was here today for a very important reason. One that

is important not only for the City of Shreveport, but especially for downtown. And we did something this morning that attracted more than 50 construction professionals, architects, commercial realtors, downtown building and business owners. We're doing something called a performance code for downtown buildings. And this is one of the first in the state that has ever been done, we're doing it here in Shreveport. Our downtown is going to be the test bed for this, and what it intends to do is to use a common sense approach to people who are looking at renovating and restoring our beautiful historic buildings downtown. We know that once we lose these beautiful buildings, we will never be able to build them again, they are gone. They are part of our history and they will be no more. The Chief knows that they are an important part of our economic development. The vacant buildings are doing us no good. They're not drawing jobs, they're not creating opportunities, they're not creating a tax base. So the DDA working with the State Fire Marshal's office, working with Permits and Inspections here with the City, working with the state, DOTD, working with SWEPCO, working with everyone who might touch these buildings has come up with these performance code that will allow us to get people into these historic buildings, get them renovated for potentially less hassle, less time, and less expense than every before. We're really excited about this. I want to thank Chief Butch Browning for being willing to come to Shreveport and participate. I'm going to turn it over to him.

*Chief Butch Browning: (State Fire Marshal)* Mr. Chairman and honorable Council Members. It's indeed a pleasure to be here. I remember speaking to you all I guess a little over a year ago to recognize your firefighters on USAR, and I remember we made a promise that our office would always be a partner in not only progressing your wonderful fire department, but also in economic development here in Shreveport, and that's exactly what's happened today. I've enjoyed coming to Shreveport. We spent the whole day here today, and as Liz said, we met with the designers, the business people of downtown, the realtors of downtown, and we just basically said, you know what, we don't need to be regulators, and business people, we need to be friends. And we've set up a common sense approach that we're going to look at every footprint of every vacant building downtown. And we're going to think of ways that we can 1) Make these buildings safe. Because you know its about the safety of the public that goes into those buildings, and its about the safety of the firefighters that have to enter those buildings when there's a fire. So No. 1, we're going to do that. No. 2, we're going to create economic development opportunities that are going to enhance the wonderful quality of life that you already offer here in this town, certainly in the Downtown area. So we've built a lot of friendships, we make a lot of promises, but the way we're going to do it is real simple. I'm going to be here once a month. We put together this rapid response team, that's made up of not only my office, fire prevention, safety and permits, and also some other state agencies. And once a month, we're going to be available for people to

come in and bring in conceptual ideas. It won't cost them nothing but their time, and they'll be able to put on a table what they want to do in these buildings, with no fear of the unknown, no fear of retribution, and we're going to consult with 'em like friends. And I promise you, after the first year, after the second year, after the third year, you're going to see buildings that are going to be opened in this city, that otherwise probably wouldn't have been opened because the confidence wasn't there. And I'll tell you and I told these people that this morning, I'm just a dumb fireman. I've seen what fire can do, I've seen people lose their property, I've seen people lose their lives in fire. But what I do know is that without economic development, we can't put fires out. And economic development is all about a feeling. And I think that people feel good about making an investment in downtown, they're going to do it. And you have our support on a state level to make it happen. I can't say enough for Liz and the DDA and what they've done. You know they've been a big promoter in trying to get everybody to the table, and I look forward to her bringing new success stories in the future. Our office is here to help. You know I have a lot of respect for Shreveport, you have one of the best fire departments in the country here, and I support the; tremendously. They mentored me when I was just a young fireman in Baton Rouge, and I'll never forget that from them. So I'm looking forward to coming and seeing these reports and seeing your downtown be even more beautiful than what it is today. Thank you.

Councilman S. Jenkins: Thank you, thank you for coming down, we appreciate your presence here. Mr. Ragle, it appears that I've got one more public comment that has come in on the dog park. So if you don't mind, let me take that up first, and then we'll come to the Administration.

*Mr. Feico Kempff: (4020 Baltimore)* I'm represented by Councilman Everson. I support the dog park, and I support the dog park, not because its necessarily a park for dogs, dogs don't pay taxes, dogs don't vote for people, it's the people who do, and it's the people who need to exercise their dogs. The American Kennel Club has guidelines for dog parks. For the design of facility of a dog park and they call it an off-leash site. You have voted to allow off-leash permits for people to allow their dogs to exercise, but right now as it stands, every time we let a dog lose in a park, we get cited. We get a citation. So in order to facilitate this and make this more helpful for our citizens, you could use this American Kennel Club guideline and call it an American Kennel Club guided dog park facility. Put the sign on it with the AKC logo on it, and use the guidelines of the AKC as a price guide. The price guide for a facility for a dog park by the American Kennel Club is between \$2-7,000. It doesn't have to cost as much as its proposed. This is all driven by someone whose getting - - - who kicked the can down the road by just making the population go look for the idea, rather than the people who know how to do it. So the idea was to if anybody doesn't want to call it Cynthia's Dog Park, or Shreveport Dog Park, call it the American Kennel Club Guided Off-leash

facility. And you can build at least five or six of these all over the city. Just an enclosure fence with water and a trash can. That's all that's needed. That's all I have to say, thank you very much.

Councilman S. Jenkins: Thank you sir. Alright Ms. Ragle.

*Ms. Shelly Ragle: (SPAR)* Good afternoon. I do want to I think give a clarification of how I guess we got to this point after all these years, it's been a long time in talking about a dog park. I want to reiterate that SPAR has been supportive of a dog park off-leash, and off-leash areas in our communities. In 2005, I think Cynthia referenced it earlier, we did a Master Plan in conjunction with the Parish. That Master Plan said three overarching things to us. One was that our citizens wanted more activity along the Red River, and that wasn't necessarily what they wanted, but they wanted more activity. That statement in that master plan, led us to do what we called the Parkway Master Plan,. I think you all have seen a copy of it, it's from 2008-2009. In there a dog park was discussed. And when we formed the committee for that Red River Parkway Master Plan, the committee was comprised of a member of the Red River Waterway Commission, and the reason they were on there is because we knew that's where funding comes from for a lot of our recreational projects. So to have them part of that committee is we were forming the ideas for recreation along the Red just made sense. So, they were a part of this. A dog park was mentioned there, along with a lot of other projects. In early fall of last year or late summer, we sat down with the Waterway Commission, and we talked about all the projects that came out of this master plan study for the riverfront. And they with us developed a list of recreational projects. We did not ask for funding for a dog park, the city, because we felt that it was being funded. You know after we had talked to the dog park alliance about raising their own money. That's why we didn't ask for one. What we did ask for were projects that would complete parks. You know we began Riverview Park, its there, but it needs to be completed with bathrooms and the covering of that stage would do that. It's a lot like what we're doing at A.C. Steere right now by completing that park by building bathrooms. We asked for things that would enhance the riverfront recreation as a whole, and those projects were developed in concert with the Waterway Commission, not just randomly picked projects. They sat down with us, they talked about what they felt comfortable with funding based on that study from 2008-2009. And that's how the list was developed. We have set policies. We have ordinances, and we support a dog park, but we also support off-leash areas throughout the city, and we talked about different locations for those. So I think we wanted to you know just let you know how we got to the point, how those projects were requested through the Waterway Commission, on the City side, and I do know tomorrow night, they will be reviewing our projects at the Waterway Commission.

Councilman O. Jenkins: By the way, who is representing - - - are you going tomorrow to the Waterway Commission meeting?

Ms. Ragle: No, I have already been and talked to Ken today, and he feels like they have all the information they need to make a decision.

Councilman O. Jenkins: So nobody is actually going to be there.

Ms. Ragle: He said, he did not feel that it was necessary. Yes, he has all of them from our presentation last month.

Councilwoman McCulloch: So there's a possibility some of the requests that were made by Mayor Glover could be granted?

Ms. Ragle: We're hoping that that's what happens tomorrow night at the Waterway Commission. It's actually will be their Recreation Committee meeting tomorrow night, and that's the committee that looks at the projects and they have to make the recommendation to the Commission as a whole. So tomorrow is just the Committee meeting.

Councilman O. Jenkins: Well, I would just say you know, I'm not in charge of the Administration, but I do think its in our collective best interest for a city representative to be there for that meeting to answer any questions. That was just based on my recent trip to the RRWC, and I don't know if Jeff supports that. They obviously don't have the staff quite like we do, and there were definitely questions that came up when we were down there last.

Ms. Ragle: And I think the reason they were the ones who helped us develop these projects and price them, and maybe that's why they didn't. But I'm more than happy to go tomorrow.

Councilman O. Jenkins: No, I'm not - - - that's a (inaudible) decision.

Councilman Shyne: I don't know whether Oliver understands that you work for the Mayor.

Ms. Ragle: Yes sir.

Councilman O. Jenkins: That was my disclaimer in the beginning.

Councilman Shyne: Okay.

Councilman S. Jenkins: Alright, okay. Mr. Mayor, did you have or Mr. CAO some further presentation from the Administration?

Mr. Sibley: No sir, I defer to the Mayor. I think he - - -

Mayor Glover: Thank you Mr. Chairman, Mr. CAO. I want to thank Shelly for her presentation. I also want to ask if she will to briefly help clarify and I'll offer some commentary as well. Some of the comments that were offered earlier by Mrs. Keith regarding some of the initial assumptions that had been made at one point regarding some of the capital dollars that are currently available for the riverfront. At one point and time, it was believed and assumed that those dollars were available to do a certain type of project, but ultimately turned out that based upon legal advice that those dollars are limited to property acquisition. That they're at this particular time, being directed towards the potential for property acquisition within the Cross Bayou area. And so, that is what accounts for some of the references that she made that may have come from Tim Wachtel, other members of SPAR staff with regard to available dollars that would have been at the city's disposal, potentially with Council approval and support for development of other improvements along the riverfront right now, in line with what has been submitted to the Waterway Commission.

Ms. Ragle: That is correct. There were some funding that was Riverfront Park funding and after thinking that we could use that for other things, we did get a Bond Attorney opinion that said, it can only be used for land acquisition in the Cross Bayou area, so. That was the funding that we'd hope maybe we could use to develop a dog park at one time, and then we couldn't. So that was the capital dollars that we would have used. We did not receive any capital funding to build a park.

Mayor Glover: Mr. Chairman, thank you Shelly. Mr. Chairman, members of the Council, it was at that point when the understanding was reached that would not be the ability for any public capital dollars, Shreveport capital dollars, to be able to fund this effort, that the dog park folks would accept and embrace as they had expressed. The full responsibility for raising those dollars, that was the expectation that we had, and again, the position of the administration is at this point, no source of City of Shreveport public dollars nor as we're obviously in the midst of right now should we find ourselves from the administration's perspective, competing either against another level of local government for access to dollars for utilization on Shreveport owned and controlled property, or against any other nonprofit entity that seeks to provide dollars for development on Shreveport owned property. So that is largely what accounts for the position of the administration at this point and time. I also think it would be appropriate to point out that the good folks over in West Monroe on this past week, opened the first North Louisiana Dog Park. There are seven to my knowledge that have been opened

across the state of Louisiana. The current dog park that's being considered here in Shreveport is not an on record partner of the retail entity that has helped to make those other seven previous dog parks a reality, and I think in large part the reason for that is that, the dog park has been proposed here, would actually constitute enough funding to actually as the gentleman referenced earlier, who spoke to the council, the funding actually itself would be sufficient to be able to actually construct three or four or five of the actually existing seven dog parks that exist right now in the state of Louisiana. So, that in and of itself also again, creates a part of the basis for why it is that we do not believe that this limited pool of dollars that we're competing for at the Waterway Commission, and we have no idea exactly how much of that funding we're going to be able to receive, and what particular projects will be funded that we need to find ourselves in a position seeing this as the first project that comes out of the chute and everything else with regard to the development, the advancement, the enhancement of the Shreveport riverfront ends up being secondary to a dog park.

Councilman S. Jenkins: Alright, thank you Mr. Mayor. I have one more public comment on the dog park. Came in kinda late, Mr. William Knox. Please come forward Mr. Knox.

Councilman Shyne: And Mr. Chairman, we're going to cut it off right here right? After he gets through, we're not going back to the administration.

Councilman S. Jenkins: Okay. This is the last public comment we have.

*Mr. William Knox: (819 Oneonta)* I'm a dog walker myself. I mean, I was talking to this one guy today about this think going on, the dog park, and he's like he's kinda out of shape, and he starts walking his dog at night and stuff. I don't know, I've known him like I noticed it's a lot of people here starting to walk their dogs and stuff, they get in great shape. It's like one of the best exercises out there. But besides that, all this stuff with regards to trying to improve properties downtown, that might take a longer time I think, trying to find people to come in and help economic growth there, because you've got to talk to all these companies and stuff. And basically that's all I think regarding to the dog park, that it be a much simpler, faster solution to get people especially my age to come down and like you know have something to do. But that's all I have to say.

Councilman S. Jenkins: Alright, we can entertain a motion at this time.

Councilman O. Jenkins: I'll make the motion to override the veto of Resolution No. 133

Mr. Thompson: Mr. Chairman, if it would be helpful, I'd like to read the charter provision that says that: *It shall be adopted by the Council at its next regular meeting*

*upon the affirmative of not less than two-thirds of the members of the Council. So, I would think the motion would be to adopt.*

Councilman O. Jenkins: Okay, I'll make the motion to adopt 133.

Councilman Everson: Second.

**Amendment No. 1 to Resolution No. 133 of 2012 (Adopted July 24, 2012)**

Delete the title of the ordinance and substitute the following:

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH THE RED RIVER WATERWAY DISTRICT AND THE PARISH OF CADDO RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A DOG PARK ON LAND OWNED BY THE CITY OF SHREVEPORT ADJACENT TO THE RED RIVER IN SHREVEPORT; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

In the "NOW, THEREFORE, BE IT RESOLVED" paragraph, in the fifth line, delete the words "approximately 5.7 acres of".

Explanation of amendment:

Deletes references to the number of acres of the proposed dog park, and substitutes a reference to land "owned by the City of Shreveport" adjacent to the Red River.

**AMENDMENT NO. 2 TO RESOLUTION NO. 133 OF 2012 (Adopted August 28, 2012)**

**-Delete the title of the ordinance and substitute the following:**

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH THE RED RIVER WATERWAY DISTRICT RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A DOG PARK ON LAND OWNED BY THE CITY OF SHREVEPORT ADJACENT TO THE RED RIVER IN SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

**-Amend the "NOW, THEREFORE, BE IT RESOLVED" paragraph, to now read as follows:**

“NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the City of Shreveport is hereby authorized to enter into a Cooperative Endeavor Agreement with the Red River Waterway District relative to the acceptance of funds from the Red River Waterway District for the construction and maintenance of a dog park on land owned by the City of Shreveport adjacent to the Red River, substantially in accordance with the terms and conditions of the document filed with this resolution entitled “Memorandum of Cooperative Endeavor between the Red River Waterway District and the City of Shreveport, Louisiana”.

**EXPLANATION OF AMENDMENTS:**

1. Amends the title of the Resolution to delete reference to the Parish of Caddo as a party to the Agreement.
2. Amends the “NOW, THEREFORE, BE IT RESOLVED” paragraph to delete the reference to the Parish of Caddo as a party to the Agreement.

**RESOLUTION NO. 133 OF 2012**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH THE RED RIVER WATERWAY DISTRICT AND THE PARISH CADDO RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A DOG PARK ON APPROXIMATELY 5.7 ACRES OF LAND ADJACENT TO THE RED RIVER IN SHREVEPORT; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY: COUNCILMEN O. JENKINS AND EVERSON**

WHEREAS, this Council has previously adopted Ordinance No. 71 of 2011, to establish dog parks within the City of Shreveport; and Resolution No. 192 of 2011, to accept the recommendation of the Shreveport Dog Park Advisory Committee and to endorse the development of a dog park at Marie and Charles Hamel Memorial Park on the Red River; and

WHEREAS, officials from Shreveport, Caddo Parish and members of the Dog Park Alliance have requested funds from the Red River Waterway Commission to construct a dog park at Marie and Charles Hamel Memorial Park on the Red River; and

WHEREAS, the Red River Waterway District has agreed to provide up to Two Hundred Eighty Thousand One Hundred Thirty Dollars (\$280,130.00) to construct a dog park at Marie and Charles Hamel Memorial Park on the Red River as provided for in the Memorandum of Cooperative Endeavor agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the City of Shreveport is hereby authorized to enter into a Cooperative Endeavor Agreement with the Red River Waterway District and the Parish of Caddo relative to the acceptance of funds from the Red River Waterway District for the construction of a dog park on approximately 5.7 acres of land, adjacent to the Red River, owned by the City of Shreveport; substantially in accordance terms and conditions of the document filed with this resolution, and styled, “ Memorandum of Cooperative Endeavor among The Red River Waterway District, The City of Shreveport, Louisiana, and The Parish of Caddo, Louisiana”.

BE IT FURTHER RESOLVED that the Mayor is authorized and required to sign the agreement as provided for in Section 5.02 (c) of the Charter of the City of Shreveport.

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 O. Jenkins, seconded by Councilman Everson to adopt Resolution No. 133 of 2012. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

Councilman S. Jenkins: Okay, that is unanimous and that overrides the veto. We'll move now - - - I understand we've got some representatives here today to speak on the Port City Classic, the SU versus Prairie View game.

Councilman Shyne: Oliver, that was painful.

Councilman S. Jenkins: Lets see if we've got Mr. Henson and Ms. Brown. Are they present, we'll ask them to come forward. They'll be speaking on Ordinance No. 132, which is something we will be taking up later in the agenda.

Councilman O. Jenkins: I hope that they'll speak a little on the big game this weekend as well, if given that opportunity.

*Ms. Stacy Brown: (Shreveport Bossier Convention and Tourism)* We talked about that yesterday.

Councilman O. Jenkins: But we'd like you on TV.

Ms. Brown: I'd be glad to. Councilmen, Chairman Jenkins, I appreciate you allowing me to come before you today to talk to you a little bit about the Shreveport Classic. As you know the game is coming up at Independence Stadium in a couple of weekends on October 27<sup>th</sup>. Will also be during the start of the State Fair, so a lot of exciting things happening. The event is also being surrounded by other different things with the school as well as at the State Fair, and Mr. Henson is going to talk to y'all a little bit about some of the ancillary events. I'd like to tell you a little bit more about the promotion of the event. There will be a news conference on October 17<sup>th</sup> at 2:00 p.m. at Independence Stadium which will kinda kick off more of the public relations side of the event. We have worked very closely with Prairie View A&M who is the host or the home team for that event, and we have pooled our money together to do a cooperative marketing plan. They had asked since they had a major game last weekend in Dallas, the Prairie View versus Grambling game, that the promotions actually start at that game, and then kick in very heavily here locally following that. So we had some flyers and promotions and digital billboards in Dallas around that stadium, so that the visitors that were going to that game could also be invited to the Shreveport Classic here. We have radio, both here locally in Baton Rouge, Dallas and Houston. Television on all three of our local stations as well as cable, in Dallas and Houston areas. Facebook event as well as some Facebook advertising geared specifically toward people who are interested in Prairie View A&M as well as Southern University. We also have utilized digital billboards both in Dallas and here in Shreveport-Bossier. One of the great things about the timing of this game as well as the game this weekend, is they also take advantage of the marketing that we do regularly for the Fall which is a major campaign in Dallas/Ft. Worth and East Texas. We're also doing direct mail in a number of markets, not only locally, but in Houston, Dallas and Baton Rouge, as well as web banner ads. And we have been able to secure some group tours that are coming for the Classic. Two from Dallas, as well as one from Houston. Some of those are over-nighting, some of them are doing more day trips for the game. But building those ancillary events, will encourage people to stay longer, and stay overnight in our community. So that's a little bit about the Shreveport Classic. Did you want me to talk a little bit about Louisiana Tech real quick?

Councilman S. Jenkins: Yeah, you can talk about that one second.

Ms. Brown: Okay, we'll let Mr. Henson finish out and then I'll come back.

Councilman Shyne: And then you can come back and talk about the Southern game. I'm just kidding.

Councilman S. Jenkins: Some more. If you want. You get as much time as you please.

*Mr. Fredrick Henson: (Board of Directors, SBCTB)* Okay, thank you gentlemen and lady, for letting us have this opportunity to come before you concerning Shreveport Classic, because truly just as the Port City Classic, the economic impact to our area is tremendous and definitely with tremendous growth possibilities for both of these Port City as well as the Shreveport Classic. As you well know on October 26<sup>th</sup>, we'll be hosting a golf tournament at Querbes Golf Course with 11:30 registration, lunch and a two-man scramble, with a 1:00 p.m. shotgun start. We are going to be hosting a block party October 26<sup>th</sup>. It will be a block part and kick off rally for the game hosted by the Shreveport-Bossier African-American Chamber of Commerce with probably one or both of the radio stations along with singers, dancers, the Greeks stump from conference universities from across the SWAC conference that's represented here in our area. Then also we're going to have for family and friends to come out on Saturday morning October 27<sup>th</sup> for a high school battle of the bands with Booker T. Washington High School, Green Oaks, and then actually two other schools are being invited, Green Oaks and Fair Park as well as the possibility of Byrd and possibly one other high school is being substituted in there for any omissions by anyone. They will be competing for prizes as well as being the opening, the band that wins the competition will do the Star Spangled Banner to open up the Shreveport Classic game as well. And then as a great football game should be, with Southern University Jaguars and Prairie View A&M Panthers, kick off at 4:00 p.m. with a tremendous halftime show with Southern University Marching "Jukebox" in town as well as the Prairie View Band will be here. And being a Southern Alumnus, then let me say that Southern University "Jukebox" is the No. 1 band in the land.

Councilman Shyne: No. Grambling,

Councilman S. Jenkins: Say it loud.

Councilman Shyne: Grambling, Grambling.

Mr. Henson: And then as always, your ticket to the game will also get you into the State Fair, and Mr. Giordano has planned a great evening as well. During the game or at the end of the game, the State Fair with the comedian Lee Marvin Adams who is a local homeboy here in Shreveport and ConFunkShun will be performing as well. So truly

October 26<sup>th</sup> and 27<sup>th</sup> should be a very economic impactful weekend for the Shreveport Bossier area.

Councilman S. Jenkins: Mr. Henson, I do want to take this opportunity. I'm certainly looking forward to the game and the economic input, but you know we certainly going to miss the presence of a legend, Mr. Murphy Nash.

Mr. Henson: You're exactly right.

Councilman S. Jenkins: Councilman Shyne, Mr. Nash I do want to give condolences to his family, (inaudible) this very important part of the Southern University family and he's a former member of Southern University, (inaudible). He often traveled whenever Southern was going, him and his RV or his van or whatever, him and his wife would travel with Southern University. So I want to send condolences to his family and let them know that they are in our thoughts and our prayers at this time, and we certainly will miss his presence.

Mr. Henson: And I don't want to overlook as well the Southern University Foundation is hosting a RV Tailgate cook-off, which is one of the first for any tailgate, or any game and they're going to be hosting the RV Tailgate cook-off that's going to be Saturday morning around 11:00 a.m. at the Fair Grounds there, and should be some great fun as well as some great food, cause you know those South Louisianians will be up from Southern University area, and some great cooking will be going on.

Councilman S. Jenkins: Now you had something to say about Tech?

Ms. Brown: Just a little bit.

Councilman S. Jenkins: No, I'm pulling for LA Tech in that game. And we certainly want them to (inaudible).

Ms. Brown: Well first I would like to say a special thank you to Mr. Henson who is the Chairman of the local organizing committee for the game upcoming with the Shreveport Classic. And has done a great job in getting everything organized. So we appreciate that. The LA Tech game, I don't have my notes, but I think I can probably remember most of it. As of last Thursday, they had already sold 30,000 tickets. It is coming along very well. I know Lamar billboards was here earlier, they have generously donated four new digitals in addition to the other billboards that we've done, that they're putting up for the game to really build that last minute. As you know both Texas A&M and LA Tech won games last weekend. So we should see an upswing in those ticket sales. There are still tickets available. You can still purchase them at the

Independence Bowl Stadium or Independence Bowl office in downtown or on Friday, at the Independence Stadium starting at 3:00. So you definitely want to get your tickets. If you've got friends and family coming in from out of town, tell 'em they need to stay in a hotel room, we still have a few available. Some of 'em are sold out, but things are looking good for that weekend.

Councilman O. Jenkins: Alright. And now game time is now 8:15. So you have plenty of time to go to the Revel, have a great time there, eat you some dinner, and come on out to see the game.

Councilman S. Jenkins: Any other questions from Council Members, we certainly appreciate you all coming down and sharing that information with us. And you all have done a great job with these football games that are going to come to our city. Thank you so much. Alright, the Council will recognize Mr. Gil Pittard. I think he's here today to speak on a matter here. We'll go ahead and take you up now Mr. Pittard.

*Mr. Gil Pittard: (492 Grand Oaks Drive)* I expected some or all of you maybe experiencing the woes of Comcast. It's horrible service. Now I don't know when that franchise was most recently approved, but it is not getting better, it is getting worse. And the city should be the policing authority for what they're doing The bills keeps going up. My bill this month was higher than last month. And the service is worse. And I would like to suggest that they be put on the carpet and say if this does not improve, the franchise will not be re-approved. And that's all I have to say about that.

Councilman S. Jenkins: Thank you sir. I know we have a number of people who want to speak on our MPC Zoning Appeal. I'm going to go ahead and call those individuals up at this time. The Council recognize Mr. Whitney Pesnell.

Mr. Pesnell: Mr. Chairman, if its (inaudible) to the Council, I would prefer to let Mr. Stonecipher speak first.

Councilman S. Jenkins: Alright, I'll call on him. Mr. Stonecipher, please come forward, and give us your name and address.

*Mr. Elliott Stonecipher: (9507 Rochel Drive)* I'm speaking her today of course for the Finish 3132 Coalition. Mr. Chairman, are we logically following the presentation of the proponents? Would the proponents normally go first, and then we would come up afterwards?

Councilman S. Jenkins: I don't mind deferring and going that route. I don't have any problem with that.

Councilman Shyne: That's generally what happens.

Mr. Stonecipher: I didn't know if there was a problem with doing it that way.

Councilman S. Jenkins: Hold it, lets do it this way. Lets address the Chair. And what I'm saying is that if you prefer doing it that way, I don't have a problem going in that particular order.

Councilman Shyne: Mr. Chairman, I was about to say, that's probably the logical way we generally do it. And we really hadn't looked at it like that, but Mr. Stonecipher is right, and I would support you in doing it the way we generally do it.

Councilman S. Jenkins: Okay, alright. And as I said, we're operating under a suspension of rules to accommodate everyone, its not at the appropriate time in the agenda, but as I said, if doing it that way is not objectionable, that's fine with me. Okay? Council will recognize Mr. Tom Arceneaux.

*Mr. Tom Arceneaux: (400 Texas)* Mr. Chairman, if it would please the Council, and I know that this is an unusual circumstance. We would prefer that Mr. Larkin speak. I will be happy to speak after Mr. Larkin. We would really like the opportunity of rebuttal, and that's when I would really like to speak. That would be if we were in court your Honor, that would be the way that that would go. But it is the pleasure of the Council, and we will follow whatever order is the pleasure.

Councilman S. Jenkins: Okay, and I got a feeling that this is going to go back and forward anyway. And what we're going to do is we're going to go ahead and give everybody an opportunity to speak on this matter. Lets go ahead and bring Mr. Larkin out.

Mr. Arneceaux: Thank you Mr. Chairman.

*Mr. Timothy Larkin: (221 Evangeline Walk, Bossier City, LA)* Now I know that you're expecting me to say that I'd like somebody else to speak before me, but I certainly do. I would like to take this opportunity - - -

Councilman S. Jenkins: I was about to say, did you want to pass it on to someone else? But we've got to get it started sooner or later.

Mr. Larkin: Thank you Mr. Chairman and the Council. I am the President of Larkin Development Corporation, and we have before you today the appeal for the (inaudible) before you that involves our development. I have a short update for you that I think

sums up what we appreciate is happening. As you have learned and have seen in the past our company was authorized by your laws to create a new residential neighborhood, Esplanade in January of 2008. And that authorization was by way of rezoning or a zoning ordinance setting forth conditions, stipulations that must be completed in order to receive building permits. And recalling those major ones, of course they were one requirement to build a road connecting Railsback Road and Flournoy Lucas Road, and a requirement to build a bridge over Bayou Pierre, and then a requirement to complete a gated entrance at Railsback Road, typical zoning ordinance. Following the zoning entitlement that was passed, our project was annexed into your city, into Shreveport, and that was by another ordinance that required that we construct all of the improvements, of course to your city standards. And we anticipated that and would have been happy to do that since, and so in addition to the requirements of the zoning ordinance, we became obligated to meet your annexation requirements. And the following is a brief list of the improvements necessary that we were required to build to meet those requirements. We were reconstructed 7,000 lineal feet of new city streets. 8,000 lineal feet of city water facilities, 6800 lineal feet of city sewer facilities, 12,000 feet of city sidewalks, a sewer lift pump station, a 9-acre storm water detention lake, an entrance at Railsback Road fitted with the required gates. A complete electrical infrastructure system for the community. Of course a complete street lighting system. A 200-foot long highway classed engineered bridge to LA DOTD standards, and then DOTD approved intersection with the state road at Flournoy Lucas Road. The cost of those improvements and those requirements what was as you have learned in the past enormous sum of money, it took \$12,000,000 to do that. So it takes some incredible amount of organizing and scheduling and time to construct all of those improvements. We were able to establish agreements and commitments and contracts and obligations that produced adequate financing to build these required improvements. And after months of plans and acquiring all of the regulatory approvals and permits, we commenced construction in 2009. So we're here today, 36 months into our project of pursuing these requirements and obligations that were set forth. And here's the way things are. We're finished with the bridge and its in place, and of course you know that, and the required roadway from Railsback Road to the bridge is - - - that was completed last Thursday. The required entrance facilities at Railsback Road are in place. The entire required city sewer system is built and in place. The entire required city water system is built and in place connecting your 26-inch water main through our 12-inch water main all the way up to Ellerbe Road and supplying them with a whole new system of water. 100% done. Approximately 6,000 feet of city sidewalks are in place and we're underway with that and then the 9-acre lake of course is in place for the drainage. So as you can see, one by one, contract by contract, our company is now expended approximately \$10,000,000 to comply with these requirements and these obligations, and the law. We have our permanent permit to intersect Flournoy Lucas

Road from the state. We completed the plans for this last piece of the road with state approved and the city approved to construct this roadway. We have a contractor engaged to build it, and of course we must proceed with that construction now in order to complete all of the things that we were obligated to do. So it's important I think for me today to communicate to this group that we are near the finish of this. So there presently are unfulfilled contracts, and agreements that obligate us to finish this road and comply with your law. That's the reality of what we have. We estimate that some 31 business contracts require the completion of this construction and some 28 private individual contracts obligate the completion. It's a very real thing to us. Our failure to build the road that your law requires us causes - - - would cause enormous loss to these businesses and individuals. I hope that's understandable to you and should that not occur, those losses then would not be a result of our inability or unwillingness to complete what we're obligated to do. But they would be from another source. If for any reason the City Council should in its wisdom, feel like that we have come to a point where in the public's interest, we must stop all that we began three years ago and all that we're committed to and all that are contracted, and that is the will that you have decided is in the best interest of the public, the main thing that I wanted to come here today to convey to you that we don't have an option to delay or stop the performance of our obligations and our ability to do that or our options to do that have now come to an end. So now one of our options is not the lake anymore, and I want you to know that. And it was for that very reason that I asked Tom to convey to your legal counsel the magnitude and impact of your decision here today, if you were to make one that required that the public set aside all that we've done. So the thing that I just wanted to impart to you in a very personal way is that the - - - I asked Tom to convey was not some kind of a threat or it was - - - even display, even convey in an attitude or disgust or anything, its just only a statement of clear fact. So it's real important that anything that you need to know from our side gets understood. I'll say as we have stated in so many places before and so many meetings before, we think the idea of extending 3132 through our development fits. We have a master plan. It accommodates the presence of Alternative A, Alternative B and Alternative B2. So, if that highway wants to go through there, we have a master plan that very easily, understandably and (inaudible) any problem at all, can go through there. We just completed a wonderful development in North Bossier City. If you were able to stand above our development in Bossier City and look down at the development and all that's happened there, you'd see an uncanny likening to the exact same situation we have here at our interchange at 3132 and Flournoy Lucas Road. Airline Drive and 220, we built right next to 220 and so we're real used to doing that. And though I hear that it's a big deal by others, it's not. Its something we know how to do, we can accommodate. We also have a land plan that if everyone's wishes for this highway don't work out that we can accommodate that. And so we feel like what we've done is just very methodically and very carefully presented a

plan that's responsible. And in our very much in need of finishing it. And very much intend to work with anyone who would like to work with us (inaudible). That pretty well completes what I wanted to present to you today. I came in late yesterday and was invited to come up, and I didn't come up yesterday only because I didn't even know it was going to be that presentation that I didn't know what y'all were talking about, and I knew I'd get up here and make a fool of myself, so I chose not to do that. But if there is anyone that I might answer a question for, I'd be glad to do that, or perhaps some will come up and I'll be glad to - - -

Councilman S. Jenkins: Any questions at this time from Council Members?

Councilwoman McCulloch: I want to try to ask a question. Based on what was presented yesterday by lets say the 3132 Coalition, reflecting on legislation that was put in place as far back as 2008, that went something like nothing shall be constructed until some things were actually put in place, well based on that legislation, I don't know if you're familiar with it, but based on what we were told yesterday as far back as 2008, nothing was to be constructed until some other things were put in place. I want to know if you were aware of that. Because what I'm hearing now is for the last three years, the state has been giving you or permitting you, you say to do the things that you've done totaling at least \$10,000,000 up to this point? For the past three years, you've actually been getting permits to do what you're doing and you've actually already spent \$10,000,000?

Mr. Larkin: Yes Ma'am. We have and those permits have come from a variety of - - - all of these streets and water and sewer and bridges and thins, all have a variety of permits, and plans and approvals that come from the Corps of Engineers, from FEMA, from the City, from Shreveport City Engineers, some from Caddo Engineering, some from DOTD, some from the federal government. So, the Levy Board, we in that time period that we prepared our plans, we actually expended around I think I calculated around \$478,000 just in permits and plans that are presented to all of the agencies. DOTD, FEMA, Federal Highway Administration. All of those agencies have approved the plans we have. Nowhere have we been, I'm not sure what particular legislation you are speaking of.

Councilwoman McCulloch: Well it seems like yesterday, God Mr. Stonecipher? Is that his name? He explained that legislation that was put in place in 2008 specified that no construction of any kind would be done prior to the construction of 3132. With the state giving you permits within the past three years and having, would they have had knowledge of this legislation? I mean to give you permission? That kinda bothers me.

Mr. Larkin: Well the - - - yes, the state and Louisiana Department of Transportation and Development of course is the department that is conducting the Stage 0 and Stage 1 environmental planning for the possibility of the extension of 3132. So we felt like it was vitally important that they be made aware of the plans that we have. And as a matter of fact, we presented a variety of scenarios to them. That's what we do in the development business. You say well, here are some propositions perhaps this or this. And then what happens is your agency will look at them, they will go through them, they will evaluate - - - well, this won't work, and here is why. This option might work, and they typically send back to you then a request to modify those things. Until you arrive at a plan and a program that satisfies all of the parameters that the state needs to have satisfied, when they are doing their job of oversight in a project like this. For instance. Our bridge that we built over the Bayou Pierre, the first thing we had to do is we had to go get a permit from U.S. Army Corps of Engineers. We actually had to do a mitigation for the little piers that are out in the channel, and so then the state comes behind them after we have done that, the state won't look at it until the Corps of Engineers are signed off. They look at the bridge, and this bridge happened to have been done to their highway standards, and so they review it, and then they advise the Levy District whether or not they should permit the bridge. And so, this is the process that we went through very long and arduous and difficult and scientific technical, and we went through all those things, got a permit built the bridge and its there now. And - -

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Councilwoman McCulloch: I think, I kinda think where I - - - it sounds like there is some contradiction somewhere you know to say that no construction would take place, and yet at the same time the state permitted construction. And so that's kinda like where I am, and I guess these men in the long run, you all will maybe kinda clarify some things for me, but that's where my perception is. If I guess simply stated, if the idea was not to construct anything prior to the construction of 3132, how could we, the state of Louisiana perceive to give any permits to do any form of construction whether it's a Mr. Larkin or anyone else. And that's just where I am, and maybe as I sit through the rest of the presentations, I'll get a better understanding.

Mr. Larkin: Well, that sounds good. The studies have shown areas where the new 3132 routes will be, and I'll certainly defer to others who have strong opinions about this (inaudible).

Councilwoman McCulloch: Okay, well I understand your position as well. But I just have some concerns about the permits being distributed prior to legislation that had been put in place for nothing to be constructed in 2008. So that's where I am. Maybe I'll get a better understanding at the end of the day here at the Council Meeting.

Councilman Corbin: Councilwoman McCulloch, if I could interject, and I certainly don't want to speak for Mr. Larkin or you'd referenced Mr. Stonecipher, and I certainly don't want to speak for Mr. Stonecipher. But I think what you may be referencing is stipulation No. 3 which states that no building permits would be issued until the road is built from the bridge to Flournoy Lucas. I don't think we've had discussions about any kind of building moratorium until 3132 is completed as part of legislation.

Councilwoman McCulloch: Okay.

Mr. Larkin: But perhaps now if - - -

Councilman Corbin: I don't know if that helps or not.

Mr. Larkin: Now if I was kinda off on a track on a highway, let me say this. When we received our zoning, we had a requirement to do certain things prior to our being able to construct homes in our development. The requirement that we have is to construct a road all the way from Railsback Road down through our development and connect to Flournoy Lucas Road. And we are doing that, and we are not permitted to build any homes in there, nor do we intend to build any homes in there until we have completed this last leg of the road. And that is in fact, it's kind of an odd thing, that is the law that we're required to comply with, and that is what we are here to do.

Councilwoman McCulloch: Well one more thing. You said that you're in a position now where you can't stop what you're doing now, and you'll have to proceed with it. Is that what I heard you say? You won't be able to discontinue or stop what you're doing now?

Mr. Larkin: Well it - - - I'll tell you, I'll liken that to (inaudible) in the roofing business and - - - but when you're building a house, you make all these arrangements, and you have a timetable, and you have roofers and framers, and plumbers and sheet rockers and everything that it takes to put a house together. And once you make the commitment to begin to build that house, it's not possible that halfway through the house, after having the commitment and to understandings and the contrast to just simply say, well lets stop this for a couple of years, and we'll come back. It's not possible, because the plumber couldn't wait. And I'm sure you could see that example where he wants you make the commitment, and you begin, and you have the permits, and you must take it all the way to the end, unless there was just some overwhelming need by the public to stop that. And then what would have to happen, is someone to come in there and say well alright, we're not going to let you finish this (inaudible) this thing, cause this just isn't working out, or whatever it would be. So what we're doing is we're right here at the end of a process that we've been building our development for three years, and we're almost

done. And as a matter of fact, if we don't finish, then all of the commitments and all of the contracts that we have with people who are - - - that expect us to do what you all have lawfully told us we must do, that those things won't be filled. And its not possible to go to those people much like the building of the house, as there are none, everybody they want to just hold off here for a couple of years, and just going to dismiss things, and just go on. If the public fortunately you know the things aren't such in this great country of ours where you could just do that without reimbursing somebody for all that would mean. And so that's why its just so very important that at least we convey here in an understandable way where we are, so we can get that done.

Councilman Shyne: Not a question, but this is an observation. Because if I ask a question, its going to go too long. I wish Barack Obama could be here and see this presentation. And maybe he wouldn't have done so bad in his last debate.

Councilman O. Jenkins: Can I get that on record?

Councilman Shyne: Well yes. Yes, I wish I could send it to him. Mr. Larkin and that just goes to show you that I think you've done a good job. Although I don't agree with you, I love you, but I don't agree with you. You know a couple of words that you're saying that you can't stop. There's no such thing as you can't stop. I mean you can start having surgery and you can stop. It ain't no such thing as you can't stop. You know, I've gotten so far until I can't stop. I've heard people say that in accidents. You know I was driving so fast I got so far until I couldn't stop. And so it's no such thing as you can't stop, and we all intelligent people, I think we all understand that. And the word that Mr. Larkin said that he was authorized by the City. The city doesn't authorize anybody to do any development. We're not in the business of authorizing private - - - that's just like we might tell Mr. Elrod, if he doesn't mind me saying this, we authorized him to build a building. We can't authorize him to build a building. You know the city can give permits, but we can't authorize you to do anything. And it makes it seem like when you say authorize, we authorized him, its our fault. But its not our fault. 3132 was perceived 20 years ago. Everybody in that area knew that 3132 and people in the city understand the importance of 3132 to the City of Shreveport. Its more important, 3132 is more important than any development. That's economic development. That helps to provide jobs. That's what this presidential election is about. 3132 until the other night, until I found out it was maybe about the President didn't give a good debate. And Mr. Chairman, I'm not asking Mr. Larkin to comment on this, if so it would be another hour. But I would hope that we would keep this in mind, that its not too late to stop anything. And the city does not authorize private enterprise to go out and do a development. We're not in that kind of business. Now I'm going to cut mine right here.

Mr. Larkin: Could I comment about those things?

Councilman S. Jenkins: Well one second. I'm going to allow you to do it, but what I'd hope we would keep in mind that we certainly want to allow everybody to speak on the subject. But we need to keep in mind what is being asked of this Body. And my understanding is the appeal is really coming down to a question that's being asked. If Mr. Larkin builds a road with a certain specification, would that comply with Stipulation No. 3. Now that's what I'm understanding this appeal is coming down to. So I hope we would keep in mind - - - I know there's a lot of background with this, and I'm not trying to shut it down, don't misunderstand what I'm saying. Understand what needs to be decided today, and I just really think it'd be well people time to invest in what's being decided. So say what you want to say and we're going to - - -

Mr. Larkin: I'll make it short.

Councilman S. Jenkins: Hold it one second. Now what we're trying to do. I've asked the Clerk now to give everybody about six minutes instead of three. You know and we'll give you a little extra time if we need to especially. But questions like this don't eat into the time, but I'm just saying, I'm giving everybody six instead of three. And I hope everybody will keep in mind what is really being asked Councilman Shyne, you know what I'm saying?

Councilman Shyne: And Mr. Chairman, just one minute, before you let him start again. I didn't have a question. So, you know mine was an observation. And I made that clear in the beginning. I said I'm not going to ask a question, because if I do, its going to take Mr. Larkin another hour to answer the question. So mine was not a question. Mine was an observation.

Councilman S. Jenkins: Right. I think Mr. Larkin's got how much time Ms. Clerk, is that 5:32?

Ms. Johnson: Five minutes, thirty-two seconds.

Councilman S. Jenkins: Now he's got five minutes, and thirty-two seconds to deal with.

Mr. Larkin: Just a comment quickly about those things. One, can't stop.

Councilman Shyne: You got to let the time run now, that five minutes (inaudible) start it now, don't wait for him to start.

Mr. Larkin: Let me just make it clear that we certainly can stop. The thing I wanted to make clear is that if we stop now in the middle of these contracts and these commitments, that would create an unsatisfied commitment, and an unsatisfied contract, and that would create an enormous loss. So, we certainly can stop. And those cause loss, and that would have to be dealt with. Secondly, I did not mean to indicate that the city itself authorized our development, the authorization comes by way of the MPC recommending to the government body to pass a zoning ordinance which becomes law. It is under that zoning law that we are authorized to make the improvements and in fact are required to make the improvements that I spoke to you about. Its not city authorization, its actually a government process that ends up with an MPC ordinance, or a city ordinance. And it certainly is not the city's fault about anything. I'm not here to blame anybody about anything. As a matter of fact, we're very satisfied with the progress that we're making and have no fault to place. And for the thing that Mr. Shyne said that is so important is 3132 is important. Well, that's exactly why. In our case, in our case only, we're the only development that has a development planned that accommodates 3132. The other places where 3132, there is no accommodation, as a matter of fact, there's a resistance to it. So, we understand 3132 is important, we have a plan in place, and it will fit perfectly into our plan should the public decide to put it there. Meanwhile, we can do everything that we have going now, and never negatively affect that. I'm sure that Mr. Stonecipher will get up here in a minute and tell you the same thing.

Councilman S. Jenkins: Thank you sir. Mr. Arceneaux you want to wait for rebuttal. Do you want to speak now, or? No, and I appreciate that. I'm glad to know that someone thinks that. But here's my point. You want to speak now, we'll let you speak now. If you want to wait and come back and rebut, I'll leave that up to you. Alright. Okay, we're back to Mr. Elliot Stonecipher. And now if y'all have a certain order Mr. Stonecipher, that y'all want to go in, I want to accommodate that. If there are certain people you'd rather speak in different places, let me know.

*Mr. Stonecipher: (9537 Rochel Dr)* Mr. Chairman, thank you very much. Can we have some help with.

Ms. Johnson: Just turn it on and place our document face up.

Mr. Stonecipher: I think what we had a problem with before was the - - - I think that we're going to have trouble with this light probably. I'm sorry, they're not our documents.

Councilman S. Jenkins: Can we have somebody that can assist with either - - - somebody in the back or somebody who could assist with this?

Mr. Thompson: Do you have it face up? Do you have the document on the - - -? Mr. Chairman, ask Cliff to come in.

Councilman S. Jenkins: Is Cliff or someone in the back can come forward and assist with this presentation?

Mr. Stonecipher: Mr. Chairman I can begin while we wait.

Councilman S. Jenkins: Yes.

Mr. Stonecipher: First of all, I know there's always great danger in these circumstances like these, and I've learned not to do what I'm about to do, and that's to make one personal comment at the very beginning. And I don't know exactly how this fits, all of this is out of order, but I will say it, or out of order in my mind. I understand very, very well how Mr. Larkin feels as a business man, and I would not want to be in the position that he is in. Actually the route, that is our point. These are DOTD maps, the route is not even showing on this particular - - - its there, but because of the ambient lighting I think that its not showing. So, we'll get there in a second.

Councilman S. Jenkins: Its not coming up on our - - -

Councilman Webb: Its coming up on the big screen though.

Councilman S. Jenkins: Go ahead.

Mr. Stonecipher: We fully understand and yesterday Mr. Arceneaux said, - - - for those of you who don't know we were here yesterday for the folks in the audience at the Council's Administrative session, and Mr. Arceneaux said then and we were taken aback that the purpose of our litigation and the other work that we're doing was to stop Mr. Larkin, well to delay Mr. Larkin for the purposes of his financial loss. And I just want to say categorically, that is not the case. That's not at all where we came in, its not where we are now. We would not want to face the kinds of lawsuits that he suggested. I don't think those would occur, but we do not want that. I am working pro bono on this entire project, have been for 18 months. And maybe more to the point, I heard the figure from Mr. Larkin, \$12,000,000, and I just want to be sure before we get into the rest of these details that everyone here recognizes fault. And please know I say every one of these things with respect. Not just for this institution, but for the position of each member of this council. Willis Knighton Health System has a \$100,000,000 investment on Flournoy Lucas. One of the routes that is in the Stage 0 study goes straight through their property. That's not what this map is. For those of you who've been to the Oaks, there's a big lake/pond out front on Flournoy Lucas Road, and the route that has been

drawn would go right straight through that and of course ruin that \$100,000,000 investment. Here comes the tough part. On June 6, 2011, an email was sent from one member of the NLCOG Executive Committee to Mayor Glover who is another member of the NLCOG Executive Committee, and that email describes how Route C that would take out Willis Knighton's \$100,000,000 investment, was put in the Stage 0 study to punish Willis Knighton. Now this is an email that has already been up on the website. We're sticking here to things that are not only already in evidence, but will be again in evidence in litigation going forward. We appreciate Mr. Larkin's possible loss, but lets at least be fair. Willis Knighton's investment is far, far larger, and nobody asked them what they thought when somebody stuck a route for 3132 through the Oaks. Now, here's the tough job that falls to us now. We believe and have been meeting to discuss, please hold that thought. Mr. McCulloch, I apologize. I meant to answer you question very briefly. We were referencing yesterday a meeting that was held in 1007 between Mr. Larkin and the Railsback Road Homeowners Association. They reached an agreement, they put it November, of '07. They put it in a one-page contract. It became Caddo Parish Ordinance No. 4724. In that contract, Mr. Larkin agreed that he would not build any houses except for two up on Railsback Road. Unless and until he had a roadway built from his bridge over Bayou Pierre into Flournoy Lucas. And I believe that maybe the contract that you were questioning, it was actually 2007. We're not a party to it, but it brings us to a very important point. We are here today not because of Stipulation 3. Want to be sure we're very, very clear about the things that we can be clear about. That's what's on the agenda. That is not the issue. The issue is the roadway. You have to remove Stipulation 3 for Mr. Larkin to be able to build a roadway from Bayou Pierre into Flournoy Lucas. Its about the roadway, and it concerns us greatly that nobody is willing to say that. Its not about Stipulation 3. Stipulation 3 is a condition that causes what we're here about. And here is why the roadway is so important. Contrary to what the Council Members have obviously been told, and I want to try very hard to correct this, contrary to what many of you we know have been told, that roadway in all likelihood extinguish any chance of 3132 ever being built. And contention to the contrary is not straight up. And here is why, and here is the proof. I wish we could see this document. Can y'all see it any better than the audience can?

Councilman S. Jenkins: It's kinda faint. I think what you want us to see is somewhat kinda faint, but you can see - - -

Mr. Stonecipher: Right here is the corridor for 3132. And it is well to this side, not this side, it is well to this side of Mr. Larkin's bridge. Okay? Can y'all see that?

Councilman Webb: Is that the Stage 0 map?

Mr. Stonecipher: It's a map that was withheld. So, let me be specific. There were two Stage 0 reports. One of which we got was a public records request. The other one has been released. This one came from the one that was originally developed by Buchart Horn, the consulting engineers on the process. This one literally runs right straight over Mr. Larkin's proposed roadway. You cannot build a roadway that is going to have a highway going over it. Mr. Larkin knows this, some members of the council know this. They want you not to know this, so I'm going to try very hard to explain it. We are in court with our first lawsuit, not including the one we had to file in Baton Rouge to get all the emails showing the Governor's involvement in this issue. Our other lawsuit that's already been filed. We're in that lawsuit because this route was withheld. Now let me be a little more dramatic. In the January 24, 2012 Public Hearing on this very matter, we all dutifully showed up, thinking we were going to be a part of what we'd been working on for all this time. We all tried to make the comments that we could. By the way, we taped, that's what these gentlemen in the back are doing now. The federal law and the state law requires all of those public comments about this issue and every other issue related to it, to be put in the public record. Guess what happened. All but five comments, none of them made that night were thrown away. And they do not exist today. Trashed. That's also in the petition that's on our website, please read it. There has been a very direct pattern throughout the history of this project of simply suppressing public opposition any way and every way possible. Now if this route is in a legitimate Stage 0 study, Mr. Larkin will lose a major part of his land for his development. No question about it. Let me tell you how dramatic it really is. The engineer at DOTD who was in charge of this process in the Stage 0 wrote an email as she communicated this to her boss who is the Deputy Secretary, and she wrote an email submitting it with this map to her boss and said, we really believe this is the correct route. We're sorry that it takes out Mr. Larkin's bridge, but it protects Twelve Oaks. Ladies and Gentlemen, that's an email that is sitting right there in the record and is going to be litigated. Can I explain yet who it is that saw to it that the public comments were thrown away? No. We have a good idea. Can I tell you who else was behind the June 6<sup>th</sup> email of 2011 that punished Willis Knighton with the threat of \$100,000,000 investment loss? Yeah. I mean we know some things, but here's our problem. There is so much misinformation that we can't even get to the truth anymore. That's what courts are for. And that's where we are. And we really hope that everyone here will understand our respect for this institution and for the courts. That's what they're for. Alright, let me tell you the part of this that is going to be very difficult for me to do, but I'm going to try. In February of 2011, Mayor Glover appointed to the Port Board, an attorney is Sam Gregorio, many of you know Sam. He was and is one of Mr. Larkin's attorneys, was at that time, also a very close political friend of the Mayor's and we believed served as the finance chairman of the Mayor's committee, the previous year when the Mayor was elected. Close to the Mayor, close to Mr. Larkin. He was put on

the Port Board in February. In April on April 7<sup>th</sup> of 2011 is when the 3132 Extension was terminated. Now hold that thought, and let me give you the quick history. The first time 3132 appeared in a study at all was in 1956. It was called Inner Loop. It showed up in real studies where we can compare it to today's studies in 1969 and 1973, and most importantly in proper context today, in 1991-92, we reached the point where it was time to study completely, paid for a very expensive study to look at eleven different route corridors and pick one. As you look at this, please bear in mind that on the study committee in 1991-92 were our current MPC Director, our current City Engineer. Mr. Kent Rogers of NLCOG, and Cedric Glover was a City Councilman. So this is not ancient history. For those of you who can't very tell what this is, we completely understand. This is Bert Kouns. This leg of 3132 exist right here. It's the most recent leg completed in 2007. This was the preferred corridor alignment that was chosen. Now let me reassure you this is not a pick one if you like it thing. Dr. Eric Kalivoda, the Deputy Secretary of DOTD has written a very detailed email to Mr. Norwood explaining to him that he Dr. Kalivoda believes this was and is the corridor. This is where we were supposed to have 3132 built. And everybody knew it. So in 1992, that route was set, in 1996, there was a bond issue. The Shreveport voters voted 64%-36% to put \$3.5 (million) of their money into the completion of 3132 from Bert Kouns to the Port. That's in valid language, not to Flournoy Lucas, that's 1996. By the way unless somebody here wants to correct me, those voters who paid that promise and who we all guaranteed and honored at the time, are still paying for those bonds. Their highway is gone, they're still paying for those bonds. Now this isn't supposed to happening right here, right now in Shreveport. So, next thing we know - - -

Councilman S. Jenkins: Before you move, and not to break your train of thought, okay on this map here, where is the proposed road for Mr. Larkin?

Mr. Stonecipher: It's not on this one.

Councilman S. Jenkins: Can you, I mean given present day time, or can you tell from that?

Mr. Stonecipher: This is the way we all, well that doesn't help, never mind. Its on the other side of Bayou Pierre, and it would actually be all the way down here. It would come here instead of so it drops below Bayou Pierre. That's the Railsback Road side right there. And it would go down here. Mr. Chairman, I'll be there in just a second. This prepared by the City Engineer's office for Mayor Glover on April 7<sup>th</sup> of 2011, shows a funny thing that happened on the way to honoring the voters, this little line that you see right here, is the preferred corridor that I showed you. All this stuff that you see it running through is a subdivision. Its called Twelve Oaks. So let me be very direct. Yes, Twelve Oaks was built slap on top of the preferred corridor. Nobody knows why.

Not a soul. 18 months, we can't get an answer. We believe the court will. So that's the first time, the voters lost their highway. Okay? Now, keep in mind, that wasn't the only time. 2003, there's a Parsons Brinckerhoff study, another big study, a very expensive - - - I'm going to show you the blow up here in just a second. Even though that other document I just showed you was the preferred corridor route, somehow or another in 2003 and 2004, this study got done and the route was moved. Moved, right down here. Just a little move of a route on a map, and here's the blowup. Mr. Jenkins, this is where the route got moved. Its on this side of Bayou Pierre, which is the blue line. Flournoy Lucas runs right through here. Here's the city 16 acres. Mr. Larkin says its now down to 14 acres. We know it started at 25, the widening of Flournoy cost us some extra. 14 or 16. It was supposed to run this way through here. Twelve Oaks took that out. Somebody moved it from Cross Bayou Pierre. That's Mr. Larkin's property, okay? Now to show you how perplexing this is, nobody can tell us who moved it or why. Nobody. We don't have a clue, but it got moved. Here comes the tough part. In 2006 and 2007, and Mr. Larkin, please correct me if I'm wrong, Mr. Larkin paid something on the order of \$5,000,000 for then one tract of land, 100.5 acres, another tract of land, 36.99 acres. Ladies and Gentlemen, to my regret and all of our regret, Mr. Larkin knew perfectly well when he bought the land, that he bought the land that the corridor was going through. Now let me be clear. Either corridor, the '91-'92 corridor, the top of it was through Mr. Larkin's land, or the 2003-2004 corridor, it was really through Mr. Larkin's land. Now I don't want to be impolite, but we're here today to try to figure out when that was the case, why would Mr. Larkin have bought the property? Because he had apparently been promised that 3132 was going to go away. That the five laning of Flournoy Lucas was going to become 3132. Now if you're ready for drama, here it comes. Here's the evidence. Mr. Gregorio, working for Mr. Larkin on the morning of April 7, 2011, at 9:36 a.m., Mr. Larkin receives from our City Engineer a draft of language for a four-part motion to be presented at an NLCOG meeting at 10:00 that morning. The motion that killed 3132 was drawn up by Mr. Larkin's attorney, and when the meeting happened at 10:00, it was Mr. Larkin and the Mayor who made the presentation. Its more dramatic than that though. That language for the four-part motion went from Gregorio to the Mayor. The Mayor's email shows that he asked one of his staff members to bring it to him in the conference room. The meeting starts at 10:00. The last email in the chain is at 9:43 a.m. We the people of Shreveport lost the 3132 extension in that four-part motion. And by the way, the four-part motion that is in the official record at NLCOG today is to the letter, dot and tittles. The language that Mr. Gregorio and Mr. Norwood and the Mayor worked out. We lost 3132 to a group of people and the Mayor and now I understand of course why Mr. Larkin felt like it was a safe bet to buy land that 3132 is running through. Because the Mayor who was elected at the same time, the property transfers, bridge permits and all that started, the Mayor was on board to terminate 3132, give Mr. Larkin access through the 16 acres. We've

proved all of that, etc., etc. So, here's where we unfortunately are. First of all, I want to say before anything else get said. I haven't mentioned a thing that does not exist in documentary record. Not one. They're on our website, we've developed them over 18 months, thanks to the support of Willis Knighton. What I have to give is my time. What they have to give is all the expense that its taken to do all this work. We have over 500 people in the coalition who have supported us every way they can. Frankly, we are stunned that this issue, Mr. Larkin's roadway, which will definitely hurt any chance of 3132 being built. We can't figure out why it has gone to the MPC only for them to study it reject it 7-0, two people were not there that day. Come back to this body. This body say well, ehh, let's try to get this right. What was right? Well right was not what we want, not what the people paid for. So they sent it back to MPC. MPC worked on it again, for weeks. And we were there with 'em every step of the way. And they said 9-0 that time, NO. So here we are again today. We can't figure out except by one explanation, why any council members would really not see, that if you take the action today, it's not about Stip 3, as they call it. It's about Mr. Larkin's roadway. He is not entitled to that roadway. To give him that roadway and risk the third loss of 3132 to the people, you must dishonor the people of Shreveport. You can honor Mr. Larkin's investment, you can dishonor the risk to Willis Knighton, you can honor Mr. Larkin's investment, you can dishonor the people who voted in 1996. Ladies and Gentlemen, I've lived here my entire life. I have never been as concerned as I am today about the state of the city. Because this is possible. How did we loose it the first time? How did we loose it the second time? This is how. Facts are no longer facts. The truth is no longer the truth. Just misrepresent and have the right friends, and do things behind closed doors, and we're back to Huey Long's Louisiana. But we're here in Shreveport. We don't understand. But we respect the institution. And as long as the institution is not honoring us, then we're going to oppose it as vigorously as we can. We're in the courts so all others can let a try or a fact wade through the mountain of documents, and decide this. That means the City Council is in a fantastic position politically, and ethically, to simply let this go there. We wish we had been there a long time ago. Whatever else this has been and its worth the fight, don't get me wrong, it has not been fought. We are broadly and continuously unremittingly attacked by Mayor Glover for what we're doing. That's not the Shreveport I grew up in. You don't attack people for trying to just do the right thing. But we are constantly attacked. We don't get it. And we hope you'll just let somebody else handle this. And if anybody else has any questions, I'll try to answer them.

Councilman O. Jenkins: I have one. I was looking at 3132 website. I see some of those updates. Can you tell me specifically where those emails are? I don't see - - -

Mr. Stonecipher: If you go to the 3132apedia

Councilman O. Jenkins: Okay, is that a different than Finish 3132?

Mr. Stonecipher: No, it's on that page. Its on the opening page.

Councilman O. Jenkins: On the right?

Councilman Everson: Look down some.

Councilman O. Jenkins: I'm not on the home page.

Mr. Stonecipher: Have you found it yet?

Councilman O. Jenkins: I'm working hard at it. Alright 3132apedia, yeah.

Mr. Stonecipher: Alright, when you click on that, you'll see articles on every one of these subjects going back to last May. I've spent the better part of my life the last 18 months writing those articles. Every one of which is based on documentary evidence. So much of it is embedded in those emails. At the top of the home page Councilman Jenkins, you will also find documents. There's a special - - - there's a place to click on some of the basic documents as well as under chronology. But Mr. Jenkins, I assure you, anytime you're ready, I will just come sit with you and lead you through every little piece of that. Thank you for not laughing. I understand perfectly.

Councilman O. Jenkins: Now there's a couple of those that you mentioned today that I hadn't seen yet. And part of basic due diligence, I think its appropriate that I at least look at it.

Mr. Stonecipher: There's an extraordinary history of all of these events back to the '50s, it's all there. And I do want you to know as well, there is a clip there for the petition that was filed last month, the lawsuit? The exhibits to that lawsuit are most at issue, and that's why they're included as exhibits in that lawsuit. So they're there as well.

Councilman O. Jenkins: Okay. I may have a moment during the future deliberations to scan these.

Mr. Stonecipher: We'll help you any way that we can.

Councilman S. Jenkins: Any other questions for Council Members? Okay, alright. The council will hear from Mr. Sonny Moss. Someone click the lights back on for us, if you don't mind.

Mayor Glover: Mr. Chairman, as you are obviously going through this process, I know it will be quite lengthy, I just want to make sure that we put in our request that at some point, we'll be given the opportunity to be able to offer some comments. Especially in regard to what was just offered by Mr. Stonecipher, in particular. But we certainly are more than patient to sit and listen and entertain and listen to the rest of the commentary that will come going forward. But we certainly want to have the opportunity to be able to offer some perspective and some insight.

Councilman S. Jenkins: We certainly are going to provide the administration an opportunity to give their input on this subject Mr. Mayor.

Mayor Glover: Thank you Mr. Chairman.

*Mr. Sonny Moss: (115 Carondelet)* In fact I live across the street from Councilman Jenkins.

Councilman Shyne: How do you make it living across the street from Sam?

Mr. Moss: I cut his grass too. I think a lot of you know that I am an employee of Willis Knighton Health System, but I would like for you to realize that I am here today speaking as Sonny Moss, the citizen of Shreveport, LA. In fact I'm a citizen who voted for the 3132 bond issue when it was up for a vote as Mr. Stonecipher referenced. I'm also a citizen that assuming am paying for the studies that are ongoing for the 3132 corridor. So I'm here voicing my opinion in that regard. I think there are a lot of smart people in this room, I know there are a lot of people in this room a lot smarter than I am. But from what I've heard today, from what I've heard for so many meetings that I've been to, and I know all of y'all have attended, I do not feel that anyone in this room today can say where the 3132 corridor will end up. I think there is a lot of speculation, a lot of different drawings, a lot of different lines, but until the study is completed, and I believe that's what the study was commissioned to do, the corridor will not be determined. So in my opinion, the only option that we all have is to wait for the study to be completed. I have not been in a situation in business, where I've hired a consultant or hired an individual to go out and study something for me, and paid him a large fee to make a recommendation, and before they came back with the recommendation, I've decided what I wanted to do. And go and do it. I feel that's what the study is for, that's what we should wait for. It may come back exactly as what someone has proposed here, it may come back a no-build, it may come back something that I can't even imagine. But until the study is completed, I do not feel that any further action by anyone is warranted or is needed. And I appreciate your attention. Thank you.

Councilman S. Jenkins: Alright, any questions from Council Members? Thank you sir. The Council will recognize Mr. Willie Bradford.

Councilman Shyne: Mr. Chairman? Isn't this the Mayor's cousin? Are you the Mayor's cousin? Okay.

*Mr. Willie Bradford: (3026 Independence Ave)* And if Mr. Mayor is listening, Mr. Mayor, I want to say how much we miss you and we pray for your Godspeed recovery so that you can get back to your daily business.

Mayor Glover: Thank you dear cousin. I'm in the midst of getting world class care as we speak, so thank you so much.

Mr. Bradford: Okay. Mr. Chairman I'm also employed by Willis Knighton, and I'm also a member of the Coalition. But I'm here today as a private citizen?

Councilman Shyne: Did you clock out Willie before you came down here?

Mr. Bradford: I made sure that I was not representing Willis Knighton by clocking out before I left the office. But let me say this while I'm here. I manage and oversee Project Neighbor Health. Our Neighbor Health is a community service of Willis Knighton Health System, where we provide health care, dental care, wellness, educational programs to medically underserved communities of Shreveport. And we see them Mr. Chairman regardless of their ability to pay. Last year alone, the department in which I oversee spent over \$500,000 in giving these services to the citizens of Shreveport/Bossier. I'm proud to be associated with Willis Knighton, but like I said earlier, I'm not here to represent their interest, I'm here as a resident of Queensborough Neighborhood. I'm here because the extension of 3132 is not a Southeast Shreveport issue, it's a Shreveport issue. You only need to talk to residents of Queensborough as well as the MLK communities who work and frequent Southeast Shreveport to understand the difficulty they sometime have in getting to and from work. No high traffic, no bus service. The extension of 3132 is important to a lot of people in Shreveport. With that said Mr. Chairman, to me and it was mentioned earlier, and to countless others, this issue was never about who was wrong and who was right. But this issue is about what is right and what is wrong. To my knowledge, there hasn't been anyone, and we again have frequent the other bodies that have taken up this matter, and no one has ever said anything negative or opposed Mr. Larkin's neighborhood development. It appeared that this development may be a good thing. But it could not be a good thin if it is going to put at risk the extension of 3132. Southeast Shreveport needs 3132, the City of Shreveport needs 3132. The MPC did their due diligence once, not once but twice. They weighed this issue very carefully, and they carried out their

duty with fairness, integrity and with out bias. The MPC Staff did a complete and thorough review of all the information you heard here today. They considered the facts surrounding this issue, and I understand that even some members of the MPC took it upon themselves to go down to that area and tour those surroundings themselves. And with all this understanding of this matter Mr. Chairman, they made the right decision. Their decision was to not allow or permit to be built that would allow a permanent road into and out of the proposed development. They did what they should have done and must have done not to compromise the integrity of 3132 extension. But today Mr. Chairman, what is disturbing to me even more is that in all my years of coming to City Council meetings, I have never seen a council treated on the last over the last 18 months with such disrespect over an issue that has been so obvious. I mean the deception, the misinformation, and half truths. And mostly coming from elected or public officials. As Mr. Stonecipher has said earlier, mountains of evidence has been uncovered over the past 18 months to support his claim. The areas that it was NLCOG, it was Mr. Larkin, it was others, who created this confusion, not the coalition, not (inaudible). It was said earlier that it was a meeting on April 7, 2011 that first brought all of this to light. And you remember the meeting, I'm sure you've read the minutes of the meeting. It was at that meeting, that Mayor Glover made a motion, that we found out later that was created by somebody else to move to terminate the extension of 3132 while at the same time obligating the city to take over the maintenance or portions of 3132 without your knowledge. You didn't know nothing about it. But with that motion being passed, it would have obligated the city to take up the maintenance of a portion of that highway. So, I'm hopeful today that this council will be vigilant as was the Metropolitan Planning Commission in sustaining what they have presented to you. You see Mr. Moss said it again. Feasibility study is underway, full disclosure of this whole scenario has not been - - - came to light, lawsuits are pending, and it just seems to me that it would be prudent for this body if you trust the work of the MPC. You would sustain their decision, or at least you would postpone voting on this matter again, until all these studies and the truth have come out. Because then and only then would we know for sure that allowing a permanent road to be built on the site that is being proposed. We will not know until that point that the extension of 3132 will not be compromised or impeded. Thank you Mr. Chairman for your time, I trust you will do the right thing. Because it's not about who is right or who is wrong, it's about doing what is right and not what is wrong. Thank you very much.

*Mr. Frank Spruiell: (333 Texas Street, Suite 2350)* Perhaps I'm appearing a little out of order. I do not rise to support or oppose Mr. Larkin's development. I'm here today on behalf of the Railsback Road Homeowners Association. And we just simply want to make a presentation to the court to understand how we got here as a group. Back in 2007, when this particular development was proposed, there were obvious concerns

about increase in traffic and traffic patterns on Railsback Road, particularly at the intersection of Ellerbe Road. The members of the association approached Mr. Larkin and were able to work out a contractual agreement which in affect limited Mr. Larkin's ability to route traffic off his development onto Railsback, and required that the majority of the traffic go off onto Flournoy Lucas. In fact that agreement was essentially incorporated into the MPC zoning ordinance that limited construction until the road was completed. And that was very important to our group, because we did not want to see a scenario develop whereby significant home construction was ongoing, homes were completed before the road access was granted to Flournoy Lucas because then as you might imagine, if it were denied by the state, then Mr. Larkin could look for the alternative, and that would be Railsback Road. So we were able to work that out with Mr. Larkin. That was incorporated into the ordinance, and I want to say this in defense of Mr. Larkin not pro or con, but just to simply say on Mr. Larkin's behalf, he has honored to a 'T' every one of the conditions and stipulations that we asked of him in terms of our contractual agreement. Now we understand that Mr. Larkin has obtained from the State DOTD a permanent access to Flournoy Lucas. That is very important to us as it would be to this council to know that, because with the permanent access, he can complete his roadway. That is the major route of ingress and egress from Esplanade Subdivision, and he can go forward with the completion of his road, and then move forward with construction of homes depending on this council's action. But again, the importance of gaining permanent access to Flournoy Lucas is very critical. I'm sure Mr. Arceneaux will touch upon that. It is very critical to our group to know that the DOTD has now allowed that permanent access. And so he will be able to go forward with completion of the roadway. 3132, that's not something that we're concerned about in the context of this particular subdivision development. The DOTD has made it very clear if controlled access is extended because of the construction of 3132, then Mr. Larkin's road will have to be relocated. They made that very clear in the three page letter that y'all received just a few weeks ago from the DOTD. So, with that in mind, we feel like Larkin is (inaudible), but what we ask of him and what the ordinance has required of him, that's all I have to offer today gentlemen. If y'all have any questions, I'll be glad to answer.

Councilman Shyne: Not necessarily a question, and I appreciate you coming up kinda as a character reference maybe for - - -

Mr. Spruiell: that was not my intent.

Councilman Shyne: That's what I'm saying, it might not have been your intent, but basically, that was what the language and we're really not concerned about Mr. Larkin's agreeing to his commitments to you all, because we know he's a fine

gentleman. And that's just been a part of his business history. We're concerned about getting 3132 built.

Mr. Spruiell: As we all should be.

Councilman Shyne: And not having anything that's going to hinder 3132. And I appreciate you coming up, but Mr. Larkin's I want you to know that I've always felt like that you were a fine gentleman. I've always felt like that you lived up to your commitments and that's not what the discussion is all about. And we love Mr. Larkin, and - - - well at least I do. And I think he's a fine fellow. But that's not what we're here today about. We appreciate you. I just wanted to clear that up. We are here about 3132, and making sure that nothing impedes the construction of 3132, because it's too important. It's too important to the City of Shreveport. And you all are a part of the city.

Mr. Spruiell: The actual Railsback is not part of the city. Its not been annexed, but - - -

Councilman Shyne: Well you might not - - - well let me say this. You might not be in the city, but you are a part of the city. That's just like we're not in Bossier City, but we all of us are a part. And that's what we have to take into consideration. What's good for me is good for you. What hurts me is going to hurt you. I live in Mooretown, you know and what's bad for Mooretown is going to eventually be bad for you all. What's bad for you all is going to be eventually bad for Mooretown or Hollywood or we all are here trying to do this together. But I appreciate you coming down.

Mr. Spruiell: Well I used to live next to Oliver Jenkins.

Councilman Shyne: I don't know how you made it.

Mr. Spruiell: And he and his family (inaudible).

Councilman O. Jenkins: He's a fine neighbor and I want to say - - -

Councilman Shyne: I know you're a fine neighbor, but I don't know how you made it with Oliver out cutting his grass with shorts on.

*Mr. Whitney Pesnell: (400 Travis, Suite 1100)* Thank you Mr. Chairman. I'm an attorney with the Pesnell Law Firm, and I'm here on behalf of Willis Knighton Health System and the Finish 3132 Coalition. I'm going to change the focus I guess of all these issues slightly, and I'll try to be brief. And I very much appreciate the Council's patience, and its indulgence in presenting these matters yesterday. And so I'll try to be as brief as I can today. As you are aware, we filed a motion to dismiss the appeal that's

before the Council here today and yesterday. And I want to go briefly through that. This is not the first time this matter has been before this council. It was before the council I believe on May 22<sup>nd</sup> of this year. The Council voted at that time to remand this matter to the MPC with instructions to the MPC to try to work out a resolution that was fair and equitable to all parties that would protect the corridor of 3132 and would allow Mr. Larkin and his companies to go forward with their development in the units that could be approved for development at this time. I have brought a few additional documents with me today, which I would like to enter into the record. One of them is a transcript of the portion of the MPC hearing on July 3, 2012 relating to the cases that are before the council now. I've already delivered a copy to Ms. Pierce-Johnson to be filed with the record. There should be a copy for each of the Councilmen as well. I'm not going to go through it in detail, but I think when you review the transcript of that portion of that record of the (inaudible) before the MPC, you will be able to discern from the comments that Mr. Kirkland and the other members of the MPC, that after this matter was remanded, neither Mr. Larkin nor his companies ever filed a new or amended application for rezoning or approval of this development. And they never - - - I won't say they never made an attempt, I'm not entirely sure of that, but they never made any progress towards developing stipulations, agreements, or conditions that would accomplish the goals set out by the Council in its directions and instructions when it remanded this matter. So the question then is what did the MPC have before it to vote on, on September 5, 2012 before this appeal was taken to this council. The answer is they didn't have anything new to consider or anything new to vote on. There hadn't been any new or amended applications. There hadn't been any stipulations or agreements or conditions to consider. Nothing changed between the remand of May 22, 2012, and the MPC's action as it were on September 5, 2012. The only thing that the MPC could do and you will see this if you look at the decision that was entered on September 5, 2012, was vote to affirm the decision that they had originally made in April or May, and it was before this council in May. They couldn't affirm that decision. He didn't need to anyway, it had already been made, it had already been considered by this council, it had already been remanded. The question is what was reviewed that was before the MPC, that they could vote on, that they could decide and then an appeal could be (inaudible). In the interest, nothing. After this matter was remanded by the Council to the MPC, the MPC diligently tried to go forward and carry out the directions and instructions it was given. It diligently tried to get new or amended applications filed. The MPC staff even prepared applications for Mr. Larkin and his company to sign and submit, but they refused to do so. They didn't sign or submit any applications of their own. They didn't work out any conditions, stipulations or agreements. So this matter basically died on the vine before the MPC. Because no further actions were taken by Mr. Larkin or his companies as per this council's instructions in its remand. Because it died on the vine, because it wasn't anything new before the MPC, because

there wasn't anything else that the MPC could decide, there's nothing to appeal from. Now this appeal doesn't bring anything new before the council, for it to decide or consider. Basically, the council doesn't have the jurisdiction, power, or authority to take this matter up or reconsider it. You can only do so when a properly perfected appeal is taken from the MPC. No properly perfected appeal could have been taken, there wasn't anything to take up. And so really, this matter should be dismissed by the City Council, and it should be removed from the agenda. The MPC's original decision became final when Mr. Larkin and his companies failed to cooperate or to go forward with the remand. Those actions affectively abandoned or withdrew the applications. There wasn't anything else for the MPC to consider, and therefore there is nothing else for the council to consider. That's our argument on the motion to dismiss the appeal, and I will be happy to entertain any further questions if y'all have any. Before we get to that though, there are a couple of other matters I'd like to take up. I have also delivered to Ms. Pierce-Johnson today and provided copies to each of the Council Members, comments on behalf of Willis Knighton and the Finish 3132 Coalition in connection with the merits of this appeal. Now we don't think the Council has jurisdiction, we don't think (inaudible). But if the council doesn't agree, or is inclined to consider it, we did want to address the merits. And we think what the Council needs to know and this is set out in the comments we've prepared and filed into the record and distributed to you, is that first of all, the Council like the MPC has a duty, an obligation, and a responsibility to protect the corridor of LA Highway 3132. All of the people involved in this matter including Dr. Eric Kalivoda of the Department of Transportation and Development, Charles Kirkland, the Executive Director of the MPC and others who have been involved in this and have looked at this Stage 0 study. And who've examined it, I'll say that the Stage 0 study does not identify the only route or routes on which LA Highway 3132 may be located or constructed. Those are only approximations or possibilities for the location and construction of the highway. Neither Dr. Kalivoda, nor Mr. Kirkland, nor the DOTD, nor the MPC or anyone else can tell you where within the corridor for 3132, the highway is ultimately going to be located or constructed. And the reason is very simple. The Stage 1 feasibility study hasn't been done yet. They haven't done the environmental work. They haven't done the regulatory work. They haven't gone out and see what problems exist with the different routes within the corridor and which parts of those possibilities and possible alternatives they can use and which parts they can't. They won't know where within the broad confines of the corridor, the extension of LA Highway 3132 will be located or constructed until the Stage 1 feasibility study is complete. If you don't know yet, where within the corridor the highway is going to be located, you can't validly approve further development or construction within the corridor without running the serious risk that you're going to impinge upon or impede or preclude options for the locations of the construction of the highway. It's premature for the council to be considering or trying to decide what

further construction development should be allowed within the corridor. You can't make intelligent decisions about that until the Stage 1 is complete and it has a much better idea, much more certainty with respect to where the extension of the highway will be located within the corridor. So we don't think the Council should approve any construction or development of the corridor, much less Mr. Larkin's proposed construction and development within the corridor until that information is in. Now that's not a moratorium on development. That's not a moratorium on construction. It may be inconvenient for Mr. Larkin, it may even cost him some money as it delays him somewhat in proceeding with his plan. But the highway is of importance to the entire city to all of the citizens, to the Port of Shreveport/Bossier, as they so voted and made their desires in that respect clear. Now this Stage 1 feasibility study according to all the estimates that we've heard, should be completed within the next year. I can't imagine after fooling around for this three or four years already, that another 12 months is going to make that much difference to Mr. Larkin. But even if you assume or innuendo that it would. If Mr. Larkin has economic problems, its going to cost him money because he can't go forward now, he doesn't have anyone to blame for that but Mr. Larkin. He knew about his agreement with the Railsback Road people in 2007. He knew about his agreement with the Railsback Road people in 2008 when it was incorporated into and made a part of the Caddo Parish ordinance with his knowledge, permission and consent. He knew that this land or at least a portion of this land is within the corridor for 3132. And he's known it all the long. Now if he wanted to go forward and do what he could at his own expense and at his own risk, that's fine, that's his prerogative. But he shouldn't be able to do that and pre-empt 3132, or pre-empt where its going to be located, or pre-empt the desires and concerns of this city or its citizens by doing it. Now, a few other comments about Mr. Larkin's statements concerning his investments and the work that they've done so far. We're talking about several tracts of land out here south of Flournoy Lucas Road. There was a 100.3 acre tract on which he wants to subdivide and develop homes on. And there is a 36.998 acre tract between that tract and Flournoy Lucas Road. Portions of those two tracts fall within the 3132 corridor. We don't really care what he does outside of the 3132 corridor. That's his prerogative, if he wants to impinge on (inaudible) with 3132 in any way, he can knock himself out. Okay? There are also other portions of those tracts of land or other land that he's developing that are not within the corridor. For example, he has the authority to develop and I think is either developed or has already developed at least two homes on Railsback Road. They're not within the corridor. We don't care. He's been working on the extension of Railsback Road up to his bridge south of Bayou Pierre. For the most part, that road or that portion of it doesn't come into play, it's not within the corridor. He can do that without any problem. But this road that we're talking about now from that bridge to Flournoy Lucas Road is squarely within the corridor, and is inimical to the future construction and development of 3132. He shouldn't be allowed to build that until we

know where that road is going to go. Now, I have attached and I've also copied Ms. Pierce-Johnson and made copies for the members of the council a few emails that were exchanged between Charles Kirkland or Stephen Jean on behalf of Charles Kirkland and Dr. Eric Kalivoda at DOTD prior to the September 5, 2012 meeting. And in those emails Mr. Kirkland, Mr. Jean at Mr. Kirkland's request asked Dr. Kalivoda about the Stage 0 study and the routes that were identified in there. How certain they were or whether they were going to allow them to permit some development or go forward, whether they could rely on those. If you look at Dr. Kalivoda's responses on his emails, you will see that those routes are only approximations. They don't know if they're good, they won't know if they're good, or whether they can use them or what portions of them can be used until the Stage 1 study is complete. He says we won't know where this is going to be until the Stage 1 is finished. If you want to know about that or make decisions based on that, you're going to have to wait until the Stage 1 is finished. Now, Mr. Larkin also said in his comments that he'd made plans in his development to try to accommodate 3132, whether it was to be built on Route A, or Route B1 or Route B2. And in fairness to Mr. Larkin, I think he has done that. The flaw in his analysis and the flaw, or the problem with his assertions is we don't know if the road is going to be located or is going to be built on Route A or Route B1 or Route B2. He's tried to accommodate the suggestion or the working hypothesis that had been made for the location of this road, and I appreciate that. I'm glad to see that he's aware and he's going to be taking into account. But the problem is we don't know if that's where it's going to be. And because we don't know that, you can't approve this road or further development of this 36.99 acre tract or this 100.3 acre tract until we do that. That's the point of our comments. I think its set out in there and having filed the comments, the emails and the transcript of the relevant portions of the July 3, 2012 MPC meeting into the record. That's most of what I have to say. Now I've got one other point that I'd really like to make. I believe that Mr. Larkin and I think that Mr. Spruiell, both indicated that since the September 5, 2012 MPC meeting, that Mr. Larkin had obtained a permanent right of access for the construction of his road and its intersection with Flournoy Lucas Road. That's not true. And I have a copy.

Councilman Shyne: Now I'm sorry. Would you repeat that again?

Mr. Pesnell: Yes sir. I don't think that's true. I have copies of the access connection - - -

Councilman Shyne: You mean the statement that was made earlier about - - -

Mr. Pesnell: Having the permanent right to connect to Flournoy Lucas Road from the DOTD?

Councilman Shyne: Right.

Mr. Pesnell: Is not correct. I have a copy I believe of the access connection permit certificate that was issued to Mr. Larkin or his companies. It was issued on September 12, 2012, one week after the September 5, 2012 MPC meeting, and I'd like to file a copy of that into the record at this time, and I have copies for the councilmen.

Councilman S. Jenkins: Please do.

Mr. Pesnell: Let me say first of all that I haven't had time to examine this access connection permit certificate in exhaustive detail. I have looked at it. I also have the DOTD regulations for access connection permits which are issued by DOTD. But I haven't had a chance yet to go through those. But I can make a couple of simple points in connection with this access connection permit certificate. First of all, if you'll look in the upper right hand corner on the first page, immediately below the permit number, there is a little box that says LA DOTD permit number is blank. Beneath that, there is a line that says permit entered by, and there's just initials, JM. Whoever did it didn't have the guts to put his name on it. We haven't been able to find out who JM is yet. But if you'll look just to the right of that, on the second line it says date permit entered, 9 12 2012. See that? Just above that it says permit expiration date. 3 11 2013. This is a six month permit at best. The permit that he had was a temporary construction road, was a six month permit that's renewed every six months. This one has a different name at the top, but its not really different in form or character in anyway and it certainly doesn't give them the permanent right to connect to Flournoy Lucas Road. One other thing I'll say, I think it may obviate the need for me to speak or say anything further. I believe Mr. Arceneaux filed a response to our motion to dismiss this appeal, that today he was kind enough to send me a copy. I have reviewed it, I think I've responded already to the motion of which contained in there to the extent that I need to respond. There is one other point I would say. Mr. Arceneaux suggested that the council is not like an appellant court with supervisory jurisdiction with respect to MPC matters, I don't think that's true. I think that's exactly what the City Council is, with respect to MPC zoning matters. It is the appellant body that sits to review and either affirm, reverse, modify or remand zoning matters that come (inaudible). I think the State Administrative Procedure Act, which I think applies in this sort of regulatory context will support that conclusion as well. Having said that, I don't think I have anything further to say now. If any of you have any questions, I'd be happy to entertain them and try to respond.

Councilman S. Jenkins: Alright any questions from Council Members? Councilman Oliver Jenkins.

Councilman O. Jenkins: I'm a little confused on something here, and it kinda goes back to the Chair's question. Is it our assertion that if we dismiss this appeal, that Mr. Larkin is prevented from building his road?

Mr. Pesnell: I believe that would be the case for the time being. If you look at the zoning and the regulatory.

Councilman O. Jenkins: I think there is a big issue that's a difference between our Attorney's opinion and some of the attorney opinions that we've gotten at this point. I think that's very important at least for me personally on whether the dismissal itself affects whether he can legally build his road.

Mr. Pesnell: If I could respond. First of all, let me just say that the DOTD permits whether it's the temporary construction permit, or this access connection permit certificate does not give him the right to build that road. What it does is give him the right to tie any road that is built into Flournoy Lucas. All it does is give him permission to join or tie those roads into Flournoy Lucas. He still needs approval from the relevant government authority. In my opinion, that is either the MPC, which as Mr. Kirkland has previously noted. Approve his plats for subdivisions that include the roads and the streets that are to be developed in connection with those subdivisions or from this council. If the appeal is dismissed, then I believe the MPC's original decision has now become final and stands. However that doesn't mean that Mr. Larkin will not be able to build his road, if at some point in the future, it becomes appropriate for him to do so. The zoning regulations in Shreveport Municipal Code say that when a matter is brought before the MPC, it's decided if its denied, ultimately either by the MPC or by the Council on appeal, that it can be (inaudible), he just has to wait a year. Well guess what, we've got to wait a year for the Stage 1 report anyway. So that shouldn't cost him anything.

Councilman Corbin: Mr. Pesnell I'm sure there's some old adage about how many lawyers do you have to get together in a room, before suddenly it sounds like we're in court.

Mr. Pesnell: That's probably just one Councilman.

Councilman Corbin: Probably. If you'd answer a question for me about the latest lawsuit that the Coalition has filed. Is it my understanding that in that lawsuit, the Coalition is questioning the validity of the Stage 0 report and maybe suggesting that Stage 0 report and maybe suggesting that Stage 0 be redone?

Mr. Pesnell: Absolutely. The reason simply is this. As Mr. Stonecipher pointed out, the first and we think the best route for this highway, for 3132 the route within the corridor was contained in the original Buchart-Horn study and that's the route that was suppressed. It was never placed in the Stage 0 study, it wasn't considered in connection with the Stage 0 study, the public was not given notice of it, the public wasn't given an

opportunity to comment on it. And we think that all of those things - - - if this process works the way its supposed to work all of those things should be done. That is an option that should have been identified from the outset and included in the public notice and participation sessions that were conducted with the Stage 0 study. How can you tell what the public wants or what the public thinks or how can you say that you value the public's input or that it makes a difference if you suppress or leave it out, and they never see it or get to comment on it. We are suggesting that the Stage 0 is flawed, it needs to be redone.

Councilman Corbin: So if that were to make it to court and there was a judgment on that, and Stage 0 began again or was reopened and a new process happens. And we have an open timeframe before we end Stage 0 or even begin Stage 1?

Mr. Pesnell: It could result in further delay. However, all of the other things that are on the Stage 0 report have already been done. All they really need to do is include this additional option and allow the public to comment on that. So I would say 1) It shouldn't take nearly as long as it did the first time. And the other thing I would say Mr. Corbin, that even if that's true, that's not my fault, and that's not Willis Knighton's fault, and that's not the Finish 3132 Coalition's fault. That's the fault of the people at DOTD, and at NLCOG who suppressed it, or didn't clear it out in the light of day. Now I don't think we can turn a blind eye to that, or that we should bless it or that we should (inaudible) or tolerate it. That what happened, that needs to be fixed whether by action through the courts, or whether by voluntary change on the part of the relevant agencies or authority.

Councilman Corbin: And I don't believe anybody up here was trying to place blame. I just wanted to ask the question.

Mr. Pesnell: And I understand, I understand. I didn't take it that you were, and I'm not trying to place blame either. All I'm saying is there was a flaw in the process. We think it was a serious flaw and we think it needs to be corrected or addressed. I'm sorry if I gave a false impression. The ball was dropped somewhere. It's not important to me to know who dropped it or why it happened as it is just pick the ball up and put it in the study so that it can be considered. Is there anything else that you would like to know?

Councilman Shyne: Really not a question. I'm just glad that you gave us some information in black and white. So we could verify statements that were made previously by a gentleman who came up to speak, and not only does this prove that the statement was false, but it was actually misleading.

Mr. Pesnell: Well, and let me just say I'm glad I was able to give it to you too Councilman Shyne. But we were lucky to get it in time for this meeting. We got it in response to a public records request. I believe that we have everything and that that is the permit in question. I've seen nothing to indicate to the contrary but our information is imperfect. We've given you the best that we have.

Councilman Shyne: Right, and it kinda makes me think, I don't know whether you knew that this was going to be brought up or not. If you did, that's very - - - a good insight on your part.

Mr. Pesnell: Well we try to address all the things that we think are relevant to the Council's decision. So you have the best information possible to make the decisions that you make.

Councilman Shyne: Because you know sometimes it's a difference when a statement is false. Its also a difference when a statement is false and misleading. If I'm making any sense to you.

Mr. Pesnell: Yes sir, and let me just say too. I don't want to suggest that anybody deliberately misrepresented that. I just don't think it is what they think it is. And I think the document itself proves that.

Councilman Shyne: Well now I - - - let me say this. I generally agree with you, but on that I really don't agree with you, because I think it was made on purpose. You know. And we'll leave it at that.

Mr. Pesnell: Yeah, I don't think we need to get into that. We have the permit, and you can see what it is.

Councilman Shyne: Naw, we won't get into that. Mr. Chairman, back to you.

Councilman Everson: I just had a quick question. Obviously I don't look at access connection permit certificates very often, so I'm not very familiar with this format.

Mr. Pesnell: This is the first one I've ever seen too.

Councilman Everson: Fair enough. But I was just looking at it, and on the second page here, it says temporary permit, question mark, and it says 'NO'. I don't know if that suggest that it is, because there is also an expiration date on it too. So it seems to be conflicting. I don't know, so I just - - - I don't know if y'all know better, but.

Councilman Shyne: But it doesn't say permitted either.

Mr. Pesnell: Well that's true. I mean there could be a difference between the temporary permit, which may only be good for as long as its needed. And a permit that's good for a specified period of time. That's simply supposition on my part, I don't know if these are terms of order, what the DOTD - - - you know it may be that the DOTD nomenclature, that means a specific thing, I don't know.

Councilman Everson: Yeah, there always is something with forms. The more you use 'em the more you seem to understand 'em. That's why I asked.

Mr. Pesnell: They could be a trap as well as gold. Yes sir.

Councilman S. Jenkins: Any other questions from Council Members?

Mr. Pesnell: Thank you Mr. Chairman.

*Mr. Tom Arceneaux: (400 Texas, Suite 1400)* Thank you Mr. Chairman. Learned some new math today. Learned that 2+2 is 953. Let me go through that math for you One can always take unrelated matters and try and weave them together into a story that seems plausible. And that's what you've had done with you today. The two maps that Mr. Stonecipher showed to you and said this is where the road goes? Both of those maps are to the east of the proposed roadway. Both of them. I'm glad you think about misleading what you think about misleading things Mr. Shyne, cause I think that's an important point. The permit is a connection permit. The connection has to happen by March 11, 2003. There is a permit number right above it. We provided this to you last Thursday. In plenty of time by the way for anyone who wanted to look at it to have looked at it. Because you have rules that say please present your materials by a certain date. So we did that. And we included this permit which is a permanent - - - a permit to make a permanent connection to Flournoy Lucas Road. That's what a permanent permit is. The Department of Transportation does not want to have these outstanding for long periods of time, because circumstances do change, and therefore the conditions the permit might change. So it has an expiration date. So that's one of the reasons why delay is so bad for you to consider today. Because rights that have been acquired may be lost. We've filed written response to the motion to dismiss. There is a very different relationship between the City Council of Shreveport and the independent body called the Shreveport Metropolitan Planning Commission of Caddo Parish. It's separately created. You do not get to tell the MPC what to do. You get to grade their papers, and one of the things you get to do when you grade their papers is to remand them. That's exactly what you did. You asked, you encouraged them to do something. They attempted to do it, Mr. Larkin attempted to do it, it was not possible to do what you

asked the MPC to do. So it said, we're going to send it right back up to you. That was a decision made by the Metropolitan Planning Commission. It is duly appealable to you. Mr. Larkin timely filed and filed his appeal. So that's why we're here. The motion to dismiss is totally without merit. Interesting concepts, simply not supported by the facts or the law. And I previously provided this to the Clerk, but I'd like to officially present it. And I think it speaks for itself. Ms. McCulloch, there is not and has not ever been any legislation that says development cannot occur within any corridor or any roadway, and there's a reason for that. You see unlike a business as Mr. Moss talked about, unlike a business that says I'm going to make a feasibility study here, I'm going to learn what it is that I can do. When a business does that, it's doing it with its own property. So it knows what it owns. When the government does it with a road, it is considering things with somebody else's property. And fortunately, the framers of the United States Constitution and the framers of Louisiana Constitution said government, you really don't get to mess with people's property without providing them due process of law. And when you take their property, you have to provide them with compensation. Now why is that important. Mr. Goza's letter that we included in our written materials to you. Mr. Goza's letter made it clear. You can protect the corridor. The way you protect the corridor is to buy it. To buy it. Not to tell someone he can't develop his property while we figure out where the road is going to go or whether a road is going to go there. Government doesn't have that right with respect to somebody else's private property. We've got folks all over the world fighting and dying to protect that right. It's an important right. It's the reason that we don't believe you want to go off the financial cliff here. Because trust me, it's a financial cliff. We've waited for Stage 0 because we hoped that when Stage 0 had very specific routes with GIS coordinates on them, not concepts, very specific routes that you can map on the ground. And when that was done, it showed that those don't conflict with the proposed road. Now that's really not an issue with whether or not Mr. Larkin can build his road, but it certainly makes it an easier decision for you because you can make that decision and say this is the way that it can go. Because here is the fact. Any action that this Council takes, any action that the city takes that has the effect of prohibiting Larkin development from doing the private road on private property that it will be building that results in the inability to do that or a moratorium for a period of time to do that. That's a taking. That's called an inverse condemnation. And what that does is obligates the city to buy that property. In this case, the representation has been made to you is we think there's a route that'll go right through the middle of that 37 acres. And you know what that does? That will result in the purchase of the entire 37 acres. Between that and severance damages because of the shape of that property, and it would include a taking of a portion of the Esplanade Development where perhaps the rest of that might go. When one takes property there is also an element called severance damages. And so the ancillary affects of that taking take place. And in this case, that means because of the restrictions that were placed on

the development of the property, it can't be developed. You may be buying 110 acres too at a very great price. Now, because we were concerned about folks who were urging you to drive off the cliff, we made a formal demand on the city attorney today. And that demand says the city should refrain from doing anything that prevents the development of that property without an expropriation of the property. And if you do, then you will have created an unlawful taking, a violation of civil rights, for which liability attaches. Now the interesting thing is if that road were to go through there, you would not the city, would not be able to get reimbursed, from the state or from the government for that taking. Because you didn't follow the right procedure. That in and of itself could make 3132 not come about. The reality is allowing the simple answer to the simple question that we asked the MPC, and that we're asking you, is more likely to reserve the extension of 3132 than saying everything has to stop and we have to take this property to wait. City Council of New Orleans did a moratorium on any construction within an area that might have been intended ultimately was intended for the reconstruction of the Charity Hospital in New Orleans. And they tried to come in later when they took the property and said, oh, it's been devalued because you couldn't build it there. Well the court said you know when you took it, you took it when you said you couldn't build there. If you are to do what the 3132 Coalition and Willis Knighton are asking you to do, which is no what we're asking you to do, and we don't think you have to address it at all. If you do that, you will be engaged in a taking. And the consequences of that taking will be severe. I hope you will take the opportunity to visit with your counsel before you dive off that cliff, because there will be substantial consequences to driving off the cliff. We have visited with you. We asked you a simple question. If we build this road, which is required as a condition to getting building permits, will it satisfy the stipulation? That's what we're here about. That's a simple question. You can answer the question, you could modify the decision of the MPC and decide not to answer the question. You don't have the right to dismiss the appeal, and we would assert to you, that if you take any other action that has the affect of preventing the construction, that you will have engaged in an inverse condemnation or a taking of Mr. Larkin's property. And he will at that point have to determine what his damages are and who is accountable for those damages. Those are the rights that are established by the 5<sup>th</sup> and 14<sup>th</sup> Amendments of the United States Constitution. Thankfully, you don't have the ability to override those. I ask you to consider those when you make this very simple decision. You can jeopardize 3132, you can expose the city to significant liability, and in the process of it, or you can answer the question that has been placed in front of you. A very simple question. We respectfully ask you to do that, we ask you to answer it in the affirmative because it's clear that's the right answer. I'll be happy to answer any questions that you have.

Councilman O. Jenkins: Once again, I'm not a lawyer, clearly I'm outmanned in this arena, but you suggested that we speak to our counsel. Now obviously you've also had the benefit of being up here on the City Council, are you suggesting that we delay this to speak to our counsel? I don't think so.

Mr. Arceneaux: No sir, I'm not.

Councilman O. Jenkins: Are you suggesting we potentially go into executive session right now?

Mr. Arceneaux: I believe that option is available to you.

Councilman O. Jenkins: And speak to our counsel, or are you suggesting we allow her in open forum to give her opinion on this?

Mr. Arceneaux: Mr. Jenkins, I don't have control over which of those options you take. She's your lawyer.

Councilman O. Jenkins: I'm not asking you - - - I'm asking you as both an attorney, and as a veteran of this City Council, what you think. Because naturally I may be the only one here that hasn't seen the remand letter today that you presented to the city.

Mr. Arceneaux: Mr. Jenkins, I think those are issues that the Council has to determine for itself. I can tell you what my preference usually was in those matters when I sat precisely where you sit. I had the privilege of representing the district that you represent. And I always, if it were available to me, preferred to talk to my lawyer in private. But there are those who don't wish to do that, and that is not - - - that is an option that is available to the Council, it's not a requirement. So I can't answer that question for you. I can tell you how I would have wanted to proceed, but I no longer sit in any of those seven chairs. So it's not my call.

Councilman O. Jenkins: Clearly you've used your experience in this diplomatic domain to garner appropriate response for that question, but I appreciate that nonetheless.

Mr. Arceneaux: I had an eight year education Mr. Jenkins, and it was a good one.

Councilman S. Jenkins: Any other questions from Council Members?

Councilwoman McCulloch: Well I guess so. Am I hearing from him that there is a possibility individually I could be sued for making the wrong decision today?

Councilman S. Jenkins: No Ma'am, I don't think you hear that at all.

Mr. Arceneaux: I haven't made - - - I haven't actually made that determination Ms. McCulloch.

Councilwoman McCulloch: You haven't actually made that determination?

Mr. Arceneaux: No Ma'am. I have not.

Councilman S. Jenkins: (Inaudible) anyone could file suit.

Mr. Arceneaux: What I hope Ms. McCulloch is I never have to consider that, because that would be most untasteful to me.

Councilman S. Jenkins: (Inaudible) subject. And I'm sure Mr. Arceneaux is not threatening.

Mr. Arceneaux: No sir, I'm not.

Councilwoman McCulloch: Sounds like.

Mr. Arceneaux: I'm not. And you know we have not raised this issue before, and there's a very good reason Mr. Chairman that we have not. We're not in anyway shape or form attempting to make a threat. But I do think that because of - - - I do think that when you're being asked to make certain decisions, that you need to be fully aware of the consequences of those decisions. Yes, you could take an action to try and stop financially or physically the development. But there are consequences to that decision. And I think it important that you know what those consequences are, when you consider what decisions you would like to make. Just very simple, and that's more of a consequences.

Councilman Shyne: Mr. Chairman, I was about to say I'm not speaking for the attorney from 3132, but he could also file suit. So, I mean right

Councilman Everson: They've already sent us a couple of things.

Councilman O. Jenkins: We're really hot on being sued on that one.

Councilman Shyne: Right, like Mr. Jenkins has said, I mean, anytime you sit here, you can always be sued. I mean you don't let - - - and Tom and I have sat here together, and I love Tom and I think he's an excellent attorney, but I'm not saying that because he's sitting there, but anytime you sit here, you know you could be sued. So you don't let folks come up and say I'm going to sue you impact what kind of a decision you make because Joe Blow lives on - - - well let me say, Joe Shyne lives on Alton Street could

say I'm going to sue you. And I could, but like Sam says, it's the judge that's the one that's going to look at the merit of it, not the person making the suit. So, you know we can't let that deter what decision we're going to make, because we're afraid somebody might be going to sue us.

Mr. Arceneaux: Mr. Chairman, if there are no more questions. I'm happy to stay and answer questions, I'm happy to sit down and get out of your way.

Councilman S. Jenkins: Any other questions from Council Members? Lets do this. I see our legal think tank is over there in the corner meeting, and I want both or one of you to come forward and lets see if there are some council members who may wish to ask some questions in light of some of the arguments that's being made today. And you can very well advise us if this is something that can be discussed here in open session, or whatever. But to the extent that there may be some council members that maybe have some questions along that line, we certainly want to make our legal advice available.

Mayor Glover: Mr. Chairman? (Inaudible) I have not had a chance to confer with the city attorney, but I would say certainly pending her direction, this is certainly an area where our preference, well my preference speaking as Mayor would be one of transparency. And so, while I do not want to unduly burden her, since we have not had a chance to speak based upon the questions that were just offered by Councilman Oliver Jenkins, I certainly would like and prefer that if there are any questions, and certainly any comment that she would have based upon what has just been offered, then we do so, there today in open council for all to see and without having to see the Council itself go into executive session. This is certainly a situation that we have no problem whatsoever in terms of being able to allow the light and the sunshine to shine upon. So pending whatever direction that she would offer in her capacity, would ask that she would address the issue as she would see appropriate.

Councilman Shyne: Mr. Chairman? Mr. Mayor, you know you and I always agree, and this is one time I agree with you.

Mayor Glover: Well now that's the only thing that worries me now Mr. Shyne.

Councilwoman McCulloch: Mayor, start ordering the pizza now, it's almost 6:30.

Mayor Glover: Will do so.

Ms. Scott: I'm happy to try to answer any questions you might have Council Members.

Councilman O. Jenkins: Guess I'd like to know a little bit about this, because I haven't seen the letter between Mr. Arceneaux and the city apparently that he has sent.

Ms. Scott: I believe that Mr. Thompson emailed - - - did you email a copy of to them?

Mr. Thompson: I didn't think that I had the letter that he was talking about.

Councilman O. Jenkins: I don't believe that any of us do up here. So - - -

Councilman S. Jenkins: Let me say I did receive an email.

Ms. Scott: In the letter that Mr. Arceneaux was referring to basically laid out Mr. Larkin's legal position, which he's already stated to you today. Basically it believes that if the council does anything to delay or postpone the construction of the roadway, that it would be equivalent to a taking. They believe it would be a taking, entitling or obligating the city to compensate Mr. Larkin for that taking.

Councilman O. Jenkins: And is there a figure associated?

Ms. Scott: No, there was no dollar amount referenced in the letter.

Councilman S. Jenkins: Let me - - - what we're being asked, I keep saying I think we need to go back to that point. I know some people say it's the road, it's the this, it's the that. We're in a position to look at what came from the MPC. And if I understand this whole scenario correctly, what was before the MPC was basically a question. I see it as an advisory opinion (inaudible) and that if Mr. Larkin builds this road, the certain specifications, will that comply with Stipulation No. 3.

Ms. Scott: Yes sir.

Councilman S. Jenkins: Now I know there's a whole lot of other things that's implied with all this now, I'm not in the dark okay? I know that that has a lot of implication, but that's what has come to us from the MPC. Am I right about that?

Ms. Scott: I agree with that Mr. Jenkins.

Councilman S. Jenkins: We understood you to say the other day that if appeal came to us from the MPC that we could either affirm the MPC, which means they send us something to us, we unanimously pass, or uphold what they did. We can deny it, we can remand it, or we can modify it in some kind of way. Those are the things we can do.

Ms. Scott: That's correct.

Councilman S. Jenkins: Alright now. Another question came up if I'm following this correctly, that was brought up by Mr. Pesnell was you can dismiss it. That was one of the things that was brought up in the discussion yesterday. And I believe if I'm following his line of thought, not to put any words in your mouth, he said you don't really have before you what I'm going to call a real appealable issue. And if there are circumstances, we can dismiss the appeal if it's not timely, or if its not something that this body has been empanelled to do. We could say hey look, you're bring something in here that's not what we do. Alright? Okay? Another situation came up yesterday where there was some discussion about postponing. Now here's the question I'm asking you. If it was postponed, and I believe, just my thinking now, if we just simply postpone this matter, does that open the door for any kind of legal repercussions against this city. Is that a taking that I'm hearing Mr. Arceneaux argue?

Ms. Scott: Mr. Chairman, in all honesty, that would be up to Mr. Larkin and his counsel to decide if a postponement is equivalent to a taking, and it would ultimately be up to the court. The council has the authority to postpone the matter for to gain additional information that would aid you in your decision making process. So it's a question of whether or not and how long that matter might be postponed before a court would determine if it was in fact a taking. A reasonable postponement? No sir, I don't believe that a court would find that to be a taking. A postponement or delay of any inordinate period of time, without reason or a basis, then the court may very well find that to be a taking. How long? If it's a day, a week, a month? Again, that is left to the courts determination.

Councilman S. Jenkins: So we got all those factors go along with a postponement. Lets talk about a dismissal. If the appeal is dismissed. Well, before we leave postponement. Is it possible that if this body postponed a decision, and the parties take it to the State District Court, and I'm know I'm asking a little speculation there, but can it be possible for that district court to say hey look, I don't think you have resolved all your administrative remedies. Matters that generally come over here to us (inaudible) exhausted what the MPC has had to say, the Council has had to say or whatever, then we take it up. Is there a potential that this matter (inaudible) postponement, that it could find itself back here because the court won't act, because they're saying you didn't resolve all your administrative remedies?

Ms. Scott: Yes, that's a possibility. Because right now, what the Council has before it is an appeal on the matter that has come back to it from the Planning Commission. Until there is a decision, then if there is an attempt to take the matter away from the Council before a decision is made by the council and take it to district court, a court may very well may find that the matter is premature, because of a failure to exhaust the administrative remedies.

Councilman S. Jenkins: Okay now, lets talk about a dismissal. Alright? If the matter is dismissed. Lets just simply say, we feel as though a matter has come before us that has not properly before us - - - I don't want to use the word jurisdiction, but we have a matter before us and this is now what we do. We don't give advisory opinions. I'm saying that we got before us a question that's calling for some kind of speculation, that says 'if I build my road'. Nobody's built a road, we don't know what the road is going to be. If I build my road, and it meets these specifications, can you tell me now ahead of time, before I see what the road is going to do, can you tell me now ahead of time that it's going to meet Stipulation No. 3?

Ms. Scott: I agree with you Mr. Jenkins partially in how you phrase that. The Stipulation No. 3 that has been discussed for some time, basically instructs the applicant to - - - first it says, other than houses on Railsback, build your roadway. After you build your roadway, then you provide certification to the satisfaction of the Planning Director that the roadway has been built in accordance with applicable provisions of federal, state and local law. And at the Planning Director's determination, then permits, building permits for the structures may be built. But that stipulation is predicated on a roadway being built and certification and documentation being provided to the Planning Director, that he then determines whether or not the roadway was constructed properly, and its at the Planning Director's election under the terms of that stip, that he can determine whether or not he can issue the building permits.

Councilman S. Jenkins: So dismissal is in play under the circumstances that we're faced with today, because no road has been built. I mean some of this action need say that your road is okay, and not met with - - - you haven't built a road. So you're asking me to approve something that has not been done. And I say again, that this comes somewhat of an atypical type of appeal.

Ms. Scott: Well I think what the Council can say, if you choose to, and again that's one of your many options here, is that if you build your roadway, and if you provide that certification to the Planning Director, then you have the right to have him decide on issuing those permits based on whatever he looks to in determining whether to issue the permits. But it is all predicated on building the roadway, providing the certifications. And at that point, they would have the right to ask for those permits.

Councilman S. Jenkins: Alright, this is the final thing I'm asking you. Based on what's in front of us today, we cannot as a body sit up and say Mr. Larkin, you can't build your roadway?

Ms. Scott: No sir, I don't believe that you can. Because that is - - - that was the stipulation that was imposed when the rezoning was approved on that case. That

stipulation is now final. So it runs with that approval for that rezoning. He has the right to build the roadway in my opinion.

Councilman S. Jenkins: Okay, and that's what I'm trying to find out here. Because I think we need to be straight on what we're being asked to decide. This appeal can be dismissed because it's not properly before us. That's one of the options that's in play. We can uphold what the Metropolitan Planning Commission voted on or we can deny it, remand it, or modify.

Ms. Scott: Those are your four choices.

Councilman S. Jenkins: Postponement is something that we can do, but there is always the possibility of 1) State District Court sending it back; or 2) at some point it was found to be unreasonable or something like that, there could be some potential liability for the city. Alright.

Councilman O. Jenkins: Is there any liability for the city if we dismiss it?

Ms. Scott: I'm not quite clear that I understand your use of the term dismissal.

Councilman O. Jenkins: You see what I'm saying?

Councilman Webb: What was your question again?

Councilman O. Jenkins: Well the rationale for the dismissal as the Chairman - - -

Councilman S. Jenkins: Well what I'm saying is if you have something, if there is something that has come before us, that is not properly before us. Say if it was an untimely appeal. Are you telling me we've got to affirm, deny, remand or modify? Or do we say we're going to dismiss and say the basis of that dismissal is because it wasn't timely?

Ms. Scott: Well Mr. Jenkins, that presupposes that it is not properly before you. I believe that Mr. Pesnell, well I know that Mr. Pesnell has made some argument to you that the matter is not properly before you and that Mr. Larkin abandoned his appeals for failure to file a subsequent application. I don't believe that to be the case because the motion that was made by Mr. Corbin for the remand was very specific. And the motion did not ask Mr. Larkin to do anything specifically. Not reading from the letter that was provided to the MPC by the Council Office, that track the language of the motion. Mr. Lar - - - I don't read it as directing Mr. Larkin specifically to do anything. So the

argument that the appeal was somehow dismissed for failure to file a subsequent application, I'm really not following that.

Councilman S. Jenkins: Alright now I'm not going on the actual (inaudible). I'm not talking about the application now, I'm talking about it seems to me, we've been asked to give an advisory opinion. We're being asked to talk about a road that's never been built. We've been asked to say that that road is okay. It has never been built. We've been asked to say that it will meet certain stipulations, and the road had never been built. Its sounds like the cart before the horse type scenario to me. Now how can I say your road is alright, and you never built the road. And I'm saying I'm not (inaudible), I mean I'm either going to affirm the MPC, because they MPC has said 'NO'. Or, I'm going to be looking at why should this be something we decide because it's really in my opinion, you're asking for some kind of advisory opinion, and that's not what we do. That's not what we do. That's not what the Council does. You need to go maybe ask some engineers or something about if your road is alright. If this stuff is done, that will the road be okay. But to ask me to approve a road that's never been built defies all logic to me right now.

Ms. Scott: Well again, I believe what the request was for, and it as gone very far field from what may have initially been before the Planning Commission. But the question that's being asked simply in my mind is if I build a roadway, will you give the permits? Well no, you're absolutely right. The Council can't tell him that because again, that is left to the discretion of the Planning Director under the terms of that stipulation. The only thing that the Council can tell him is again, you build the roadway, provide the certifications, you have the right to ask the Planning Director to issue the permits. That's it.

Councilman S. Jenkins: Okay, well I see - - - well, lets do it this way.

Councilman O. Jenkins: Its right in line with your question.

Councilman S. Jenkins: But hold - - - but I understand, but if Councilman Webb is willing to defer to you, he's been up.

Councilman Webb: In the MPC meeting, and I know you've read the minutes, and what not. Was not Stipulation No. 3 available to Mr. Larkin to if he was ever to go in and sign it, and was that not partially the reason or maybe 'the' reason why his appeal or remand back to the MPC was denied again? Or maybe Jambor might be better to answer that.

Ms. Scott: I believe there was some discussion about a request to modify Stipulation No. 3. Discussion and Roy can perhaps to speak to this, discussion during the first case by the Planning Commissioners, if they would ask Mr. Larkin to modify or that they would consider modifying Stipulation No. 3.

Councilman Webb: And you have never agreed to do so?

Ms. Scott: Not to my knowledge. I do know that there was never a request made to modify that Stipulation.

Councilman Webb: So we also have the option to uphold the MPC denial?

Councilman S. Jenkins: Right. You can affirm the MPC denial, or you can dismiss it, one out of the two of those, because what I'm simply saying is to come before us to approve a road that hasn't been built and to say to you that it would meet certain stipulations and it's never been built, that's not what we do. It's generally something that has been done, and someone has either said you are wrong or right, and you come to us for us to agree one way or the other, that you're wrong or right.

Ms. Scott: Mr. Jenkins: Let me say this since the Mayor indicated that we're dealing in total transparency, let me say this to the council. We do still have a lawsuit out there, however, the question that I would ask you all to ask yourselves is no matter what decision you make, what will be the impact of your decision if you should decide to uphold the MPC decision. Does that take away the right Mr. Larkin's right to build a roadway? Because what the MPC was asked to provide was also an advisory opinion on Stipulation No. 3.

Councilman S. Jenkins: And they said no.

Ms. Scott: They said, we're not going to provide you with an advisory opinion.

Councilman S. Jenkins: And I'm saying this body can uphold that decision. That's not what we do either. We do not give advisory opinions to people.

Ms. Scott: And the effect of that would be that under Stipulation No. 3, Mr. Larkin would still have the right to build his road.

Councilman S. Jenkins: And I think that's left into the hands of the party. They have to take it up from that point and deal with the courts. They've got their lawsuits out there. And somebody is going to sue somebody and somebody going to (inaudible) say that he

can't build it, somebody is going to say I can. All of that is something that's going to come into play anyway.

Ms. Scott: Correct.

Councilman S. Jenkins: We are not the judge.

Ms. Scott: And some of that right now is the subject of this lawsuit that has been filed, that was filed back in September. The plaintiffs have asked the court to do is to enjoin Mr. Larkin, Buchart-Horn and NLCOG from taking certain actions in regard to that roadway. Until there is an injunction actually issued by the court, then the applicant has the right to stand on and comply with Stipulation No. 3.

Councilman Shyne: Mr. Chairman, and I'm going to make my short.

Councilman S. Jenkins: We've got a certain batting order. I think we had Councilman Corbin who did press the button, then we got Councilman O. Jenkins, and then we got Councilman Shyne.

Mayor Glover: Mr. Chairman, can I ask one question or make one request rather?

Councilman S. Jenkins: Okay Mr. Mayor, what you got?

Mayor Glover: And that is just for the sake of the public as well as the record, there has been an consistent reference to Stipulation 3. I'm not sure that that has yet been an articulation of exactly what Stipulation 3 is, just so that those who are not privy to the inside information that the Council and others may have with regards to this process, that they would know exactly what that mean as well. That is that simple Mr. Chairman.

Councilman S. Jenkins: Do y'all want to finish addressing this first and then let us read-- We'll finish the questions, we'll let the Clerk read Stipulation No. 3 so that the public will know what's going on, and then we'll come back around to our city attorney for some further questions. Do we have it? Alright we've got Councilman Corbin, Councilman Oliver Jenkins and Councilman Shyne.

Councilman Corbin: Thank you Chairman Jenkins. My concern is that we keep going in this circle, and our discussion (inaudible) from some of the audience and the public today, we are approving a road. And the Council does not approve roads, we're not approving a road, and what is before us today is only Stipulation No. 3. and I think we need to keep that clear. We're not saying yes you can build a road, we're not saying no you can't build a road. The question is simply what does Stipulation 3 say and who is

the person who says when that's satisfied. And as we discussed yesterday, I believe this got off track when the Executive Director of the MPC or the Planning Director of the MPC did not answer the question when it was asked of him, when it went to the MPC. Then it was appealed to us, then we remanded it. Its come back to us. But again, we're not - - - what's before us does not say yes you an or no you can't, build any type of road. That's not a decision that we make. Its clearly what Stipulation No. 3 say.

Councilman Webb: That's not part of the appeal.

Councilman Shyne: That's right, that's not part of the appeal.

Councilman Corbin: That's the entire appeal, Stipulation No. 3.

Councilman O. Jenkins: Okay, we were to dismiss this, does that open us up as a city or a council for any liability in terms of a lawsuit.

Ms. Scott: Other than saying it may, that's the best answer I can give you. Again, whether or not either one of the parties or anyone else will choose to sue us, its (inaudible) litigation, I don't know. That's the best answer I can give you.

Councilman Shyne: Mr. Chairman, I'm ready. I kinda want to piggyback in on kinda what the Mayor said, kinda in a jokingly manner, and I'm not going to say mine in a jokingly manner. When he said, kinda worried him, cause you know I still got - - - I voted with him today. And Ms. Scott, I know you're an excellent attorney, but it kinda worries me that you work for the Mayor, and like Mr. Stonecipher said, there are some emails that would tie the Mayor in to this whole situation . And you know we all are human beings and its kinda - - - it kinda puts you in a bad position. Now you don't have to answer that, because I know you work for Cedric, and I know how Cedric is. He'll raise that left hand in a minute and send you a pink slip. Now that's what kinda worries me. And I know if I worked for Cedric, and if I knew what he wanted, I'd be trying my best to get it across in any legal terms that I can. But and I'm not saying that to say you're not excellent attorney, because you are. But in this particular situation, its pretty hard for me to base my decision or base my thoughts on or base my answer on, what you would give, because I know you work for Cedric.

Ms. Scott: No sir, I work for the Council as well.

Councilman Shyne: Well, now you might work for the Council, but you work more for Cedric than you do for the Council. And because Cedric hired you. I mean Cedric brought your name to the Council, and like somebody say I've been down here a long time. Of course I think you and I have been down here longer than Cedric. I'm also a

student of government from an academic standpoint and a practical standpoint. And you know what they're asking for if they can build this road. If they didn't have to come to us and ask us if they could build this road, they would have built it earlier. Now what the MPC said is lets wait. Because if they build this road, its going to impact 3132. You know I don't care what kind of legal jargon you come up with, its going to impact 3132. And we're trying to do what we need to do in order to save 3132. Now if they want to sue, let 'em sue. I mean I can base my decisions on somebody threatening to sue me because of what I might decide. I want the judge to understand that my decision was based on, I want to get the information back and of course, from the study. I mean why have a study? I mean why have this study, and we can let them go head on and build a road? I think we need to wait until we get the study back, to see what we need to do. Because I'd hate for us to let them go and do what they need to do, and then we have no recourse on building 3132. 3132 is too important. It's more important than the \$12,000,000 that he has invested out there already. He did that on his own. We didn't tell him to go and invest \$12,000,000 in doing what he was doing. It was understood that 3132 would eventually come through that area. Anybody developing that area should have known that, because we had a bond issue in relation to that. It wasn't that the city just jumped up Ms. Scott out of thin air and wanted to do 3132. I mean Mr. Stonecipher got up early to say he has some email that would document between the Mayor and the attorney from Bossier, in relation to this, and killing this project. Now if you know I don't believe Mr. Stonecipher would have gotten up and said that if he did not have the documentation. Because then that would have been false and it would be misleading. I don't think he would have done that. So I think we need to go head on and make the decision. We can either table this, I think the Chairman used the word what? Postpone.

Councilman Webb: That's the same as table.

Councilman Shyne: Well I mean he used the word postpone, but I'm going to say table. Because when you table it, tabling it is a little bit longer than postponing something when you're down on the Council. Or either - - - what was the ones you said?

Councilman S. Jenkins: Or either affirm the MPC.

Councilman Shyne: Yeah, uphold the ruling of the MPC. So, I mean we can legally do and no judge is going to sue us for tabling a piece of legislation that comes before the City Council, if so, we could get sued all the time. So I really think that we have those two options Council, to either confirm the ruling of the MPC. We've spent hours looking at this. We even sent it back to 'em and I guess we sent it back to 'em telling them, now look we want you to work out something so that it will be in favor of so and so and so. It didn't happen that way. They said, hey look, we need to hold up on this.

Until we can get the study back. So Mr. Chairman, I would hope that we would in a minute look at voting on this piece of legislation.

Councilman S. Jenkins: Now we did ask the City Attorney to come up, she didn't volunteer. I don't want you to feel like we brought up here and (inaudible).

Councilman Shyne: That's what happens. That's part of the process.

Councilman S. Jenkins: (Inaudible) then we'll ask you to come up. This is what we'll do. Mayor Glover, we're going to give you an opportunity sir to put your input into it, and I think we ought to be at a point where hopefully Council is ready to make a decision.

Councilman Shyne: Right, and I think we are.

Councilman S. Jenkins: Alright, Mayor Glover.

Mayor Glover: Thank you Mr. Chairman, members of the Council. You know I'm always amused when Councilman Shyne attempts to (inaudible) my character and reputation.

Councilman Shyne: It's amazing to 'em and you just do that at will to people.

Mayor Glover: Well I mean it lets me know that I'm always on the right side when - - -

Councilman Shyne: It lets you know I love you.

Mayor Glover: Whenever Councilman Shyne gets to serve as my anti-compass.

Councilman Shyne: And I love you as well.

Councilman S. Jenkins: The Mayor's got the floor.

Mayor Glover: Thank you Mr. Chairman.

Councilman Shyne: He doesn't have the floor to throw shots at me and I can't throw 'em back. Tell him, he has the floor as long as he doesn't be calling my name to throw some shots at me. When he does that I'm going to throw some back at him.

Councilman S. Jenkins: Lets do this Mr. Mayor.

Mayor Glover: Thank you Mr. Chairman, members of the Council. I certainly apologize for raising the Councilman's from District F (inaudible) so we will get focused.

Councilman Shyne: I accept your apology and I apologize for raising yours.

Mayor Glover: Oh no, you hadn't raised mine Mr. Shyne.

Councilman Shyne: And you didn't raise mine.

Mayor Glover: I'm perfectly delighted to be here with you.

Councilman Shyne: Okay, you hadn't raised mine.

Mayor Glover: Council Members, again I think that in the interest of brevity, I just simply want to make just a few points and allow you all to proceed with this matter as you choose. It certainly my hope that the Council would look to exercise what I think is the proper judgment in this particular matter, and allow this issue to be resolved by the City of Shreveport through the available means and mechanisms of the Shreveport City Council. But obviously that's a decision left to you all. But I also want to go all the way back to comments that were made earlier. Unfortunately by Mr. Stonecipher, as a part of unfortunately an ongoing pattern to attempt to mislead, to misdirect, to confuse, to mis and disinform unfortunately. He referenced a June of 2000 email. And obviously this is an email that is a public document that has been requested, supplied, and is available both for myself as well as from the individual that he referred to that sent it. So why it is that he chose to not share with you on detailed data that somehow that represents some sort of a super secret is a mystery to me, but I guess we'll find that out as these proceedings move forward through the courts or what have you. But he referenced an email from Bill (inaudible) that talks about how the very process that we're talking about right now would go forward, and that is anytime that you end up having a discussion about how it is that you extend a road, that you build a road, that you have to have the process that we're in the very midst of take place. And within that particular consideration, has to be the option of several different routes, as well as the option of not building. The email that Mr. Stonecipher makes reference to is one in which Bill (inaudible) says that of the potential routes, he wants to make sure because he had been aggrieved and I think appropriately so, but some of the media cover that had come out at that particular time, that at least one of the routes would include one that would take the extension of 3132 across Willis Knighton property. Now what other conspiracy Mr. Stonecipher draws from that, I guess we will find out going forward. But the bottom line of this entire situation is this. What I have contended, what this administration has contended from the very beginning is that the extension of 3132 and the building of Esplanade are not mutually exclusively. These are things that can take

place both at the same time with neither compromising the other. That was the position that I took with the Louisiana Department of Transportation when they refused to allow the necessary access from Flourney Lucas in order for this particular real estate development project to move forward, one that I believe is a desired, needed, and would make a significant contribution to the City of Shreveport and is tax based, and that we could move forward with the extension of 3132 going forward. Now in my estimation, the folks at Department of Transportation, overreacted attempted to overreach with their desire, never an acceptance or condition in terms of our initial discussions that we accept responsibility for any road systems. But it was always stated that these are two projects that are not in any way mutually exclusive. That they can both happen, they can both move forward. Now it's about the process of allowing that effort to go forward. Everything that has transpired since April of 2011 has proven and confirmed that. Mr. Stonecipher makes reference to the 1992 potential corridor which in fact my motion in April of 2011 did away with. To say exactly we recognize that this was identified as a potential corridor, it was never a corridor or a process that moved forward to a Stage 0 or a Stage 1, where property was acquired and ultimately being approved as the way in which you go forward with these efforts. What ended up happening because you do not yet have an approved corridor, those folks who own that real estate move forward with adding value to it as they have the right to do. It resulted in a portion of that corridor going through about \$15,000,000 worth of real estate, currently in the Twelve Oaks Subdivision. And so it was my direction and request that we look to initiate this study process that needs to be done in order to see how we go about extending 3132, which particular route and corridor it would take. Whether it would go through the city's existing 16 acres, and shift either eastward or westward or whatever would be appropriate, or take some other direction, and at the same time facilitate the appropriate development of high end residential real estate in Southeast Shreveport. That is essentially what this is about, from the administration's perspectives. What we have contended to the 3132 Coalition folks to the folks at Willis Knighton, is that those are problems and challenges that those of us who are in government have the responsibility and duty for trying to figure out how to work out. What we have always been told is Tim Larkin does not have the right to do this. We don't want to see this development move forward and what we want to see is a convoluted drawn out extracted, distracted, misinformed, misdirected, process that sends people all over the place like this city council, like the Metropolitan Planning Commission and like this community in general has been. Now Mr. Stonecipher says that (inaudible). Hadn't done so. Hadn't sent out a single email to anyone undermining or challenging, or impugning the character of Mr. Stonecipher or Mr. Elrod, or Mr. Shyne, or Mr. Bradford, or any of the folks involved. Have not created a website to put up continual updates where I'm putting out information, what have you. I have not published or bought ads in the newspaper, when the local legitimate media obviously no

longer chooses to focus the stories I want to see, and go ahead and run it in the newspaper anyway. I haven't done any of those things. But all of those things have been done to me and to others who are involved in this situation. So what you hear from me today will unfortunately be reported back and construed and conveyed by Mr. Stonecipher and his cohorts as being an attack on them. I offer to you that I'm not in a position to attack him or anyone. I'm just simply giving you the perspective, the opinions and the knowledge that I have as being one of the folks involved in this situation. Again, you have seen an effort to identify potential corridors as having been designated, agreed upon, approved routes for the extension of 3132. None of those were ever the case. That process takes place by what we are in the midst of right now. Also want to offer to you that you all within this very Council Chamber, had Dr. Kalivoda issue a letter at the Council's request specifically stating that the construction of this road would not in any way conflict with the construction of any of the potential scenarios for 3132. Now what you have had in an effort to convolute even that situation has been a tortuous extended, beaten down, bruised and battered questioning of Dr. Kalivoda to come up with the most unimaginable extreme scenarios under which you could end up having some particular straw to hold onto. Now what you also need to have some appreciation for in this particular situation is that everything that you have heard and reported to you today, has any semblance of truth is what you have a conspiracy that would exceed any that has been known to exist dating even back before Watergate. That somehow myself and folks inside the Department of Transportation in conjunction, with obviously my friend, my buddy, someone who I'm willing to tie my political as well as my criminal destiny to, Gov. Bobby Jindal, all have gotten together in some way to align this situation despite the fact that we have a nonprofit with endless dollars are willing to go and make every request, hire every lawyer, publish every story, create every website in an effort to try and show that there is something actually wrong. So, all I would ask is that some measure of common sense enter into this dialogue and this discussion, that what we have here is a situation that can more than be addressed and solved by those of us who have the responsibility of helping to lead and direct the efforts of the City of Shreveport. We have an opportunity to facilitate the extension of 3132, which we should do. If these process dictate that that's what should happen, and at the same time we have an opportunity to be able to add a significant real estate presence within this city, that adds to our tax base, brings additional people to our community and gives us more of the resources that we need in order to be able to address the challenges we have as a city. So with that Mr. Chairman, members of the Council, I will wrap up my comments.

Councilman S. Jenkins: Okay, thank you Mr. Mayor. Now this is what we'll do. I'll give each side in the appeal an additional three minutes (inaudible) if you want to take it. And then after that, I think we've done everything we could do to accommodate

everybody before it gets too late. So, Mr. Arceneaux, does your side wish to avail itself of an additional three minutes, hen after that we will do three minutes with - - -

Mr. Arceneaux: Mr. Chairman, I feel a little disadvantaged because I think Mr. Stonecipher has a particular thing he wants to say. I don't have anything, but I have no idea what he's going to say, and I would like the opportunity to respond to it.

Mr. Stonecipher: Thank you Mr. Chairman. Mr. Arceneaux, I really don't think this would be in any way this will be directed at you. So I think you'll be okay with it. I do want to say because we are obviously building a record for the lawsuit that we've already filed that I have not run for any political office. I'm not an elected official. I'm not any form of a public official. I'm a private citizen, I'm donating my time. I'm embarrassed that our mayor feels that what he just did again is in anyway appropriate, or that I in anyway deserve it. Having said that, a major part of our lawsuit is all about the degree to which Mayor Glover has chosen over the past 18 months to, and let me choose the word carefully for the record, to attempt to intimidate members of the public into silence, and we will not be silenced. So I will now pulling up the last point that I want to make that I chose in my earlier presentation, not to. But I will now. I would like for the council to ask the mayor when its appropriate in Council's opinion, instead of commandeering NLCOG to kill 3132, why didn't he come to this Council? The Charter is very clear. If the mayor wanted to attempt anything of that sort, he knew that he had to come through this council, and later when the council wanted to not accept ownership of three highways, he did. But only after he'd been public exposed. The last part of that is this. And I say it with true respect for Ms. Scott. When Mayor Glover chose not to come to the council in public and commandeer NLCOG in private to kill 3132, which for whatever reason benefited Mr. Larkin, when he did that, he chose a private attorney who is one of Mr. Larkin's. He chose a private attorney who is one of Mr. Larkin's attorneys. Who is a close friend of his, the mayor, who he had just appointed to the Port. He could have asked for advice and the work and the language and the drafting from Ms. Scott, or he could have asked for the newly hired attorney at NLCOG, Jerry Jones. Ladies and Gentlemen, there is no conspiracy any longer. Everything I've just said is in the record. All of those are the facts. And I would asked heartfelt of this City Council, please get answers to the questions I just posed. Thank you.

Councilman S. Jenkins: Mr. Arceneaux, did you want to avail yourself of this opportunity.

Mr. Arceneaux: You've been patient enough Mr. Chairman, I don't have anything to add.

Mayor Glover: Mr. Chairman?

Councilman Shyne: Somebody is going to have to rebut him.

Councilman S. Jenkins: Mr. Mayor, you got something brief that you want to bring to our attention?

Mayor Glover: I will just at the direction of the council, you let me know when you want answers to those questions that were just posed.

Councilman Shyne: Not now, not now. We'll wait till you get well Mr. Mayor.

Councilman S. Jenkins: We can entertain a motion at this point.

Councilman Shyne: To go back into regular?

Councilman S. Jenkins: No, no, while we're still under a suspension of the rules, I believe we can take up a motion, if there is no objection to that, we can entertain a motion on this MPC matter that's on our agenda. You're going to read Stipulation No. 3? After we have that, then we can certainly take up a motion on this MPC matter.

Mr. Thompson: Mr. Chairman this is Stipulation No. 3 from Ordinance No. 4724 of 2007 by the Caddo Parish Commission and this document has been certified by Jerry Spears who was then the Clerk.

*The Clerk read the following:*

New homes shall not be constructed except homes that front Railsback Road until documentation from the appropriate authorities having jurisdiction has been received by the Planning Director that clearly demonstrates to the satisfaction of the Planning Director that the Flournoy-Lucas entrance, bridge and boulevard from Railsback Road to Flournoy-Lucas Road has been completely constructed to in compliance with any and all local state and federal guidelines that may be applicable to said construction.

Councilman S. Jenkins: Is there a motion on the MPC matter?

Councilman Corbin: The appellant has appealed that portion of the September 5<sup>th</sup> 2012, decision of the MPC, declining to verify that a proposed roadway, when constructed in compliance with all applicable local, state and federal guidelines, will satisfy stipulation No. 3 in Ordinance No. 4724 of 2007 of the Caddo Parish Commission and other related ordinances. Stipulation No. 3 is a part of an ordinance that the MPC and its staff and the City are obligated to follow and to enforce. The Stipulation is clear and

unambiguous, and Stipulation No. 3 requires the Planning Director, not the MPC to make the verification. The MPC is not obligated to give an advisory opinion in this case or to state that it will do what it is required by law to do. Therefore I move to modify the decision of the MPC to state that the question asked by the applicant is an administrative question that should and will be decided by the Planning Director when documentation is presented to him after the roadway is constructed, and that is my motion.

MPC APPEAL - SP-11-09/PO38-07: Larkin Development North, L.L.C., and Larkin Development at Railsback, L.L.C., of a portion of the decision of the Metropolitan Planning Commission.

**Motion by Councilman Corbin, seconded by Councilman O. Jenkins to modify the decision of the MPC to state that the question asked by the applicant is an administrative question that should and will be decided by the Planning Director when documentation is presented to him after the roadway is constructed.**

Councilman Shyne: Mr. Chairman?

Councilman S. Jenkins: Hold it a minute. Your motion is to modify the decision of the MPC?

Councilman Corbin: Yes.

Councilman S. Jenkins: And that modification is what now?

Councilman Corbin: To modify the decision of the MPC to state that the question asked by the applicant is an administrative question that should and will be decided by the Planning Director when documentation is presented to him after the roadway is constructed

Councilman S. Jenkins: Alright. Discussion.

Councilman Shyne: Mr. Chairman, I love Councilman Corbin, I think he has the best of intentions, but I think he's way off base. The MPC has looked at this twice. None of this came up about - - - Councilman Corbin was the one who made the motion to send this back to the MPC, so that nothing in his motion was about the Director should make the decision. What was in his motion was that the MPC should make this decision. Now he comes up after the MPC didn't make the decision that he wanted made saying well, it wasn't for you to make it anyway. It was for the Administrator to make. You know and I hate to say this, but I guess I'm telling my age, but I guess y'all can look at me

and tell that I've been down here a long time, I'm getting a little wrinkled, and I'm getting a little grey, but we've never had this before. Where we going to modify something because the Administrator didn't make the decision. The decisions are supposed to be made by the MPC. That's why they appointed Mr. Chairman. The decisions are not supposed to be made by the Administrator. He's there to give guidance. He's there to give them direction. He's there to give them information if they need it. But he's not there to make the decision. The decisions are supposed to be made by the MPC. And I would ask my colleagues as well as we love you Michael, and this is nothing personal, this is professional. We need to vote this down.

Councilman Corbin: Mr. Shyne, I'd hate to let facts get in the way of a good story, but Stipulation No. 3 clearly states and that's what my motion does, is it says exactly what Stipulation No. 3 which was passed by the Commission, inherited by this council, and it clearly says that the Planning Director makes this decision. That's why I made the proposal that I've made, and I stand behind it.

Councilman Shyne: Mr. Corbin, don't you think the Planning Director ought to have enough sense to be able to read No. 3, and say, hey look this decision is supposed to be made by me and not by the MPC?

Councilman Corbin: Obviously he didn't.

Councilman Shyne: Obviously you could be wrong, and that's what it seems to be at this particularly point. That obviously you mean well Councilman Corbin. Well somebody say you don't even mean well. Councilman, I think you're way off. I love you, but I think you're way off at this particular point. I think we need to like the Chairman said, I think we need to either confirm the ruling by the MPC and not throw this back again. Because that's all we doing, we just throwing it back and forth. Lets do what we need to do and make a decision.

Councilman Webb: Thank you Mr. Chairman, I would like to make a motion to uphold the denial by the MPC.

Councilman Shyne: I'll second that.

**Substitute motion by Councilman Webb, seconded by Councilman Shyne to uphold the denial by the MPC.**

Councilman O. Jenkins: I do have a question. While there's a substitute motion, is there an opportunity for another substitute motion?

Councilman S. Jenkins: I think you can make as many as you want.

Councilman Shyne: Yeah, cause I'm going to make a substitute motion.

Councilman O. Jenkins: Okay, so I could potentially make a substitute motion to dismiss this? I understand Councilman Shyne's concerns.

Councilman Webb: And I'm going to second that motion for dismissal.

Councilman O. Jenkins: I understand his concerns and ideally mine will alleviate some of those concerns. So that's my motion.

**Substitute motion by Councilman O. Jenkins, seconded by Councilman S. Jenkins to dismiss.**

Councilman S. Jenkins: Which I think is appropriate. I don't think we're in the business of giving advisory opinions, and I believe this is what this thing is. We'll take 'em up in this order. And I believe everything that everybody's put out there is good, don't get me wrong, and in a way I think its going to get everybody back to the same point, just different routes.

Councilman Shyne: I'm glad to see him doing this. If I'd known he was going to make a motion to dismiss it, we could have cut out some of this (inaudible). Right, if I had known Oliver was going to do this - - -

Councilman S. Jenkins: When I got here at 3:00, that's what was on my mind. Alright, the motion that will be considered first, will be the motion by Councilman Oliver Jenkins, seconded by the Chair, for dismissal. If no further discussion- - -

Councilman O. Jenkins: Just one question procedurally. One could conceivably vote on all three in the affirmative?

Councilman S. Jenkins: If this one passes (inaudible), I think that (inaudible)

Councilman O. Jenkins: Conceivably, if it doesn't pass, you conceivably go to (inaudible).

Councilman Shyne: But if it passes moot. And we're going to vote with Oliver.

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Webb, Shyne, and S. Jenkins. 6. Nays: Councilman Corbin. 1.**

Councilman S. Jenkins: Alright, we're going to recess this meeting for about 10 minutes, and then we're going to come back.

**Brief recess 7:15 p.m. – 7:25 p.m.**

Mr. Thompson: Would you like for me to read it Mr. Chairman?

Councilman S. Jenkins: Yeah, read it just to refresh everyone on what its about.

*The Clerk read the following:*

**RESOLUTION NO. 177 OF 2012**

**A RESOLUTION TO REPEAL RESOLUTION NO. 172 OF 2012; ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA; TO AUTHORIZE THE RENEWAL OF THE LEVY AND COLLECTION OF THE ONE-FOURTH PERCENT SALES AND USE TAX THEREIN; MAKING APPLICATION TO THE STATE BOND COMMISSION IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

BE IT RESOLVED by the City Council of the City of Shreveport, State of Louisiana (the Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Louisiana R.S. 47:338.16, the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the City on SATURDAY, December 8, 2012 between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R. S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

City of Shreveport

(Sales Tax Renewal Proposition)

Summary: Five years, one-fourth of one percent renewal sales tax to be levied within the City of Shreveport, to be expended by the City of Shreveport for salaries, benefits, equipment and personnel for the Police and Fire Departments.

Shall the City of Shreveport, State of Louisiana (the "City"), under the provisions of La. R.S. 47:338.16 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, a renewal tax of one-fourth of one percent (1/4 %) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services, all as presently or thereafter defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 (an estimated \$10,600,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), within the corporate limits of the city of Shreveport for a period of five years beginning January 1, 2013 and ending December 31, 2017, with the avails or proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax) to be dedicated and used solely and exclusively for salaries, benefits, equipment and personnel for the Police and Fire Departments of the City of Shreveport?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in "The Times," a daily newspaper of general circulation within the City, published in Shreveport, Louisiana, and being the official journal of the Governing Authority, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the election, which Notice shall be substantially in the form attached hereto as Exhibit "A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority, acting as the governing authority of the City, shall meet at its regular meeting place, Government Plaza, Shreveport, Louisiana, on TUESDAY, DECEMBER 11, 2012 at THREE O'CLOCK (3:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners: Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or

such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, December 11, 2012 as provided in Section 3 hereof. All registered voters in the City are entitled to vote at said special election and voting machines shall be used thereat.

SECTION 6. Authorization of Officers. The Clerk of Council of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman and/or Clerk of Council of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Commissioner of Elections, the Clerks of Court and *Ex-Officio* Parish Custodian of Voting Machines in and for the Parishes of Bossier and Caddo, State of Louisiana, and the Registrars of Voters in and for said Parishes, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the aforesaid special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the renewal sales tax within the City of Shreveport provided for therein, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

BE IT FURTHER RESOLVED that Resolution No. 172 of 2012 is hereby repealed.

BE IT FURTHER RESOLVED that if any provision 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.

Mr. Thompson: This added some language to the Resolution 172 that was adopted earlier, at the direction of the State Bond Commission.

**Read by title and as read, motion by Councilman S. Jenkins, 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: None.**

Councilman S. Jenkins: Mr. Shyne is there a matter that you wanted to go ahead and take up now? A zoning matter?

Councilman Shyne: Yes, but I think you're going to have to add it to the agenda, and we'll get rid of it real quick. Cause it was not, it was unintentionally left off the agenda, so it was nobody's fault.

Councilman S. Jenkins: Alright Mr. Clerk, can you read that?

Mr. Thompson: Alright, this will be to add to the agenda.

*The Clerk read the following:*

**CASE NO. BAC-70-12**: Property located on the south side of Parkridge, 575' west of Hearne

Mr. Thompson: The applicant is requesting approval for a metal carport awning, 528 square feet in front of their home.

Councilman Shyne: Mr. Chairman, I move to add this to the agenda, and put us in a position to vote on this. I went out and took a look at it and I'm in favor of it. That they want to add kinda like a shed.

Councilman S. Jenkins: I'll second your motion to add it to the agenda. Is any person present who wishes to speak in support of adding this matter to today's agenda? Is there any person present who wishes to speak in opposition to adding this matter to the agenda? Hearing none, please vote.

**Motion by Councilman Shyne, seconded by Councilman S. Jenkins to add BAC - 70-12 to the agenda. Motion approved by the following vote: Ayes: Councilmen**

**McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

Councilman Shyne: Could we vote now Mr. Chairman to vote on it?

Councilman S. Jenkins Okay, this is a zoning matter where a lady in Councilman Shyne's district is wanting to add a carport.

Councilman Shyne; Yeah, a car shed.

Councilman S. Jenkins: And it was inadvertently left off the agenda. She received a notice to be here today, and she brought everything to show that she was supposed to be here today. Now we've added it to the agenda, so now.

Councilman Shyne: We're voting on it.

Councilman O. Jenkins: Okay, so my one question is were there any appeals to the?

Councilman Shyne: No, I talked to the neighbors in the neighborhood.

Councilman O. Jenkins: No, no. It was before the MPC right? I mean the ZBA?

Councilman Shyne; Yes.

Councilman O. Jenkins: Were there anybody, did anybody speak against it? My only concern is, if it hadn't been advertised, they might not have been notified to come here and speak against it.

Councilman Shyne: They were notified, because I talked - - - like I said, I talked to the people in the neighborhood that was next to her. And they knew that this was on - - - because it has been on the agenda before. On the - - -

Councilman Webb: What'd they do at the ZBA, when it was up there?

Councilman Shyne: They approved it, but she wanted three more feet. So this is an exception. Three feet is about like this. I went out there and took a look at it.

Councilman Webb: Three feet where?

Councilwoman McCulloch: Well if she's in the right of way - - -

Councilman Shyne: No, she's not in the right of way. She's still in her yard. She's not in the right of way, there's no safety hazard or nothing like that. She really didn't ask for enough in the beginning.

Councilman S. Jenkins: Well the question is, is that in a position to be taken up today?

Mr. Thompson: As far as we can tell Mr. Chairman, she's appealing the stipulation, and she wants to be able to build it as she proposed to build it. That's what it appears to us.

Councilman Shyne: I went out and looked at it. Its in my district. I talked to the people around her. They have no problem with it. And its not a safety hazard. So my recommendation to the council is to give her that exception. Now it's left up to you whether you want to vote for it or vote against it.

Councilman O. Jenkins: And I'm not proposing to vote against it Mr. Shyne, I'm just proposing that we delay it until we can actually read what the implications of this is. Because it may be - - -

Councilman Shyne: Would you read the implications of it, so the lady won't have to come back down here.

Mr. Thompson: I'm not really sure that I understand, and I talked to Mr. Jambor, and I'm not sure if he understands why its before us.

Councilman Shyne: Mr. Jambor, would you come up please?

Councilman O. Jenkins: Joe, I'm not disagreeing with you.

Councilman Shyne: I understand, but we're just really wasting time on something ain't worth ten cent.

Mr. Jambor: Well like I said, had it been a variance that was approved, had it not been appealed, it wouldn't be in front of you, okay. Because it's not on the agenda, I don't have the case file, and can't speak to the stipulation that she wants to appeal her own approval on so to speak. So the problem is I can run upstairs and get it, or you can act on faith.

Councilman Shyne: Right, it was approved, but she wants a variance of three more feet. Like I said, I went out and looked at it. I have no objections as the councilman in that are in order to give her that three more feet. Its not a safety hazard, I talked to her neighbors, her neighbors have no objection to it.

Mr. Jambor: And that may well be true, I just don't know.

Councilman Shyne: Well, let me say this. I almost said, shit, why would I sit here and lie.

Mr. Jambor: No, no. I'm not - - -

Councilman Shyne: I mean when you said that might be the truth.

Councilwoman McCulloch: Councilman Shyne? Councilman Shyne.

Councilman Shyne: I know it's the truth, because I talked to the neighbors.

Mr. Jambor: I don't have the record.

Councilman Shyne: Right now he doesn't have the record, but he doesn't know whether it's the truth or not.

Councilman S. Jenkins: I think the only hesitancy is - - -

Councilman Shyne: Don't think I'd sit here and lie.

Councilman S. Jenkins: We're trying to figure out from procedural standpoint, can we go on and take it up.

Councilman Shyne: Yeah, well lets do that. Don't sit here and try to figure out whether I'm telling the truth or not.

Ms. Glass: There's not a procedural reason why you cannot take it up other than the public meeting's law requirement that you need a unanimous vote to add it to the agenda.

Councilman S. Jenkins: Which we've already done. Alright, I second Councilman Shyne.

Councilman O. Jenkins: Okay. It was mailed out to her, right? So if anybody had appealed the decision or something, something would have been mailed out to them as well. Okay, so I, I mean, you don't have any reason to believe why that wouldn't be done in this case? Okay, then I'm good with it.

Ms. Glass: Mr. Chairman, just to clarify what Mr. Shyne wants. He said she wanted three more feet. From what we're looking at right here, it says that the Board voted 7-0

to approve variances of 12 feet in the front yard setback, then the side yard setback. The size of the detached accessory structure to permit a 528 square foot carport, and then its subject to the following stipulations. So I'm not sure if its three more square feet?

Councilman Shyne: No, it's not three more square feet. Its three more feet out front. Add three more feet onto the 12. So instead of 12, it would be 15.

Councilman O. Jenkins: 15 or 9?

Ms. Glass: So you want to modify the decision of the ZBA?

Councilman Shyne: Huh?

Councilman O. Jenkins: 15 feet or 9. So it's more setback or less setback?

Mr. Jambor: That's why it usually helps to have the drawing.

Councilman Shyne: Do you have a copy of the drawing? Let me show Oliver. Oliver, this is it right here. Okay, let me show you. The building is going to stop right here, which is 12 feet. She wants three more feet so it will come here. So it will cover her car.

Councilman O. Jenkins :And where is the street?

Councilman Shyne: The street is down here. It's not a safety - - -

Councilman O. Jenkins: It's not a distance between the street and the structure?

Councilman Shyne: It is a distance between the street and the structure.

Councilman O. Jenkins: Is that why she's asking for a variance?

Councilman Shyne: She's asking for a variance so she can cover her car.

Mr. Jambor: The setback is typically from the property line to the face - - - outermost face of the structure. So that's how we measure it.

Councilman Shyne: I tell you what. If you want us to, we can hold up and let you go out and take a look at it, and

Councilman O. Jenkins: No, he can bring down the - - - if he just brings down the record, he's got upstairs.

Councilman Shyne: Look the record is going to show what I just got through showing you, which is three feet. She's asking for three feet. Now if you're not satisfied with that, we'll postpone it and let him go out and take a look at it.

Ms. Glass: I think I got the clarification. You would modify the decision of the ZBA to approve the variance for 15 feet in front yard setback instead of 12.

Councilman Shyne: Right.

Ms. Glass: I wasn't sure if it was square or the setback.

Councilman S. Jenkins: Okay, so that's your motion?

Councilman Shyne: Yeah.

**Motion by Councilman Shyne, seconded by Councilman S. Jenkins to modify the decision of the ZBA to approve the variance for 15 feet in front yard setback instead of 12. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

Councilwoman McCulloch: Are we still on air Mr. Chairman?

Councilman Jenkins: Yes. I hope our students at Centenary have gone to bed.

Councilman Shyne: Naw, they're still up.

Councilman S. Jenkins: Alright, lets do this. Lets entertain a motion to go back into regular session.

**Motion by Councilman O. Jenkins, seconded by Councilman Corbin to reconvene into regular session. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

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

## **Reports**

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

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

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

EMS Transports Report (*Res 239 of 2010*)

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

**Public Hearings:** 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.

Mr. Thompson: Mr. Chairman, we have several items to be added to the agenda. The first four we discussed yesterday, they are ordinances which will take funds from the Streets Special Revenue Fund for two projects. One was for David Raines and the other is for Audrey Lane. The amount is \$50,000 each. There is a Capital Improvements Budget Ordinance, which is No. 1. There is also a Street Special Revenue Fund Ordinance which is No. 2, both of those relate to David Raines. And No. 3 is a Capital Budget relating to Audrey Lane and No. 4 is a Streets Special Revenue Fund ordinance relating to Audrey Lane.

*The Clerk read the following:*

1. **Ordinance No. 151 of 2012**: An Ordinance amending the 2012 Capital Improvements Budget, Appropriating the Funds authorized therein, and otherwise providing with respect thereto (David Raines)

2 **Ordinance No. 152 of 2012**: An Ordinance amending the Budget for the 2012 Streets Special Revenue Fund, appropriating the funds authorized (David Raines)

3. **Ordinance No. 153 of 2012**: An Ordinance amending the 2012 Capital Improvements Budget, Appropriating the Funds authorized therein, and otherwise providing with respect thereto (Audrey Lane)

4. **Ordinance No. 154 of 2012**: An Ordinance amending the Budget for the 2012 Streets Special Revenue Fund, appropriating the funds authorized (Audrey Lane)

**Motion by Councilman McCulloch, seconded by Councilman S. Jenkins to add Ordinance No(s) 151, 152, 153, and 154 of 2012 to the agenda.**

Councilman S. Jenkins: Is there any person present who wishes to speak in support of adding these items to today's agenda? Is there any person present who wishes to speak in opposition to adding these items to the agenda? Alright, no discussion, please vote.

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

*The Clerk read the following:*

1. **Resolution No. 179 of 2012**: A resolution ratifying the execution of an agreement with the United States Department of Commerce or an agency thereof relative to receipt of an Economic Development Initiative Grant and to otherwise provide with respect

2. **Resolution No. 180 of 2012**: A resolution authorizing the placement of a sign on city-owned property and to otherwise provide with respect thereto

Councilman S. Jenkins: Is there any person present who wishes to speak in support of adding these items to today's agenda? Is there any person present who wishes to speak in opposition to adding these items to the agenda? Alright, no discussion, please vote.

**Motion by Councilman Everson, seconded by Councilman McCulloch to add Resolution No(s) 179 and 180 of 2012 to the agenda. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

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

Confirmation and Appointment: None

### **Consent Agenda Legislation**

#### **To Introduce Routine Ordinances and Resolutions**

**Resolutions:** None.

**Ordinances:** None.

#### **To Adopt Ordinances and Resolutions**

**Resolutions:** None

**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 169 OF 2012**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND SHREVEPORT DEVELOPMENT CORPORATION, HEREINAFTER CALLED “OWNER” AND ACTING HEREIN THROUGH DONNIE JUNEAU, MANAGER, FOR THE PRIVATE WATER AND SEWER MAIN EXTENSIONS AND RELATED FACILITIES TO SERVE TWELVE OAKS PROFESSIONAL PLAZA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, Shreveport Development Corporation, hereinafter called “OWNER” and acting herein through Donnie Juneau, Manager, desires to donate to the City of Shreveport the private water and sewer main extensions and related facilities to serve Twelve Oaks Professional Plaza; and

WHEREAS, these mains 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

WHEREAS, these lines are required to provide sufficient water volume and pressure to meet the requirements of the new development.

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 Shreveport Development Corporation, represented by Donnie Juneau, 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 September 11, 2012.

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: None.**

### **RESOLUTION NO. 170 OF 2012**

#### **A RESOLUTION ACKNOWLEDGING THAT THE CITY COUNCIL HAS REVIEWED THE 2012 INTERNAL “MUNICIPAL WATER POLLUTION PREVENTION REPORT” CONCERNING THE NORTH REGIONAL AND LUCAS WASTEWATER PLANTS**

WHEREAS, the state permits under which the North Regional and Lucas Wastewater Treatment Plants operate require an internal survey form to be completed annually and submitted to the City Council for review; and

WHEREAS, forms for the past year have been completed by City staff and are attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, as follows:

That the City Council acknowledges that it has reviewed the attached survey forms and that the sewerage system improvement work included in the recently approved general obligation bond issue is intended to maintain compliance with the conditions of the plants' permits, and that additional consideration will continue to be given to long term funding needs for treatment plant and collection system capital renewal programs.

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 S. Jenkins, seconded by Councilman Shyne to adopt.**

Councilman O. Jenkins: Discussion. I just want to confirm with the Chair, that he's satisfied with that audit having read it now, do you think it's in good shape for us.

Councilman S. Jenkins: I take it on faith.

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

### **RESOLUTION NUMBER 173 OF 2012**

#### **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 property described in Attachment "A-10" for the non-payment of City property taxes; and

WHEREAS, the purchasing agent has inquired of all City departments regarding the property described in Attachment "A-10" and has not received any indication that it is 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 property described in Attachment "A-10" is hereby declared surplus.

BE IT FURTHER RESOLVED, that pursuant to Section 26-301 of the Code of Ordinances, this declaration that this property is 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 Webb, 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: None.**

#### **RESOLUTION NO. 174 OF 2012**

#### **A RESOLUTION ACCEPTING DEDICATION FOR FAIRWOODS DRIVE, MAPLE GROVE AVENUE, AND WOODSONG LANE IN PROVENANCE PHASE II-UNIT B AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal,

and regular session convened, that the dedication for Fairwoods Drive, Maple Grove Avenue, and Woodsong Lane in Section 20, (T16N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Fairwoods Drive, Maple Grove Avenue, and Woodsong Lane be recorded in the official records of the Clerk of Court for Caddo Parish, Louisiana.

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 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 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 Everson to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

### **RESOLUTION NO. 175 OF 2012**

#### **A RESOLUTION ACCEPTING DEDICATION FOR FAIRWOODS DRIVE AND NEWBERRY LANE IN PROVENANCE PHASE II-UNIT A AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal,

and regular session convened, that the dedication for Fairwoods Drive and Newberry Lane in Section 20, (T16N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Fairwoods Drive and Newberry Lane be recorded in the official records of the Clerk of Court for Caddo Parish, Louisiana.

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 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 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: None.**

**RESOLUTION NO. 176 OF 2012**

**A RESOLUTION SUSPENDING CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES ON SUNDAY, DECEMBER 23, 2012 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AT 235 WALL STREET FOR THE STRANGE BREW'S, CUSTOMER APPRECIATION DAY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

By: Councilman Jeff Everson

WHEREAS, Strange Brew located at 235 Wall Street will host a Customer Appreciation Day on December 23, 2012 between the hours of 10:00 p.m. and 2:00 a.m.; and

WHEREAS, the establishment desires to dispense, and allow the consumption and sale of alcoholic beverages in this establishment, between the hours of 10:00 p.m. – 2:00 a.m.; 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, sale and consumption of alcoholic beverages at The Strange Brew, 235 Wall Street, on December 23, 2012 for Customer Appreciation Day.

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 December 23, 2012 for the Customer Appreciation Day, between the hours of 10:00 p.m. - 2:00 a.m., at Strange Brew, 235 Wall 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, and S. Jenkins. 6. Nays: Councilman Shyne. 1**

#### **RESOLUTION NO. 179 2012**

#### **A RESOLUTION AUTHORIZING THE PLACEMENT OF A SIGN ON CITY-OWNED PROPERTY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, Section 78-139 (a) provides that no person shall occupy or construct any building or improvement of any kind upon the streets, sidewalks, neutral grounds, or other public lands in the city, without special permission being granted therefore by the city council; and

WHEREAS, the Greater Shreveport Chamber of Commerce has requested authorization to place a 5' x 10' monument styled sign within the right of way of the Buncomb Road entrance into the Shrevepark Industrial Park as shown on Attachment 1, attached hereto and made a part hereof; and

WHEREAS, the request has been reviewed and is favorably recommended by the City Engineer's office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the placement of a 5' x 10' monument styled sign within the right of way of the Buncomb Road entrance into the Shrevepark Industrial Park as shown on Attachment 1 is hereby approved subject to receipt and approval of any and all permits required for such placement by applicable provision of the City of Shreveport Code of Ordinances.

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 McCulloch to adopt.**

Mr. Sibley: And Mr. Chairman, just for the record, I'd like to pass the Council the drawings that show the actual sign, the location (inaudible) Chamber.

Councilman Everson: And did we determine the question that there was yesterday? There was something about an issue that y'all wanted to clarify.

Mr. Sibley: It was and we're taking the conservative route by asking the Council to go ahead and pass the resolution (inaudible) no matter what.

Councilman Webb: (Inaudible) benefit that park too, in being recognized in where its at and for future growth and everything as well.

Councilman Everson: It's going to look great.

Mr. Sibley: And for the record, there's already one on the Bert Kouns side.

Councilman Webb: Yeah, they put it up backwards, you know that don't you?

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None**

**Introduction of Resolutions (*Not to be adopted prior to October 23, 2012*)**

*The Clerk read the following*

1. **Resolution No. 178 of 2012**: A resolution authorizing the submission of the 2013 Annual Action Plan to the United States Department of Housing and Urban Development (HUD), and otherwise provide with respect thereto.
2. **Resolution No. 180 of 2012**: A resolution ratifying the execution of an agreement with the United States Department of Commerce or an agency thereof relative to receipt of an Economic Development Initiative Grant and to otherwise provide with respect thereto.

**Read by title and as read, motion by Councilman Everson, seconded by Councilman O. Jenkins to introduce Resolution No(s). 178 and 180 of 2012 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: None.**

**Introduction of Ordinances (*Not to be adopted prior to October 23, 2012*)**

1. **Ordinance No. 130 of 2012**: An ordinance amending Section 74-54 of the Code of Ordinances relative to Landfill Disposal fees, and otherwise provide with respect thereto.
2. **Ordinance No. 131 of 2012**: An ordinance amending the 2012 Capital Improvements Budget and to otherwise provide with respect thereto.
3. **Ordinance No. 132 of 2012**: An ordinance amending the 2012 Budget for the General Fund and otherwise provide with respect thereto.
4. **Ordinance No. 151 of 2012**: An Ordinance amending the 2012 Capital Improvements Budget, Appropriating the Funds authorized therein, and otherwise providing with respect thereto (David Raines)
5. **Ordinance No. 152 of 2012**: An Ordinance amending the Budget for the 2012 Streets Special Revenue Fund, appropriating the funds authorized (David Raines)
6. **Ordinance No. 153 of 2012**: An Ordinance amending the 2012 Capital Improvements Budget, Appropriating the Funds authorized therein, and otherwise providing with respect thereto (Audrey Lane)

7. **Ordinance No. 154 of 2012**: An Ordinance amending the Budget for the 2012 Streets Special Revenue Fund, appropriating the funds authorized (Audrey Lane)

**Read by title and as read, motion by Councilman Shyne, seconded by Councilman McCulloch to introduce Ordinance No(s). 130, 131, 132, 151, 152, 153, and 154 of 2012 to lay over until the next regular meeting.**

Councilman Webb: Question on this landfill fees. Is that an increase from what it was?

Mr. Sibley: Yes sir, and its based upon the contract with Republic. They have a CPI built in, so our guys are trying to match that increase in terms of the fees.

Councilman O. Jenkins: Does that affect the Bossier?

Councilman Webb: No.

Councilman O. Jenkins: That CPI index does not affect the tipping fees for the Bossier?

Mr. Sibley: As I appreciate it and Stan can speak to it, based upon our contract with Republic, in terms of the CPI and I'm not sure of the impact of that on the Bossier situation. I'll ask Stan to comment.

Mr. Harris: This will affect all commercial, doesn't affect any residents or anything like that. This is the cost that Republic services, they're basically telling the city the cost to us is going to increase, and we're just passing that on to anybody else who would use that service. Otherwise the city would be paying that cost.

Mr. Sibley: The nonresidential commercial.

Councilman O. Jenkins: And then are the residential rates staying the same?

Mr. Harris: I think the residents of the City of Shreveport don't have to pay anything, but I'll have to confirm that.

Councilman O. Jenkins: Now you can imagine what I'm going to ask next week, so give you a two week headstart.

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

**Introduction of Ordinances: (*To be adopted no later than December 15, 2012*)**

*The Clerk read the following:*

1. **Ordinance No. 133 of 2012**: An ordinance adopting the 2013 Capital Projects Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
2. **Ordinance No. 134 of 2012**: An ordinance adopting the 2013 Riverfront Development Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
3. **Ordinance No. 135 of 2012**: An ordinance adopting the 2013 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
4. **Ordinance No. 136 of 2012**: An ordinance adopting the 2013 Retained Risk Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
5. **Ordinance No. 137 of 2012**: An ordinance adopting the 2013 Metropolitan Planning Commission Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
6. **Ordinance No. 138 of 2012**: An ordinance adopting the 2013 Community Development Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
7. **Ordinance No. 139 of 2012**: An ordinance adopting the 2013 Grants Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
8. **Ordinance No. 140 of 2012**: An ordinance adopting the 2013 Shreveport Redevelopment Agency Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
9. **Ordinance No. 141 of 2012**: An ordinance adopting the 2013 Downtown Entertainment Economic Development Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
10. **Ordinance No. 142 of 2012**: An ordinance adopting the 2013 Golf Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

11. **Ordinance No. 143 of 2012**: An ordinance adopting the 2013 Airport Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

12. **Ordinance No. 144 of 2012**: An ordinance adopting the 2013 Water and Sewerage Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

13. **Ordinance No. 145 of 2012**: Adopting the 2013 Budget funding Contractual Services provided to SPORTRAN by Metro Management Associates, Inc., and otherwise providing with respect thereto.

14. **Ordinance No. 146 of 2012**: An ordinance adopting the 2013 Downtown Parking Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

15. **Ordinance No. 147 of 2012**: An ordinance adopting the 2013 Convention Center Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

16. **Ordinance No. 148 of 2012**: An ordinance adopting the 2013 Convention Center Hotel Enterprise Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

17. **Ordinance No. 149 of 2012**: An ordinance adopting the 2013 Debt Service Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

18. **Ordinance No. 150 of 2012**: Adopting the 2013 Streets Special Revenue Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Shyne, seconded by Councilman S. Jenkins to introduce and table Ordinance No(s). 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, and 150 of 2012. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

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

1. **Ordinance No. 111 of 2012**: An ordinance authorizing the lease of City-Owned property and to otherwise provide with respect thereto. (B/Everson) (*Not to be adopted prior to October 23, 2012*)

**Having passed first reading on August 28, 2012 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 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: None**

2. **Ordinance No. 115 of 2012**: An ordinance amending the 2012 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (*Property Standards*)

**Having passed first reading on September 25, 2012 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: None.**

3. **Ordinance No. 116 of 2012**: An ordinance amending the 2012 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (*Preliminary Estimates*)

**Having passed first reading on September 25, 2012 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman S. Jenkins, seconded by Councilman Webb to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

4. **Ordinance No. 117 of 2012**: An ordinance amending the 2012 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (*SPAR*)

**Having passed first reading on September 25, 2012 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 McCulloch to adopt.**

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

5. **Ordinance No. 118 of 2012**: An ordinance amending the 2012 Community Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on September 25, 2012 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: None.**

6. **Ordinance No. 119 of 2012**: An ordinance amending the 2012 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (*Reconciliation*)

**Having passed first reading on September 25, 2012 was read by title, and on motion, ordered passed to third reading. Read the third time in full 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: None.**

7. **Ordinance No. 120 of 2012**: An ordinance amending the 2012 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (D/Corbin) (*Linwood Ave*)

**Having passed first reading on September 25, 2012 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 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: None**

8. **Ordinance No. 121 of 2012**: An ordinance amending the 2012 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto. (B/Everson) (*SPAR Projects*)

**Having passed first reading on September 25, 2012 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 McCulloch to adopt.**

**Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

9. **Ordinance No. 122 of 2012**: An ordinance amending the Budget for the 2012 Street Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto. (D/Corbin)

**Having passed first reading on September 25, 2012 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 Corbin**

**AMENDMENT NO. 2 TO ORDINANCE NO. 122 OF 2012:**

Substitute the ordinance that was adopted in Amendment No.1 for the attached

Explanation of amendment:

This amendment corrects the title and replaces the entire Ordinance.

**Motion by Councilman O. Jenkins, seconded by Councilman Corbin to adopt Amendment No. 2 to ordinance No. 122 of 2012. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

**Motion by Councilman S. Jenkins, seconded by Councilman Corbin 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: None.**

10. **Ordinance No. 123 of 2012**: An ordinance declaring the City's intention to acquire full ownership of certain adjudicated properties for the Shreveport Commons Project, and otherwise providing with respect thereto.

**Having passed first reading on September 25, 2012 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 McCulloch to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

11. **Ordinance No. 129 of 2012**: Temporarily prohibiting the placement of electronic signs and variable message signs in any zoning district and otherwise providing with respect thereto. (C/O. Jenkins)

**Having passed first reading on September 25, 2012 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 Webb.**

Councilman S. Jenkins: I've got a little unreadiness with it. I just think there are a lot of consequences that involved with this legislation, and I just really think it needs to be looked at little bit more carefully before we put it out there. I think it's going to have some impact on not only Lamar and their business, but the people who are going to use their service. I would like to make a substitute motion to refer this legislation to our Planning and Infrastructure Committee, which Councilman Oliver Jenkins, you are a member of that committee and kinda go through it and maybe give it a little bit more thorough looking at before we move forward with it.

Councilman Shyne: Second then, I thought Oliver was going to second that.

Councilman O. Jenkins: Let me just so we're clear. Your concern does not affect the current billboards that are up. The current billboards are operating normally. So, our businesses that would be availing themselves, of those billboards today could still have an opportunity to avail themselves to those billboards for the next (inaudible). So, you may have concerns, but that one doesn't really impact this, because it's changed. Now, unless the argument is any new billboards, that would be put in place between the next 10 weeks, would limit businesses from availing them of that opportunity during that 10 weeks, that is in line with the reason. I just want to make it clear what we're saying to the fellow councilmen. Because my intent is to provide a pause here for any new ones that are erected, that we can do just initial study, so that we know where we want to go in the future. We do have the uniform development code, contract starting in January I believe, that would probably do further analysis. The intent of this hiatus, cause I don't like the term moratorium, this 10 week hiatus is just to prevent additional signage of this nature in the interim until we're sure that our current ordinance adequately protects both businesses and residents.

Councilman S. Jenkins: But what you've got before us though, we don't need to just think about billboards, there's all kinds of different electronic signs that - - - I've seen even some schools and churches are using that could be affected by what we are doing. That's why I say, I think we ought to give a good look, you know look at it real good and make sure that there are no unintentional consequences that come out of a moratorium like this.

Councilman O. Jenkins: And if you're advocating for it only on off-premise signs, I'm happy to amend it (inaudible).

Councilman S. Jenkins: But then are we singling out you know a company like Lamar that makes their living that way? We're treating them one way and we're treating other people with signs another way? I'd just like to have one good uniform approach to it. And what's wrong with taking a little time to take a look at it. The same kind of approach we took to (inaudible) to kinda give business people in the area and folks another look at it, and maybe we can come out of a discussion like that with some kind of consistence of how we're going to go forward. You know- -

Councilman O. Jenkins: And that is my intent on this 10 weeks, is to get those people.

Councilman S. Jenkins: But the unintentional consequence is going to (inaudible) You going to shut down some businesses.

Councilman Shyne : Yeah, it's kinda like Tom Arceneaux, I don't want him to think we're taking his business away from him.

Councilman O. Jenkins: Well we're not. His current business is still the same.

Councilman S. Jenkins: I said there are a lot of people using that kind of technology today.

Councilman Webb: Well, when were you planning on calling a meeting anyway?

Councilman Everson: We have one scheduled on the 22<sup>nd</sup>, yeah 22<sup>nd</sup> of this month at 2:00 p.m.

Councilman S. Jenkins: Is that a problem to add this to your agenda?

Councilman Everson: The primary thing that we have on the agenda that day is the street discussion. So that could take up an entire meeting, and then we could add this to the agenda, certainly but I don't know that we have time for a very lengthy discussion. But when we start making our agenda, I mean I have no problem doing that, I just think that it's a full conversation probably that we'll have anyway.

Councilman Shyne: Sam, I'll make sure I don't talk very long at the street meeting, and we won't be that long.

Councilman S. Jenkins: Well at least we can get some sense of direction as to which way you want to go with it. Even if it takes another setting to look at it. Just have some uniform approach.

Ms. Glass: Clarify your motion. You said your motion was to refer it to committee. Do you want to just postpone it on the Council's agenda while the committee looks at it, or you're not trying to remove it from the agenda?

Councilman S. Jenkins: Oh, absolutely not.

Ms. Glass: Postpone it and refer it to committee.

Councilman S. Jenkins: Yeah, postpone it and refer to committee.

Councilman O. Jenkins: Okay, my concern is in the interim while we put this postponement out there, that another sign is erected or to the dissatisfaction of some residents in the city. That's my concern. Any postponement I'd rather we had two weeks time say we should remove this hiatus, that's what we get out of that Infrastructure Committee meeting, I'd rather we come back and enact legislation that takes off, rather than give it another two weeks, month, of this window, where we're really not certainly some of our citizens are dissatisfied with the way the current legislation sits. That's my issue.

Councilman S. Jenkins: Okay Mr. Kane, my understanding was, when you all were discussing this yesterday, do you have another sign of the nature that - - - do you have another sign that's fixing to go up in the next two weeks of the size and nature of what Councilman Oliver Jenkins is talking about?

Mr. Joseph Kane: One thing you might consider and this, it's just not Lamar. It's four other companies in town that are doing digital billboards, and I'm the only one that's here. There's (Inaudible) with the Radio Group has six, Michael Grace with Ace Outdoor that has at least two. There's another company that has some in Greenwood and on top of that, you have the on-premise sign companies like Shreveport Neon and companies like that, that could be part of this conversation. Because that's going to affect their business. And you know you look at people like the banks, Red River bank, every location they have has a digital out front. OIB is doing the same thing. Churches are doing it. It needs to be a total group sitting down and talking this out and seeing what's going on and what standards are going out throughout the country. That's going to take some time. And those people have not been alerted to (inaudible) sign companies would be here. They don't know.

Councilman S. Jenkins: And I think the first thing we need to do is we need to look at what we are proposing to do in bring those people to the table.

Mr. Kane: That's why I thought if you had a workshop where you could bring these people together and some of the business people together and see where we're all at. I don't think we're all that far apart to be honest with you.

Councilman O. Jenkins: And just so we're clear, that's what I'm advocating. That is exactly what I'm advocating. I'm just saying until we get that done, I don't want another one. At least I have strong sentiment personally and from my neighbors and neighborhoods to not have any more erected until we have that discussion with all these people.

Councilman S. Jenkins: I don't think we're going to shut everybody down before we have something.

Councilman Shyne: Now Mr. Chairman, you do have the authority now to call a discussion on that anytime you want to. It doesn't have to go to if the Chairman of the Infrastructure Committee feels like he might not - - - you know the committee might not have time to discuss it, I mean you have the authority as the Chairman to say okay, I'm going to call a meeting for Friday or Thursday or for Monday, or for Wednesday, whatever day.

Councilman S. Jenkins: Alright, well lets do this. My motion at this point would be to postpone it and refer it to the Planning and Infrastructure Committee for their next meeting. If for some reason in the interim, and I'll get with the Chairman of that committee, for some reason interim, we have some time issues, then we'll make some other provision for it. I certainly don't think we're shutting people down while we're trying to discuss something like this. That is not my intention.

Councilman Corbin: Mr. Kane I know you've already walked back there, but I guess my question to you is if you have two permits that have been issued, is it appropriate for you to tell us where those permits were issued, or is that top secret information?

Mr. Kane: (Inaudible)

Councilman S. Jenkins: But we do know you're not fixing to do anything in the next two weeks.

Mr. Thompson: Mr. Chairman, for the record, he said it's proprietary information. We can't pick up what he's saying way over there.

Mr. Kane: Proprietary.

Councilman O. Jenkins: My question is if it's a permit that's been issued, obviously

Councilman S. Jenkins: We can look it up.

**Substitute motion by Councilman S. Jenkins, seconded by Councilman Shyne to postpone and refer to the Planning and Infrastructure Committee. Motion approved by the following vote: Ayes: Councilmen Everson, Corbin, Webb, Shyne, and S. Jenkins. 5 Nays: Councilmen McCulloch and O. Jenkins. 2.**

12. **Ordinance No. 124 of 2012: ZONING C-54-12:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the west side of Youree Drive, 82' north of Archer Avenue, Shreveport, Caddo Parish, LA **from SP-3(B-1) Commercial District to SPI-3-E(B-1), Commercial Corridor Overlay (Buffer Business Extended Use District Limited to "Retail Sales of Antiques, Jewelry, Clothing and Garden Relics" only,** and to otherwise provide with respect thereto. (C/O. Jenkins)

**Having passed first reading on September 25, 2012 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 McCulloch to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

13. **Ordinance No. 125 of 2012: ZONING C-55-12:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the east side of Linwood, 500' north of Flournoy Lucas Road, Shreveport, Caddo Parish, LA **from B-2, Neighborhood Business District to R-1D, Urban, One Family Residence District** and to otherwise provide with respect thereto. (D/Corbin)

**Having passed first reading on September 25, 2012 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 Shyne to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

14. **Ordinance No. 126 of 2012: ZONING C-56-12:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the east side of Linwood 300' north of Flournoy Lucas Road,

Shreveport, Caddo Parish LA **from B-2, Neighborhood Business District and B-3, Community Business District to B-3-E, Community Business Extended Use District Limited to “A plumbing office, warehouse with storage yard”** only, and to otherwise provide with respect thereto. (D/Corbin)

**Having passed first reading on September 25, 2012 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 Shyne to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

15. **Ordinance No. 127 of 2012: ZONING C-57-12:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the east side of Mansfield Road @ Intersection with Baird Extending 910’ south and east side of Mansfield Road @ Intersection with Ardis Taylor, extending 660’ south, Shreveport, Caddo Parish, LA **from I-1, Light Industry District to B-3, Community Business District**, and to otherwise provide with respect thereto. (E/Webb)

**Having passed first reading on September 25, 2012 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Webb, 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: None.**

16. **Ordinance No. 128 of 2012: ZONING C-59-12:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the north side of Greenwood Road, 172.5’ east of Metro Drive, Shreveport, Caddo Parish, LA **from B-3, Community Business District to I-1, Light Industry District** and to otherwise provide with respect thereto. (G/S. Jenkins)

**Having passed first reading on September 25, 2012 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman S. Jenkins, seconded by Councilman Webb to adopt. Motion approved by the following vote: Ayes: Councilmen McCulloch, Everson, O. Jenkins, Corbin, Webb, Shyne, and S. Jenkins. 7. Nays: None.**

*The adopted ordinances and amendments follow:*

**ORDINANCE NO. 115 OF 2012**

**AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET,  
APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND  
OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, the City Council finds it necessary to amend the 2012 General Fund Budget.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance 116 of 2011, the 2012 budget for the General Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations)

Property Standards

Decrease Other Charges by \$300,000

Increase Contractual Services by \$300,000

Adjust totals and sub-totals accordingly

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 116 of 2011, as amended, shall remain unchanged and in full force and effect.

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. 116 OF 2012**

**AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET,  
APPROPRIATING THE FUNDS AUTHORIZED THERIN, AND OTHERWISE  
PROVIDING WITH RESPECT THERETO**

WHEREAS, THE City Council finds it necessary to amend the 2012 General Fund Budget.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal

session convened, that Ordinance 116 of 2011, the 2012 budget for the General Fund Budget, is hereby amended as follows:

**In Section 1 (Estimated Receipts)**

**General Government**

Decrease Current Year Fund Balance by \$2,870,300

**Finance**

Decrease Sales Tax by \$7,065,000

**In Section 2 (Appropriations)**

**General Government**

Decrease Operating Reserves by \$9,935,300

Adjust totals and sub-totals accordingly

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 116 of 2011 as amended, shall remain unchanged and in full force and effect.

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. 117 OF 2012**

**AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET, APPROPRIATING THE FUNDS AUTHORIZED HEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2012 General Fund Budget to redistribute funds in SPAR's operating budget to account for mid-year adjustments and to reflect the current budget series.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 116 of 2011, the 2012 General Fund Budget, is hereby amended as follows:

**In Section 2 (Appropriations):**

**SPAR**

Decrease Personnel Services by: \$379,400

Decrease Other Charges by: \$50,000

Increase Materials & Supplies by: \$43,600

Increase Contractual Services by: \$41,900

Increase Improvements & Equipment by: \$343,900

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 116 of 2011 shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof shall be held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect with out the invalid provisions, items or applications; and to this end, the provisions of this ordinance are hereby declared to be severable.

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

**ORDINANCE NO. 118 OF 2012**

**AN ORDINANCE AMENDING THE 2012 COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND BUDGET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, the City Council finds it necessary to amend the 2012 budget for the Community Development Special Revenue Fund, to adjust appropriations, reflect current revenue estimates and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance Number 119 of 2011, the 2012 budget for the Community Development Special Revenue Fund, is hereby amended as follows:

**In Section 1 (Estimated Receipts):**

2011 and Prior –Year Funds:

Increase CDBG Entitlement by \$500,000

Increase HOME Entitlement by \$500,000

Increase WIA Grants by \$120,000

Increase State Treasury Cooperative Endeavor by \$20,000

**In Section 2 (Appropriations):**

From 2011 and Prior – Year Funds:

Increase CDBG Housing Programs by \$500,000

Increase Home Programs by \$500,000

Increase WIA Youth by \$120,000

Increase State Treasury Cooperative Endeavor by \$20,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof shall be 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 to be severable.

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

**ORDINANCE NO. 119 OF 2012**

**AN ORDINANCE AMENDING THE 2012 CAPITAL IMPROVEMENTS BUDGET, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, Article 7 of the City Charter provides that the appropriations set forth in the annual Capital Improvements Budget remain in effect until they are amended or the project is closed; and

WHEREAS, it is the intent of this ordinance to reflect changes to the original Capital Improvements Program Budget adopted by Ordinance 114 of 2011 for Fiscal Year 2012, which includes ordinances that were adopted prior to or following the adoption of Ordinance 114 of 2011, but were not reflected within Ordinance 114 of 2011.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that:

In Program A - Building and Improvements:

Increase the Total Program "A" Projects (All Years) Totals by \$76,300. Total Program "A" Projects (All Years) should be \$213,752,223 as of January 1, 2012. Ordinance 140 of 2011 was not reflected with the Adopting Capital Ordinance 114 of 2011 for 2012.

Project #400937 (10A001) should be \$4,237,500 and not \$4,161,200 as reflected in Ordinance 114 of 2011. FAMIS is correct. Ordinance 140 of 2011 increased the appropriations by \$76,300. The source of the funding increase was 2001A General Obligation Bonds (Sub-object #9892).

In Program B – Recreation Improvements:

Increase Total Program "B" Projects (All Years) Totals by \$355,000. Total Program "B" Projects (All Years) should be \$16,498,600 as of January 1, 2012. Ordinance 137 of 2010, Amendment #1 was not reflected with the Adopting Capital Ordinance 114 of 2011 for 2012.

Project #402495 (10B005) should be \$175,000 as reflected in Ordinance 137 of 2010, Amendment #1. FAMIS is correct. Ordinance 137 of 2010 increased appropriations by

\$175,000. The source of funding increase was Downtown Entertainment Economic Development Special Revenue Fund (Sub-object #9998).

Project #404293 (12B002) should be \$180,000 and was not reflected with the Adopting Capital Ordinance 114 of 2011 for 2012. FAMIS is Correct.

#### In Program C – Street Improvements:

Increase Total Program “C” Projects (All Years) Totals by \$1,000,000. Total Program “C” Projects (All Years) should be \$53,594,288 as of January 1, 2012 and not \$52,594,288 as shown in Adopting Ordinance 114 of 2011. This increase reflects Ordinances 83, 91, 100, and 133 for projects 442061 and 445049 for 2011. FAMIS is correct.

#### In Program D – Drainage Improvements:

Increase Total Program “D” Projects (All Years) Totals by \$500,000. Total Program “D” Projects (All Years) should be \$31,936,505 as of January 1, 2012. Ordinance 15 of 2011 was not reflected with the Adopting Capital Ordinance 114 of 2011 for 2012.

Project #444042 (01D015) should be \$6,149,700 and not \$5,649,700 as shown in Adopting Ordinance 114 of 2011. Ordinance 15 of 2011 for \$500,000 was not reflected in 114 of 2011 Adopting Ordinance. FAMIS is correct. Ordinance 15 of 2011 increased appropriations by \$500,000. The source of the funding increase was 1999 GOB Prop. #10 (Sub-object #9941).

#### In Program E - Water Improvements:

Increase Total Program “E” Projects (All Years) Totals by \$222,600. Total Program “E” Projects (All Years) should be \$93,473,266 as of January 1, 2012. Ordinance 114 of 2011, Amendment #2 for Project #425330 (09E002) was not reflected in the Adopting Capital Ordinance 114 of 2011 for 2012 total. FAMIS is correct.

#### In Program F – Sewer Improvements:

Increase Total Program “F” Projects (All Years) Totals by \$200,000. Total Program “F” Projects (All Years) should be \$126,401,141 as of January 1, 2012.

Project #416388 (05F020) should be \$5,829,544 and not \$5,629,544 as reflected in Ordinance 114 of 2011. FAMIS is correct. Should read: Funding source remains

\$5,657,879 and not \$5,457,879 as shown from 2005 URB and \$171,655 from 2001 DHH State Revolving Loan.

In Program H – Airports Projects Improvements:

Increase Total Program “H” Projects (All Years) Totals by \$18,200. Total Program “H” Projects (All Years) Totals should be \$65,623,100 as of January 1, 2012.

Project #410415 (11H002) within Ordinance 90 of 2011 was not reflected for 18,200. FAMIS is correct.

In Program L – Transit Improvements:

Increase Total Program “L” Projects (All Years) Totals by \$254,550. Total Program “L” Projects (All Years) should be \$40,154,137 as of January 1, 2012.

Project #409359 (09L002), the 2009 Pedestrian Walkway, should be \$254,550. Please reinstate this project and reflect in Capital Adopting Ordinance 114 of 2011 as this grant project is still open with outstanding encumbrances and pending reimbursements from the FTA. FAMIS is correct.

Adjust totals and sub-totals accordingly

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. 121 OF 2012**

**AN ORDINANCE AMENDING THE 2012 CAPITAL IMPROVEMENTS BUDGET, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2012 Budget for Capital Improvements,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 114 of 2011, the Capital Improvements Budget, is hereby amended as follows:

In Program A (Buildings and Improvements):

Decrease funding for Police Property and Evidence Storage Facility (11A004) project by \$164,000 from 2011 GOB, Prop. 2; and,

Decrease funding for Municipal Auditorium Parking \$ 49,500.00 from 2003 GOB, Prop 3.

In Program C (Streets):

Decrease funding for Citywide Street Improvement Program \$ 190,000.00 from 2011 GOB, Prop 3 (Streets).

In Program A (Buildings and Improvements):

Increase funding for Cross Lake Patrol Facility (11A005) project by \$164,000 from 2011 GOB, Prop 2.

Establish a new project Shreveport Common Grand Avenue Street Promenade with an appropriation of \$239,500, funding source is \$49,500 from General Fund and \$190,000 from 2011 GOB, Prop 3 (Streets). The scope of this project is to design and construct improvements to Elvis Presley Boulevard generally in accordance with the 2011 Shreveport Common Vision Plan.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 114 of 2011 shall remain unchanged and in full force and effect.

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.

**AMENDMENT NO. 2 TO ORDINANCE NO. 122 OF 2012: AN ORDINANCE AMENDING THE 2012 STREET SPECIAL REVENUE FUND, APPROPRIATING**

THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

Substitute the ordinance that was adopted in Amendment No.1 for the attached

Explanation of amendment:

This amendment corrects the title and replaces the entire Ordinance.

**ORDINANCE NO. 123 OF 2012**

**AN ORDINANCE DECLARING THE CITY’S INTENTION TO ACQUIRE FULL OWNERSHIP OF CERTAIN ADJUDICATED PROPERTIES FOR THE SHREVEPORT COMMONS PROJECT AND OTHERWISE PROVIDING WITH RESPECT THERETO**

**WHEREAS**, the City of Shreveport, has a tax interest in the herein below described properties which have been adjudicated for the non-payment of City property taxes, said properties being more fully described below along with the names of the last known owners of record of the properties; and

**WHEREAS**, under La. R. S. 47:2236 et. seq. when property has been adjudicated to a political subdivision , the political subdivision may declare by ordinance that is intends to acquire a full ownership interest in the property; and

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Shreveport in due, regular and legal session convened, that it does hereby declare its intention to acquire the following properties in full ownership:

<b>Geographical #</b>	<b>Physical Address</b>	<b>Legal Description</b>	<b>Assessed Owner</b>
181437-014-004500	873 Texas Avenue	Lots 10 & 11, Block 1, TAL 5 Shreveport, W.R. Carter Sub.	Mooring Tax Asset Group IV, LLC
181437-014-002600	883 Texas Avenue	52.5 ft. in Block 1 TAL 5 Shreveport, W.R. Carter Sub.	GJ. Tax Sale Properties, LLC
181437-017-004600	41498 None	Lot 5 & NE’ly 9.4 ft. of lot 6, Tally Sub.	Shreve Town Corporation

**BE IT FURTHER ORDAINED**, that in accordance with La. R. S. 47:2236 (B) this ordinance shall be filed with the recorder of mortgages, who shall index the names of the tax debtor and the City of Shreveport as mortgagees.

**BE IT FURTHER ORDAINED**, that in accordance with La. R. S. 47:2236 (C) AND (D), notice shall be given to all persons whose interests the city intends to terminate, and notice shall be published in the official journal. Both notices shall state that the tax sale parties (defined by La. R. S. 47:2122) shall have sixty days after the date of the notice, if five years have elapsed from the filing of the tax sale certificate, or six months after the date of notice, if five years have not elapsed from the filing of the tax sale certificate, to redeem the property or otherwise challenge the acquisition in a court of competent jurisdiction.

**BE IT FURTHER ORDAINED**, that in accordance with La. R. S. 47:2236 (E), if the properties are not redeemed within said time limits, this ordinance shall become operative and the City of Shreveport shall acquire full ownership of the properties, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth above.

**BE IT FURTHER ORDAINED**, that in accordance with La. R. S. 47:2236 (E), the City shall file a notice in the conveyance records indicating that it has acquired full ownership of the properties in compliance with the statute.

**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.

## **ORDINANCE NO. 124 OF 2012**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE WEST SIDE OF YOUREE DRIVE, 82' NORTH OF ARCHER AVENUE, SHREVEPORT, CADDO PARISH, LA, FROM SPI-3(B-1), COMMERCIAL CORRIDOR OVERLAY (BUFFER BUSINESS) DISTRICT TO SPI-3-E(B-1), COMMERCIAL CORRIDOR OVERLAY (BUFFER BUSINESS) /EXTENDED USE DISTRICT LIMITED TO "RETAIL SALES OF ANTIQUES, JEWELRY, CLOTHING AND GARDEN RELICS" 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 397, Broadmoor Subdivision Unit 2, Shreveport, Caddo Parish, LA, property

located on the west side of Youree Drive, 82' north of Archer Avenue, be and the same is hereby changed **from SPI-3(B-1), Commercial Corridor Overlay (Buffer Business) District to SPI-3-E(B-1), Commercial Corridor Overlay (Buffer Business) Extended Use District limited to "retail sales of antiques, jewelry, clothing and garden relics" 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. 125 OF 2012**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF LINWOOD, 500' NORTH OF FLOURNOY LUCAS ROAD, SHREVEPORT, CADDO PARISH, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO R-1D, URBAN, ONE FAMILY RESIDENCE 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 Lot 6, Linwood-Flournoy Lucas Subdivision, Shreveport, Caddo Parish, LA, property located on the east side of Linwood, 500' north of Flournoy Lucas Road, be and the same is hereby changed **from B-2, Neighborhood Business District to R-1D, Urban, One Family Residence District.**

SECTION II: THAT the rezoning of the property described herein is approved as submitted.

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. 126 OF 2012**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF LINWOOD, 300' NORTH OF FLOURNOY LUCAS ROAD, SHREVEPORT, CADDO PARISH, LA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT AND B-3, COMMUNITY BUSINESS DISTRICT TO B-3-E, COMMUNITY BUSINESS/ EXTENDED USE DISTRICT LIMITED TO "A PLUMBING OFFICE, WAREHOUSE WITH STORAGE YARD" 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 Lots 3, 4, & 5, Linwood-Flournoy Lucas Subdivision, Shreveport, Caddo Parish, LA, property located on the east side of Linwood, 300' north of Flournoy Lucas Road, be and the same is hereby changed from B-2, Neighborhood Business District and B-3, Community Business District to B-3-E, Community Business/Extended Use District limited to "a plumbing office, warehouse with storage yard" 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.
2. The maximum height of anything stored in the "rock yard" shall be 8 feet

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. 127 OF 2012**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF MANSFIELD ROAD @ INTERSECTION WITH BAIRD EXTENDING 910' SOUTH AND EAST SIDE OF MANSFIELD ROAD @ INTERSECTION WITH ARDIS TAYLOR, EXTENDING 660' SOUTH, SHREVEPORT, CADDO PARISH, LA, FROM I-1, LIGHT INDUSTRY 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 property located on the east side of Mansfield Road @ intersection with Baird Extending 910' south and east side of Mansfield Road @ intersection with Ardis Taylor, extending 660' south, and legally described below, be and the same is hereby changed from I-1, Light Industry District to B-3, Community Business District:

TRACT 1 (North Portion / 12.027 acre tract): Begin at the intersection of the south R/W line of Baird Rd and the east R/W line of US Hwy 171 (Mansfield Rd), being the POB of the tract herein described: thence S87°18'8"E 425.92 feet along the south R/W line of Baird Rd; thence leaving south R/W line and along the arc of a curve to the right, (Delta=39°6'13", Radius=280 feet, Chord Bearing=S24°10'32"W 187.41 feet) a distance of 191.10 feet; thence S43°43'39"W 144.23 feet; thence along the arc of a curve to the left (Delta=13°47'8", Radius=220 feet, Chord Bearing=S36°50'5"W 52.80 feet) 52.93 feet; thence S29°56'31"W 1537.48 feet; thence N60°9'25"W 86.17 feet; thence N29°56'31"E 534.49 feet; thence N60°3'29"W 266.54 feet to the east R/W line of Hwy 171; thence N29°45'1"E 1223.14 feet along the east R/W line to the POB. TRACT 2 (South Portion / 9.999 acre tract): Begin at the intersection of the north R/W line of Williamson Way and the east R/W line of US Hwy 171 (Mansfield Rd) being the POB of the tract herein described: thence N23°30'59"E 1415.07 feet along the east R/W line of US Hwy 171; thence leaving said east R/W line S60°9'25"E 343.98 feet thence S22°57'23"W 195.73 feet; thence S28°6'33"W 159 feet; thence S29°27'8"W 143.64 feet; thence S24°5'54"W 127.65 feet; thence S21°25'20"W 145.70

feet; thence S23°22'36"W 127.32 feet; thence S22°44'57"W 175.17 feet; thence along the arc of a curve to the left (Delta=17°59'10", Radius=282.91 feet, Chord Bearing=S14°34'7"W 88.44 feet) 88.81 feet; thence S5°34'32"W 72.49 feet to the north R/W line of Williamson Way; thence N89°26'11"W 389.83 feet along said north R/W line to the POB; both tracts lying in Shreveport, Caddo Parish, LA.

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 conditions set forth by the LADOTD for access to Mansfield Road (US 171) as stated in the e-mail to Jeffrey Baird (dated 7-16-12 @ 2:47 p.m.) from Jim Hollier, P.E., District Traffic Engineer – 04 and attached to this ordinance as a scanned document.

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. 128 OF 2012**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTH SIDE OF GREENWOOD ROAD, 172.5' EAST OF METRO DRIVE, SHREVEPORT, CADDO PARISH, LA, FROM B-3, COMMUNITY BUSINESS DISTRICT TO I-1, LIGHT INDUSTRY 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 property located on the north side of Greenwood Road, 172.5' east of Metro Drive, legally described below, be and the same is hereby changed from B-3. Community Business District to I-1, Light Industry District:

A .325 acres M/L tract of land in Lot 17, JB Lewis Lands, Sect 18, T17N, R14W, Shreveport, Caddo Parish, LA; beginning 220 feet south and 1043.8 feet east of the NW

corner of Lot 17; thence Se (being S21°55'E) 118.6 feet for the POB; thence S56°11'E 364.4 feet to Greenwood Rd; thence SW along the west line of Greenwood Rd 54 feet; thence N58°47'W 127.6 feet to an iron stake; thence S31°13'W 39 feet to an iron stake; thence S89°50'W 59.8 feet to a stake; thence NW in a straight line 220.2 feet to the POB.

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. No stacking of vehicles shall be permitted and stored vehicles may be kept for a maximum of 90 days only.

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.**

1. **Ordinance No. 89 of 2011**: An ordinance amending and reenacting Chapter 74 of the Code of Ordinances relative to Solid Waste Collections, and to otherwise provide with respect thereto. (G/S. Jenkins) (*Tabled September 13, 2011*)
2. **Resolution No. 179 of 2011**: Authorizing Melba Yvonne Warr Baldwin located at 382 Cope Drive to connect to the water & sewer system of the City of Shreveport, and otherwise providing with respect thereto. (Near D and is not contiguous to the city limits.) (*Tabled Oct 11, 2011*)
3. **Resolution No. 222 of 2011**: Authorizing Lawrence Johnson Franklin Jr. and Elizabeth Fry Franklin located at 421 Bob White Lane to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. (*The property is located near Council District D, and is not contiguous to the City limits*) (D/Corbin) (*Tabled Oct 11, 2011*)

4. **Resolution No. 223 of 2011**: Authoring Lee Roy Stanley located at 419 Mohican Lane to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
5. **Resolution No. 226 of 2011**: Authorizing Frank G. Harris III located at 437 Bob White Lane to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
6. **Resolution No. 228 of 2011**: Authorizing Jeffery Charles Shamsie located at 414 Mohican Lane to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
7. **Resolution No. 229 of 2011**: Authorizing Joan E. Thoma located at 2036 Pepper Ridge Lane to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits) (D/Corbin) (Tabled Oct 11, 2011)*
8. **Resolution No. 230 of 2011**: Authorizing Henry Eugene Raines, Jr., and Gloria Jean Wingate Raines located at 3004 Nottingham Drive to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
9. **Resolution No. 231 of 2011**: Authorizing William Sidney Hunt and Gaynel Neyrey Hunt located at 10015 Nightingale Drive to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
10. **Resolution No. 233 of 2011**: Authorizing James Allan Bell and Betty Ann Kilpatrick Bell located at 3055 Dryden Court to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits)(D/Corbin) (Tabled Oct 11, 2011)*
11. **Resolution No. 241 of 2011**: Requiring the Chief Administrative Officer to offer the fair market value (and if accepted) to purchase the flood prone properties located at 8035 and 8037 Jewella Avenue by October 26, 2011, or to provide a report to the

council relative to this matter on that date and to otherwise providing with respect thereto. *(Tabled October 24, 2011)*

12. **Resolution No. 243 of 2011**: Authorizing James Michael Johnson and Kelly Renee Larry Johnson located at 352 Cope Drive to connect to the water & sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits) (Tabled October 24, 2011)*

13. **Resolution No. 244 of 2011**: Authorizing Byron Wayne Ruesch and Leslie Baldwin Ruesch Located at 369 Cope Drive to connect to the water & sewer system of the City of Shreveport and otherwise providing with respect thereto. *(The property is located near Council District D, and is not contiguous to the City limits) (Tabled October 24, 2011)*

14. **Resolution No. 248 of 2011**: Authorizing Claude E. Franklin and Mary Elizabeth Womack Franklin located at 442 Bob White Lane to connect to the water & sewer system of the City of Shreveport and otherwise providing with respect thereto *(The property is located near Council District D, and is not contiguous to the City limits) (Tabled October 24, 2011)*

15. **Resolution No. 249 of 2011**: Authorizing Jason Wayne Waltman and Kristy Mcgee Waltman located at 3028 Nottingham Drive to connect to the water & sewer system of the City of Shreveport and otherwise providing with respect thereto *(The property is located near Council District D, and is not contiguous to the City limits) (Tabled October 24, 2011)*

16. **Ordinance No. 25 of 2012**: An ordinance amending the 2012 Capital Improvements Budget, and to otherwise provide with respect thereto. *(Texas Street Turn Lanes) (B/Everson)(Tabled March 27, 2012)*

17. **Ordinance No. 81 of 2012**: An ordinance amending the 2012 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.*(Audrey Lane) (Postponed August 13, 2012)(Tabled August 28, 2012)*

18. **Ordinance No. 82 of 2012**: An ordinance amending the 2012 Budget for the Streets Special Revenue Fund, and otherwise providing with respect thereto. *(A/McCulloch) (Tabled August 28, 2012)*

## **Appeals**

## **Property Standards Appeals**

**PSD0900275:** 140 Pennsylvania Avenue, Shreveport, LA (C/Jenkins) Mr. & Mrs. Robert A. Powell, 819 ½ Boulevard Street, Shreveport, LA 71104 (B/Everson) (*Postponed August 13, 2012 until October 8, 2012*)

**PSD1000086:** 2837 Logan Street, Shreveport, LA (G/S. Jenkins) Ms. Carolyn Ivory Wilson, 3646 Del Rio Street, Shreveport, LA 71109 (G/Jenkins) (*Postponed July 23, 2012 until October 22, 2012*)

**PSD1000141** 728 Austin Pl, Shreveport, LA (B/Everson) Ms. Deborah Bryant, 9640 Tammy, Shreveport, LA 71106 (Caddo Parish) (*Tabled April 11, 2011*)

**PSD1100017** 3634 Sumner Street, Shreveport, LA (G/S. Jenkins) Mr. Roberto Strickland, 3740 Jackson Street, Shreveport, LA 71109 (G/S. Jenkins) (*Postponed September 10, 2012 until November 12, 2012*)

**HBO1100050** 3819 Bobbitt Place, Shreveport, LA (A/McCulloch) Ms. Cheryl Barnhardt, Jackson and McPherson, LLC., 1010 Common Street, Suite 1800, New Orleans, LA 70112(*Postponed July 23, 2012 until October 22, 2012*)

**PSD1100251:** 3631 Stonewall, Shreveport, LA (G/S. Jenkins) Mr. Charles Parson, 4308 Lakeshore Dr., Shreveport, LA 71109 (G/S. Jenkins) (*Postponed September 10, 2012 until November 12, 2012*)

**PSD12001000** 3545 Michigan Street, Shreveport, LA (G/S. Jenkins) Mr. Carl Colvin, 6618 Burke Street, Shreveport, LA 71108 (E/Webb) (*Postponed July 23, 2012 until October 22, 2012*)

**PSD1200016** 6938 Nevada Avenue, Shreveport, LA (G/S. Jenkins) Ms. Erika Thompson, 7517 Grass Valley Trail, Fort Worth, TX 76123 (*Postponed September 24, 2012 until October 22, 2012*)

**PSD1200158** 144 Ockley Drive, Shreveport, LA (C/O. Jenkins) Mr. Eric Schonfarber, P.O. Box 5262, Shreveport, LA 71135 (*Postponed September 24, 2012 until October 22, 2012*)

**PSD1200139:** 7233 Bethany Street, Shreveport, LA (C/O. Jenkins) Mr. Donald Harris, 1215 E. 73<sup>rd</sup> Street, Los Angeles, CA 90001-2403 (*NEW*)

## **Alcoholic Beverage Ordinance Appeals**

Mr. David Harmon, 453 Boulevard Street, Shreveport, LA (B/Everson) *Thrifty Liquor*,  
1401 Hollywood Ave., Shreveport, LA (F/Shyne)

**Metropolitan Planning Commission Appeals and Zoning Board of Appeals**

**Other Appeals**

**Taxi Appeal**

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

**Clerk's Report**

**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 8:40 p.m.

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*//s// Sam L. Jenkins, Jr., Chairman*

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