



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

*November 9, 2010*

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Bowman at 3:00 p.m., Tuesday, November 9, 2010, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Shyne.

The Pledge of Allegiance was led by Councilman Lester.

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

Councilwoman Bowman: Before we get any further, I would like to introduce the Council Members Elect that are here with us today. We have Starting on my left Council Member Jeff Everson who will be representing District B, here on my immediate left, we have Michael Corbin who will be representing District D, and we are expecting a couple more to join us today. So at this time, I will need a motion to approve the minutes.

**Motion by Councilman Shyne, seconded by Councilman Wooley to approve the minutes of the Administrative Conference, Monday, October 25, 2010, Council Meeting, Tuesday, October 26, 2010, Amendment No(s). 1 and 2 to Council Proceedings, Tuesday, October 26, 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Long. 1.**

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

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

Councilwoman Bowman: Is the Mayor here Dale?

Mr. Sibley: He'll be down shortly Madam Chairman.

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

Councilwoman Bowman: Okay, we will start with Councilman Walford. Do you have any distinguished guests that you would like to recognize?

Councilman Walford: We already recognized him Madam Chair, right here to my left. I'm going to pass the (inaudible), the budget book, you won't believe what I'm going to pass on.

Councilman Lester: Thank you Madam Chair, I got a note from Mr. Ivory Sloane, is he here?

Councilwoman Bowman: Council Member Elect Jenkins, that's not where you're going to sit today.

Mr. Sloane: Good afternoon everyone. Today, we came down, Calvin, won't you join us a minute?

Councilman Lester: Sure.

Mr. Sloane: We came down to recognize and also to thank Calvin Lester for starting the Senior Computer Class. These members with me were the very first Senior Computers in the City of Shreveport and I also would like for y'all if you get an opportunity to go to a Senior Computer Class Graduation, you want to feel good, it's (inaudible) to see the faces of some on the seniors when they receive their certificates. These ladies right here and I'm sorry that Ms. White and we lost Ms. Sims, but these ladies came down today to say thank you to Calvin Lester for starting the Senior Computer Class in Shreveport, LA. Mr. Shyne is holding a holding a history making calendar. This was the month that they received their certificates right here, and those are just some pictures that were taken while they were going through the computer class, and Calvin, we also got a special plaque that if you ever get full (inaudible) we got a plaque filled with love. Thank y'all so much.

Councilwoman Bowman: Thank you, congratulations Calvin Lester.

Councilman Wooley: I'd like to recognize Marshal Charlie Caldwell.

Councilman Shyne: I just want to recognize my friend and ex-City Councilman Tom Arceneaux, he spent some good days working for the City of Shreveport. And I was teasing Tom about when he was on the Council, he was a whole lot thinner than what he is now. He is about 40 lbs heavier now. If he had been that size when he was at LSU, he would have been playing football.

Councilwoman Bowman: I have this bell, when Joe is out of order, I usually - - -

Bell rings.

Councilman Shyne: Good to see you Tom.

Councilwoman Bowman: Councilman Shyne, in addition to that, I did see Phil Serio.

Councilman Shyne: Is Phil here? Where is Phil?

Councilwoman Bowman: There he is. Welcome.

Councilman Shyne: Phil put about eight years down here. Good to see you Phil.

Councilwoman Bowman: Art, I do have one question. Mr. Woods is here with Alpine, and did we put that on the agenda, or is it coming?

Mr. Thompson: It's to be added.

Councilwoman Bowman: It is to be added today?

Mr. Thompson: Yes.

Councilwoman Bowman: I just wanted to make sure that we corrected that, and Sammy, I'm going to give you a minute to come up, I know it was something you wanted to say, giving Mayor Glover time to get here.

Mr. Sammy Mears: Thank you Joyce and everybody. I just wanted to say Joyce, I've enjoyed coming down here getting to know you and the rest of the Council, thanks to Monty's encouragement. And I wanted to mention that I hope to stay in contact with everyone I possibly can and getting to meet everybody else. And for those who don't know I do a good Jim Crammer 'Boo Yah'! Thank you.

Councilwoman Bowman: Thank you Sammy.

Councilman Shyne: Make sure you stay close to Jeff now, since Monty will be off.

Mr. Mears: I will.

Councilwoman Bowman: Thank you Sammy, and we appreciate that. Nettie? Nettie Brown.

Ms. Nettie Brown: I promised not to talk too long if you let me come up early, I'm not going to talk long, I talked about this lots of times before. But I'm glad to know we have some of the new Council people here. You'll be seeing as the time goes on. The last time I was here, the two Council Meetings before, I passed out petitions that we circulated in classified service. Classified Service is other than the Civil Service and the Appointed

people. It was just a petition asking that you all take a look at our merit pay system as it has been written. We have a pay delivery associated with our evaluation. It has been ignored for years. And I wanted to do was ask you to take a good look at it, and help us on the Personnel Board and the other employees to get it implemented in the future. First of all, we're grateful to have jobs, we're grateful to get the 2% next year, we're grateful to have such fine people that serve us that help to serve the community, but we're still looking forward to having our pay delivery system put into place. There've been a couple of other guys, they're still at work, and they want to come up when they come in. Would you kinda let them in?

Councilwoman Bowman: I'll try to break the rules for you Nettie.

Ms. Brown: Thank you. Love all of you, and I look forward to loving (inaudible).

Councilwoman Bowman: Mr. Mayor?

Mayor Glover: Hello Madam Chair, how do you do?

Councilwoman Bowman: I'm fine, and we're in your hands.

Mayor Glover: Thank you Madam Chair, obviously, I take this opportunity to again welcome any and all who take time to come out and attend to be a part of these proceedings. We consider these to be special guests. I would however, like to take a moment to offer a moment of special recognition for Mr. Boston whose in back along with his lovely mother.

Councilwoman Bowman: Did you want him to come forward?

Mayor Glover: Absolutely, for a brief moment. We're going to recognize him more formerly at the first meeting in December. We won't burden the second meeting in this month, because we know that will be one of transition, but in the first meeting of December, Mr. Boston, Madam Chair, members of Council, members elect, is one of the most accomplished young men in all of Shreveport. He is someone who has done a lot, and has been acclaimed from all across these United States. In fact before yours truly had the opportunity to be mentioned in a publication that makes it around the country and around the world, Mr. Boston himself early this year was recognized as the Barber of the Year if I'm not mistaken for the entirety of the United States of America. He and one of our distinguished downtown businessmen, Mr. Sharez Henderson, also put on the annual Barbers and Beauticians Battle every year that takes place at the Shreveport Convention Center, but most recently Mr. Boston opened up a school of barbering. I believe Madam Chair, I'm not sure if it's your district or Mr. Shyne's district.

Councilman Shyne: It's probably mine. We are business friendly.

Bell rings.

Mayor Glover: And he brought his lovely mother with him as well, would you stand up please? His mother is one of our most prolific volunteers here in the Shreveport area, and very active and very engaged and we wanted to take a moment to recognize them today, but we'll do so as I said in a more formal fashion in the first meeting in December.

Councilwoman Bowman: I may not get this opportunity again, but I do want to congratulate you on all of your endeavors. I remember when you got a good start over on Murvon and you know that, that young gray-headed man over really thinks the world of you, and just want you to continue to succeed and continue along the path that you're traveling.

Mr. Boston: Yes Ma'am.

Councilwoman Bowman: It's been good knowing you. Thank you again.

Mayor Glover: Madam Chair, I want you to know that that gray-haired fellow you just made reference to on Murvon Street was there with Shawn and his mother and the rest of his family when we had the official ribbon cutting at his barbers college several weeks ago. Very, very proud of this young protégé without question. An example of exactly what you get back when you put into the lives of others.

Councilwoman Bowman: That's a good thing.

Mayor Glover: And we're very honored. Also Madam Chair, want to take a moment to offer formal recognition of the passing of the dearly beloved husband of one of our members elect, Mr. Louis McCulloch passed away this week and (inaudible). I've known Louis since I was a child, he was a contemporary of my oldest brother, and he went off to - - graduated from Green Oaks High School, went off to Grambling together, came back to Shreveport together and Louis lived an outstanding life. Giving to and again contributing to as well to the lives of the young people of this city. I believe at this point, arrangements have been finalized and as I understand it, family hour will be on this coming Friday I believe from 5 'til 7, at the first and I believe the last school that Louis taught at and also became the principal of, J. S. Clark Middle School there on Hearne Avenue. And then on Saturday morning at 11:00 at the Lake Bethlehem Baptist Church on MLK Drive. His service is there that morning, so we'll be there, so asking since I know Madam Chair, I know that you are a praying woman, I know so many are as well to lift Council Member Elect McCulloch up in prayer and not only her, but her fine children and the rest of her family as well. And also Madam Chair, I would be remiss if we did not mention that we had two additionally great Shreveporters that passed this week as well. Mr. John Baldwin who was one that I know that Mr. Shyne worked with at Linear and at Green Oaks, and he gave so much to so many. In fact I've been touched at the number of former classmates and friends who have sent emails with their remembrances and their recollections, and I don't know if arrangements have been finalized at this point for those services, but also the family of the founder of the Deaf Action Center. Funeral services will be on tomorrow, the name is escaping me right now, Betty Phillips will be held tomorrow at noon at B'Nai Zion,

and certainly we want to thank her and her family for all the gifts and contributions that they have made to Shreveport over the years. Thank you Madam Chairman.

Councilman Walford: Madam Chair, the services for John Baldwin are set for Saturday, at Holy Cross Episcopal, but when I left the office, they hadn't finalized the time. So, I'll check before we close today and perhaps we'll know.

Councilwoman Bowman: Council Member Elect Oliver Jenkins, we have a place for you here. Give these guys the opportunity to see what it's like up here and what we go through and what they're about to. And of course I certainly would like to mention this before we kinda get any further into the meeting. That technically, this is our last legal session, full legal session meeting. We have the 23<sup>rd</sup>, and what time do we come Arthur?

Mr. Thompson: We tentatively had said 9:00. The ceremony's, the inauguration and swearing in will be at 10:00 so, depending on how full the agenda is, we're not sure that 9:00 is going to be early enough. But we'll get with the Chair.

Councilman Long: 8:30.

Councilman Webb: We can come at 7:00.

Councilwoman Bowman: Wow Ron!

Councilman Walford: As long as there's coffee.

Councilwoman Bowman: Yeah, we'll need plenty of coffee that time of morning, but we'll get together and get that time together between 8:00 and 8:15. That would be a good time.

Mayor Glover: Madam Chair, also we've had an opportunity to discuss some tentative plans regarding the swearing in and inaugural purposes with Council Staff, and we look forward to sharing with the returning members and the current members and certainly with the incoming members as well before we can move forward with that, we certainly want their input as well.

Councilwoman Bowman: We'll get together and we'll do that. Certainly it has been a pleasure. Some of you might not believe that, but it has really been a pleasure to serve not only the citizens of District G, but the citizens of Shreveport as well. We might not have done everything according to your liking, but we did the best - - - and I'm speaking not just for myself, but some of the Council Members, the best that we knew how to do. If there are some things that you're not too pleased with, I suggest that you get with the new council. At this time, we're going to have Mr. Tom Arceneaux to come and give a report as it relates to Nationwide Parking.

*Nationwide Parking Services of Shreveport (Shreveport Regional Airport)*

Mr. Arceneaux: Madam Chairman, I think that Mr. Thompson is delivering reports, we delivered most of the text of our report by email this morning. Hopefully, you'll have a chance to review it. I want to go through a couple of things, but first today if I may take a moment of personal privilege Madam Chairman, to thank the members of the Council, for your service over the last some of you four, some of the you eight years. I've had the opportunity to work with all of you, and I have to say it was a great pleasure and the citizens of Shreveport were well served by those of you who have sat in these chairs the last four years, some of you the last eight years. I particularly thank Messrs. Lester, Walford, Long, Wooley, and you Ms. Bowman, as you leave. I will tell you what former Mayor Jim Gardner told me when I left the Council 20 years ago, it's hard to believe. He said, 'You're going to be amazed at the creative energy that's going to be unleashed.' He said, 'You don't realize it being put through other uses while you're serving the people and I know how that is, I do greatly appreciate the effort that you all have made, whether we agreed or disagreed, I do appreciate your time and your efforts. Mr. Webb and Mr. Shyne, you re-uped, what can I say? Can't get enough of it Joe. I also want to thank you on behalf of Blanchard, Walker, O'Quinn and Roberts, our law firm for the opportunity to serve the Council, the people of Shreveport and the City of Shreveport by having the opportunity to conduct this investigation. In the course of the investigation we had the opportunity to work closely with your City Internal Auditor, with the Clerk of Council and his staff, with the City Attorney's office, and I must say also with the Airport Director and his staff. As you know from reading the report if you've had a chance, there are some things and I will relate to you and they are somewhat critical of the Airport Authority, the Airport Director and the staff, and I want you to know that despite my conversations with Mr. Miller at no time, did they withhold anything, they were completely forthcoming and I think it's a credit to Mr. Miller's character and the character of the people on his staff even though they knew they were going to be in for some criticism, nonetheless they cooperated, and I wanted to express my appreciation. Lastly, I'm the one that gets to stand up here, but I want you to know there were two very fine young lawyers, one of whom is actually with one of my partners taking the depositions could not be here, Scott Wolf, but the other one is Jerry Edwards, Jerry, please stand up. We're very proud of Jerry. Jerry is an outstanding young lawyer, a superstar to be in the legal profession here and without their hard work, we couldn't have delivered this report to you today. As you know we conducted the investigation on your behalf pursuant to Section 4.29 of the Charter of the City of Shreveport which gives you the Council the power to investigate the official conduct of any office, department, commission, board or agency of the City government or of any officer or employee thereof. When we started on this endeavor back in the summer, late summer, you gave us six specific areas of inquiry. And we have tried to follow those areas and I'm going to go through those things. We obtained documents, we conducted interviews in person and on the telephone. We then followed up with people who sent emails. We sent emails, they emailed us back. We gathered more documents. At some point, we even listened to tape recordings of Airport Authority minutes, so that we could better understand what had gone on during those meetings. And we did have two persons that are mentioned in the report that declined to be interviewed. I don't think that they affect the conclusions that are reached in the report. If you want us to pursue those, you have subpoena power, we do not feel it necessary to reach the conclusions based upon what we saw to pursue those

things, but we are of course at your disposal should you choose to do that. Might be something you want to take up after the budget is determined and the new Council takes office.

Councilwoman Bowman: Just one minute, I do have one question. Did they say why they did not want to be interviewed?

Mr. Arceneaux: The two were Dr. Simpkins and Mr. Malpass. Mr. Malpass wanted to set some rules and regulations with the interview that we were not comfortable with, and so that's all he replied by email to the Airport Authority which was forwarded to us. Dr. Simpkins simply deferred because he did not want to be - - - he would be willing to do an interview with the entirety of the Airport Authority, but was not willing to be interviewed individually. In every other case, every person we asked made themselves available, visited with us however long we needed to visit, answered all of our questions. When we had follow up questions later on, they answered those questions. As far as I can tell candidly forthrightly, whether it put their ox in the ditch, or took their ox out the ditch, they were very cooperative. So I have to say that the people that we dealt with regardless of where they thought our conclusion were going, were very forthcoming and forthright in the decision. I'm going to go through some of our conclusions, and what I'm really going to do, I know that you have a very long agenda, so I'll try not to take any more of your time, unless it is your pleasure to do that. You each have a notebook. It has about 40 pages of our work that includes a timeline, it includes an 83 paragraph of factual findings. It includes an executive summary with some recommendations, and then it includes sections that answer your specific questions that you asked us to answer, and I'm going to give you that very briefly. What I'm going to try and do from here is kind of a view from 30,000 feet. And that is I'm going to give you a very brief synopsis and then give the opportunity to ask any questions that you have, we'll certainly be available subsequently if you would like to ask us questions or have us follow up with anything. I do think that it's important to understand that as with any investigation of circumstances like this, where there was a major breach of a contract by a contractor, that had been working with the Airport for some seven years, almost seven years at that time the initial breaches began. We have the benefit in looking back at this of 20/20 hindsight, in other words, when we started the investigation we already knew the end of the story. So, I think we tried to temper our judgment and our recommendations with that knowledge. That we were not on the front line without knowing how it was going to turn out having to make decisions. But even with that said, we do have some recommendations, so let me kinda go at it at the view from 30,000 feet. First of all, we believe that the Authority properly solicited the proposals for the parking lot contract in 2002. There is some question and we got some discussion in the report about the use of Executive Session to both hear the presentations apparently to ask questions and have discussion, and then the authority came out of the Executive Session nearly to vote. And the minutes don't contain any discussion about questions or answers or things like that. We've referred to an Attorneys General opinion, the Louisiana Attorneys General opinion from 2008, that now gives some clarification. I think that that clarification already existed from prior Attorneys General opinion, but it is fairly clear that while thinks like the financial condition of companies that may be protected by privacy, in fact you've got some

pages that are deleted from the report for that reason, one page in particular that contained financial information that we were able to see, but did not include in our report, because it was of a confidential nature. And to some extent professional qualifications although I think that that provision of the open meetings law is really designed to deal more with individuals. The Attorneys General does say it applies to corporations and limited liability companies, but it's really not designed for consideration of persons who are proposed contractors. So I think it's very important to realize that these things as you are conducting here, that these things be done in the open before the public so that everyone knows what is going on. The chief risk of not doing that frankly is that it creates suspicion where there may not be any suspicion that ought to be created. We did not uncover any wrong doing or ill-political practices or anything of that nature in context, but by conducting deliberations, and conducting the interviews in private and Executive Sessions where there are no minutes and there are no records and there are no recordings, and the public is not present, it can create suspicion, where suspicion perhaps ought not to be created. The contract itself did have appropriate safeguards for what was being done. There are elaborate controls, requirements of reporting, reconciliations that are required, the contract required an independent certification by certified public accountant of the sums that were paid by the contractor, by Nationwide, in any given year were correct based upon audited records by the certified public accountant, those were all substantial, in fact they were pretty much the same provisions that had been in the contract the previous two times, going back all the way to 1989. And they were pretty much in the contract that was submitted with the request for proposal. So our view was that the contract itself contained appropriate provisions. The next question you asked us was did the Airport Authority follow through with the terms and conditions of the contract, and that's where there was some serious shortcomings. The reports on daily basis, on a weekly basis, on a monthly basis were provided to the Airport Authority, but they were not reviewed, they were not reconciled, and we have to find some fault there. Now, during the first seven years of the contract from August of 2002 until January of 2009, I guess 6 1/2 years of the contract, there were regular payments, there were a few deficiencies, but those were always caught up. But at the same time we weren't checking against the reconciliations and deposits to make sure that the Airport was being paid the sums it was supposed to be paid. After Nationwide fell behind, the Airport Director failed to take appropriation action to address the rapidly mounting losses. The amount of the minimal annual guaranteed payment, what's referred to, and you'll see the word MAG because it's easier to write, and that's what MAG is, minimal annual payment, that was about \$76,000 a month, or a little over \$76,000 a month. As a result, every month that went by that payment wasn't made, became a very serious issue. And we were already behind with deferred payments from the first term that had agreed to be paid. The Authority only had a letter of credit of \$150,000. And so very early in 2009, the indebtedness, the obligation even just the minimum payments that were owed to the Airport Authority quickly outpaced the collateral or the security for that loan. And we knew or should have known that Nationwide itself did not have sufficient access to be answerable to the Authority should they walk away or should we terminate the contract. In hindsight, I think the Authority should have acted a little more quickly. The Authority was not made aware, I'm talking about the Airport Authority itself, the members of the Airport Authority itself were not made aware of the true amount of the deficiency until November

of 2009. That should have been done obviously much earlier. There is some discussion in the report about whether there were some reports that were given to the Airport Authority members, but they were not highlighted, and were likely handed in a packet of materials similar to materials you get before your Council Meeting, where it would have been easy to have overlooked those if the Director or some staff member were not putting in front of you, 'you need to look at this, this is something that is important.' You asked us whether there were accounts that were available for Nationwide to be seized at this time. The likelihood of that is very small. We've included the Schedule B which is the personal assets or personal property schedule from the bankruptcy filing by Nationwide. And they had \$4,000 in the bank when they filed bankruptcy in March of this year. So, we think that there are not. The other issue is the city does not while we have a claim, we do not yet have a judgment against Nationwide, and so we would have to use pre-judgment attachment remedies that are likely not worth a candle in this particular case. The city has engaged John Frazier, I actually don't know whether John is engaged as an Assistant City Attorney or with Weiner Weiss and Madison. John is a very experienced attorney, the city is in excellent hands and I'm confident that he will pursue all the remedies that are available to the city, both pre-judgment and post-judgment. You also asked us to answer the question whether there were theories of recovery that might make other persons besides just the contracting party liable. We believe that there are some very substantial arguments. We've outlined a brief summary of those, and we did not feel that our role particularly because the City has counsel that is pursuing those claims either to knock his arguments out or to provide arguments he might not under his investigation feel are worthwhile. So we do think that there are some substantial things that - - - or arguments that could be made that other parties besides just the contracting parties would have liability to the City of Shreveport on those claims. We of course don't know how collectible those judgments are, and that would have been well beyond the scope of our investigation. Finally, we've made some specific recommendations that are contained in the executive summary, and I'm going to kinda go over those very, very quickly. First, we believe that all presentations and deliberations about contracts of this nature should happen in open session, except those things that specifically or either privacy matters or should be discussed in Executive Session. Second, we think that the amount of any performance bond relating to a contract of this nature should be at least three months of MAG, which would have been about three months which would have been about \$250,000 in this case, in Nationwide's case, probably a little higher because from the very beginning, we knew that Nationwide's financial stability was weak. The other alternative would be perhaps to have the money go into the City's accounts instead of contractors' accounts. That creates some logistical problem, paying bills, etc., for the contractor, but it certainly protects the City's interest much better. The Authority should not only collect but review on a periodic basis the documentation that's required by the contract. Obviously, there's a reason that those things are there and they're there to make sure that there is compliance in the reconciliation of those things is important, just to make sure that folks stay in good faith, because sometimes temptation calls. We especially think the Authority should insist on compliance with the requirements of certification by an independent certified public accountant. That's somebody else going and looking at the books, saying, 'I've looked at this, and this is the right amount'. That's a significant protection that was in the contract, but it was never required, it was never submitted during

the entire term of the contract. If upon any material default, which occurred here probably the early part of 2009, the Authority should consult with the City Attorney's office for recommended action. Once aware of a material default, the City Attorney's office should be more assertive in making recommendations to the Authority so that we don't get quite so far behind. And finally, we recommend that the Director of the Authority staff should make particularly monthly presentations to the Authority of any significant contracts and the status of their collection and compliance. The 2009 budget had external charges for the Airport Enterprise Fund had external charges of a little over \$10,000,000. The MAG, the minimal annual guarantee of this contract was \$920,000, or about 9% of that total. So when you have material contracts like that, when they get out of whack, the Authority members need to know that immediately. Now that recommendation before we made it had already been implemented, and we understand it's being implemented at the Airport Authority already. At this point, I think I've gone over most of the points of the report. There's a lot of information here and I am at your disposal. There are a whole lot of folks out here that have business before the Council, and I don't want to monopolize the time, but I'm happy to answer any questions that you have or find out where you might like to go from here.

Councilwoman Bowman: I've got a question. When we - - - and of course when this council first found out about the substantial amount of money that wasn't paid, we had gone through budget process of the Airports. During that particular time, which was what November? October, November?

Councilman Walford: They had moved theirs once to make it much later, so I'm going to say it was very close - - - if it wasn't November, it was close.

Councilwoman Bowman: Yeah, it was close to it, and not any of this information was revealed to this Council when we questioned the budget when it was presented to us, that's what really got me going as far as that is concerned. And I know that, and I'm only speaking personally at this particular point. But when I took some drastic measures at one point, that was part of the reason I did what I did. Was it right to do it? Maybe not, but I tell you what, it got everybody's attention, No. 1. No. 2, the Charter gave me the authority to do it. So, by doing that not only did our Council, the entire City of Shreveport had the opportunity then to see - - - 'Hey, here's a red flag, let's look at this.' Something of that amount of money should not have been hidden from this Council, and in my opinion, it was deliberate. Otherwise you tell us everything else, you see what I'm saying? So therefore, yeah, we - - - I had personal problems with that because each one of us who are elected by the citizens of Shreveport have a fiduciary responsibility to the taxpaying citizens and we need to be open with them, and we need to let them know just as well as anyone who is employed with the City of Shreveport to give us pertinent information, give us information that is factual as well. And to be blatant and hiding it, this type stuff, yeah it really hacked me off. But Mr. Arceneaux, I appreciate all that you all did, I don't have any further questions as far as this is concerned. Now at some point, we thought maybe we were missing something else and to be safe and to let the citizens know that we didn't take this lightly, we employed your services, and for all the work that you all put into it, we thank you for that.

Mr. Arceneaux: Ms. Bowman, thank you very much, I think it is important to mention that from our investigation, it appears to us that the first time the Council was aware of the magnitude of the problem was probably in March.

Councilwoman Bowman: It was. After the budget process was passed.

Mr. Arceneaux: Yes Ma'am, I think that ought to be stated that the report mentions nothing about the Council because you really weren't involved.

Councilwoman Bowman: Exactly.

Mr. Arceneaux: Until the bankruptcy had occurred, and there really was - - - at that point it was a collection matter.

Councilman Shyne: Mr. Arceneaux, I want to thank you for doing a in dept and very professional investigation. Mr. Mayor, I would hope that in the coming years, that we would be able to put some safeguards in place. Looking at the report that Mr. Arceneaux has done, have you officially turned this over to the administration?

Mr. Arceneaux: Mr. Shyne, I was your lawyer, so I have turned it over to Ms. Bowman and to the Clerk of Council. So, we have provided a copy to the Mayor's office this morning at the same time we delivered the report both physically and electronically to the Clerk of Council.

Councilman Shyne: I appreciate that because you've been here and you know after all is said and done, we have a strong Mayor/Council form of government, most of our safeguards are - - - would be initiated by the administration, so I was little dumbfounded I guess like the rest of the council because we really had not had an opportunity to keep up with the situation. And I think when we put those safeguards in place, especially one that you mentioned about not reviewing the reports that would come in on a monthly basis, I think we could probably keep ourselves from getting into this situation again. So - - - and this will let the taxpayers know that we are concerned about their money, because this is actually their money. And again, I would like to thank you for a super investigation. Mr. Mayor I know you all will do what needs to be done in order to make sure that the safeguards are put in place that this will not happen again, and I don't want to accuse anybody being negligent, but I guess after you read the report and the administration would come to that conclusion.

Councilwoman Bowman: Well I'm accusing somebody of being negligent.

Councilman Shyne: Well I'm just speaking for myself.

Councilwoman Bowman: Right, and I want that on record again.

Councilman Walford: Mr. Arceneaux, I commend you for a fantastic job, but my curiosity is up. Were you privy to the emails from the staff that thanked Nationwide for telling them that the checks that Nationwide had sent were no good?

Mr. Arceneaux: I actually have to defer that to Mr. Edwards, because he's the one who poured through all those emails.

Councilwoman Bowman: Jerry?

Councilman Walford: Did you get those emails?

Mr. Edwards: I did Councilman.

Councilman Walford: I need to do a Homer Simpson and just 'doe!'

Mr. Arceneaux: You've got actually a list of the things that Jerry's been reading over the last several months that are included in the report.

Councilman Walford: Well I have a binder about this size of the same documents that I have accumulated. But it's just unbelievable what happened.

Councilman Lester: Thank you Tom and Jerry. Jerry is a member of that courthouse - - -

Mr. Arceneaux: We get that every time. I think it'd be better if you said Jerry and Tom. I'm sorry Mr. Lester, everybody was chuckling and everybody needed to get the joke.

Councilman Lester: Tom, as long as they're writing checks, it really doesn't matter.

Mr. Arceneaux: Yes sir, you're right. You're right Mr. Lester.

Councilman Lester: But I just wanted to say I appreciate you for your work and commend you for it. I've known Jerry for quite some time, he served as a law clerk at 1<sup>st</sup> JDC, very, very fine young man. My question and stop me - - - where is the City Attorney? Okay. Stop me if I go too far, because I don't want to cross the line. I know that in your analysis toward the back, you made a conscious effort to stop short of giving legal recommendations relative to future actions, understand that we are represented by counsel in a bankruptcy in another jurisdiction. But the question that I had was you make mention of - - - there's a possibility of piercing the corporate veil to go after individual members of the LLC for sums that are owed. The question that I had was whether or not you were able during the course and scope of your investigation to develop any information about the actual members of the LLC, more specifically whether or not there were any local or state members that we could get jurisdiction over either in the City of Shreveport, or Caddo Parish, or State of Louisiana, I know that there has been a lot of shall we say rumor and innuendo regarding payments to local individuals and I'm going to stop there, because I feel Terri looking at me kinda strong. Were you able to ascertain whether or not there were

in fact any local members of the LLC and if so, payments to those or was that not part of your investigation?

Mr. Arceneaux: Mr. Lester, we would not have had access to those - - - those were records of Nationwide, and they're not local. So, we would not have had access that information. That's one reason we kinda backed away from that. In the bankruptcy filing, and I'm hoping Terri is going to correct me if I'm wrong, but in the bankruptcy filing, there were several levels, most of which went back to Dr. Morris Clark, who is not local, and we did not uncover membership, but as you know, members of LLC companies like shareholders in corporations are not - - - those are not matters of public record, so you can't go to the Secretary of State's website or some other place to get a stockholder or ledger unless you have some reason to compel that in litigation. Now, I do think that there is something that could be pursued, and I would leave that to John Frazier's judgment. John and I have visited about these things, we've shared some ideas with each other primarily to make sure that I wasn't looking at something and he was also looking at, because all of this money is taxpayer money. I wanted to share things that I saw with him, so that if those were good ideas, he could use 'em, if they weren't good ideas, he could put 'em in File 13 somewhere. And he did the same thing with me, so that we would not be duplicating each other's efforts, but I really felt that those were things best left to counsel in the enforcement action that's been filed here in Caddo Parish. And I don't think we had all the weapons available to us to have made a thorough investigation of that to reach conclusions that I would have felt comfortable putting in front of the Council and the public at this time.

Mayor Glover: Madam Chair, we want to thank you and the members of the Council for initiating this report. We think it will be very insightful and instructive to not only the current Council, but the incoming members of the Council, and certainly for the Administration, and most important, for the citizens of Shreveport as a whole. We'd love to be able to consult with our IT staff to see if we can't place a link to the electronic version of this document on the City's website so that the public as a whole will have a chance to be able to see the information that's contained. And we look forward to being able and to act on those things that are actionable at this point. We think it joins in with the work that Jerry and Tom's colleague Scott is a part of with regard to the Task Force that's currently looking into airport operations as a whole. Scott happens to be a member of that task force and has served very capable and has been a tremendous asset in that overall effort. So, Madam Chair, I may add on a personal note, always great to see Tom. I don't know if it's been mentioned, but he is a former member of this Council, served from '82 to '90 if memory serves me correctly. More specific and more personal, he accepted the invitation of a young 22-23 year old President of a neighborhood association December of 1988 to come and be our December speaker, and brought with him, copies of the City's respective budget and opened my eyes and the eyes of quite a few others that night up on the north side of town, and has been a friend and an inspiration to me and to many from that day since. And to also thank him for coming down today, and if I may add, I think this would be specific to Jeff and to Monty. While he represented District C - - -

Mr. Arceneaux: I represented C, I represented Mr. Long's district, Mr. Long was my Councilman, but Mr. Walford is now and Mr. Everson will be. I'm a proud homeowner and property owner (inaudible) Street in Highland.

Mayor Glover: And is doing some fantabulous work there, in fact I think his most recent acquisition backs up to the effort that Ms. Betty Phillips started at the Deaf Action Center.

Mr. Arceneaux: Right next door.

Mayor Glover: I knew it as the Simonton House, because that's who the owner back in the early '90s when I came on Council, when that area was in District A at the time, but I know it has a history that predates Dr. Simonton (inaudible).

Mr. Arceneaux: Yeah, it was built in the 1896, so we're currently under destruction Mr. Mayor, but we're hoping to be under construction soon.

Mayor Glover: Thank you for all that you do.

Mr. Arceneaux: Thank you very much. Are there any other questions concerning this? Thank you very much for the opportunity to serve the city and the Council. It is a particular honor for me to have the opportunity to serve you. I have great affection for the body and for this city. Thank you very much.

Councilwoman Bowman: Thank you. We really appreciate Tom and Jerry. Couldn't resist that. At this time, Mr. Holt?

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

*Reports:*

*Property Standards Report*

Mr. Holt: Thank you. Chairman Bowman, I'll take any concerns the current or council elect may have.

Councilwoman Bowman: Are there any questions or concerns for Mr. Holt? If not, Jim, thank you very much. We appreciate it.

Councilman Shyne: Madam Chair, I just wanted to say this to the new Council Members. It seems like the Chairman kinda let - - - wait a minute Jim, I want you to hear this too. It kinda seems like the Chairman kinda let Jim get away with a few little things.

Bell rings.

Councilman Shyne: So, don't y'all do it.

Councilwoman Bowman: We love Jim. Mr. Sibley, Revenue Collection Plan and Implementation Report.

Revenue Collection Plan & Implementation Report

Mr. Sibley: Yes Ma'am Madam Chair, in the spirit of Mr. Holt, and being very brief, we won't offer a lot today. We're looking forward to wrapping up the year and basically providing some historical information in the recap, especially for the new Council Members, so they'll kinda know how that report flows and have a baseline for them, but I would like to note for the Council and the public, that the latest sales tax numbers has us again showing an increase 10.1% this past month over last year and we're at 5.8% for the year, so the trend is still up. We hope that if this all being driven by Haynesville Shale, we hope it keeps pushing it, but it seems that we're going to be well on our way to meeting our budget. Part of this is well, if we're lucky, going a little bit over that.

Councilwoman Bowman: That's good news Mr. Sibley.

Mr. Sibley: Thank you Madam Chair, and again if there are any specific information that any of the old or new Council Members would like to have on the next Council Meeting, we'll take that at this time.

Councilman Walford: I'm not going to ask him anything. I'm just going to warn him that I'm going to tell Jeff all of those little things to ask on the District B side.

Councilwoman Bowman: Thank you. Terri? Are you prepared to do this today, or? Oh, okay. And of course you know the next Council might prefer to just get it in writing. You know that will be (inaudible)

Surety Bond Forfeitures Report (First Regular Meeting of the Month)

Ms. Scott: Madam Chairman, members of the Council, Council Members Elect, that was one of the reasons I stand before you today to find out or to try to get a consensus from the Council if you will contact us in advance of the next monthly report to let us know if there is any particular information that you would like in the Bond Forfeiture Report. I would like to say that we - - - during the process of our budget presentation, during the process of the City Courts budget presentation, we made comments to the Council Members that were present as to the process that we're using going forward. We actually implemented that process(inaudible) and his staff because our efforts to collect all the bond forfeitures will also require the assistance of our IT Department as well as our Finance Department. IT, the purpose is the software, and Finance Department for the purposes of putting in systems to account for the money that we received. As I informed you during the City Court and City Marshal's budget hearing, we have a person on our staff that we have re-tasked to primarily responsible for handling bond forfeitures. She has gotten off to a great start and mailed

certified letters to about 50 surety companies who are reflected on the last report that has been prepared by Bill Whiteside for us. Those 50 letters include attachments for each of the bond forfeitures that have been or to each of the bonds that were forfeited from February of this year up until the present day. In the past, the bond forfeitures were primarily handled out of the City Marshal's office. As I've explained to you in the past there is some issue about technical compliance with the requirements of the statute that allow us to actually collect all of these bond forfeitures. The report has now put persons and put steps in place that reflect and address the requirements of the statute. The statute also requires that we can file a rule to show cause to collect on those bond forfeitures locally after 210 days after the notice of judgment of bond forfeiture has elapsed. With the City Court's office actually starting to send out those notices in February, we've just reached the end of that 210 days that will allow us to begin our collection procedures. Our hope is that coming before you in December, we will have a record of what has been collected to date as well as a record of what is outstanding and as we whittle that down, again if there's anything in particular you'd like to see in that report, just contact me and let me know.

Mr. Thompson: Madam Chair? Because we will have a new Council by the time you have do your next report, I would suggest that maybe you would do an initial report that would be sort of comprehensive, that would state what the facts are or what the issues are, and what the law is, so that everybody would know exactly what we're talking about.

Ms. Scott: That was our thought to give, again give an overview of the collection process as well as the (inaudible) implemented, and then put in what is most important to all of you, the actual dollar.

Councilwoman Bowman: Okay, thank you Terri. And of course, this second regular meeting of the month, Chief Crawford, EMS will give presentations, and that might be something else that they would do as well.

Mr. Thompson: Especially a written report, and then - - -

Councilwoman Bowman: Right and then if there are questions, they can always bring those forward. Okay, where are we Arthur?

EMS Transports Report (Second Regular Meeting of the Month)

Mr. Thompson: Madam Chair, next on the agenda is the Public Hearing. We notified you on yesterday we need to postpone that due to advertising requirements, but - - -

Councilman Walford: I had a question about it, but - - -

Mr. Thomson: Okay. I was about to say that if there would be anybody here because they heard about it or they know about it, and would want to speak, that may be something that you would want to find out.

**Public Hearing: Resolution No. 245 of 2010:** A Resolution stating the City of Shreveport's endorsement of Marshall Carl Rice D/B/A Carl Rice & Associates to Participate in the benefits of the Louisiana Restoration Tax Abatement Program and to otherwise provide with respect thereto.

Councilwoman Bowman: Well, let me find out. Do we have anyone here who came specifically to speak in favor of Resolution No. 245 or in opposition. This is the resolution stating the City of Shreveport's endorsement of Marshall Carl Rice D/B/A Carl Rice and Associates. I don't show anyone Mr. Thompson.

Mr. Thompson: We'll reflect that no one wished to speak.

Councilman Walford: Well my question was will be consider that at the early meeting on -  
--

Mr. Thompson: At the early meeting.

Councilman Walford: Yes. That would be some of the wrap up business.

Councilman Walford: Good, that is what I was hoping Madam Chair. Thank you.

Mr. Thompson: Looks like that meeting is getting earlier and earlier.

Councilwoman Bowman: No, 8:15. Make note of that Art.

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

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

*The Clerk read the following:*

1. **Resolution No. 257 of 2010**: A Resolution to clarify the meaning of Stipulation No. 2 in Case No. BAC-66-09, and to otherwise provide with respect thereto. (G/Bowman)

Councilwoman Bowman: Okay, at this time do we - - -? We have one item Art, is that where we are?

Mr. Thompson: That's all we have is one. We only have one item to be added.

Councilwoman Bowman: Okay, did you state what the item was?

Mr. Thompson: Yes Ma'am, but I could state a little bit more about it.

Councilwoman Bowman: Will you do that and then I'll ask if we have anyone here to speak in favor of or in opposition of this being added.

Mr. Thompson: Madam Chair, earlier, there was a decision by the Council to authorize a business to sell alcohol on Portland, I believe it is. And one of the stipulations was the approval is granted for a one year period only, requiring reapplication to the Zoning Board of Appeals after one year. There was also another stipulation that there would be some development of the property and that would be sort of overseen by the Zoning Board of Appeals also. It's taken about a year because of certain issues that were involved to bring the property up to a position where it is now ready to open and so it has not been open, and this will clarify what the one year means. And if it is adopted, it will mean from one year from the date the certificate of occupancy is granted. And so it would be - - - the purpose of it is to see whether or not this business is a good fit with the community, and so it needs to be open in order to make that determination.

Councilwoman Bowman: So at this time, do we have anyone to speak in favor of this being added to the agenda? Do we have anyone present who would like to speak in opposition to this being added to the agenda.

**Motion by Councilman Walford, seconded by Councilman Shyne to add Resolution No. 257 of 2010 to the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Public Comments (*Comments on items to be adopted*)

*Mr. Francis Edward Hughens, Jr.: (1136 Boulevard Street)* This in reference to BAC-88-10. It was an appeal of a zoning variance. Being one of the owners of Lot 13, Rosalie Subdivision, which is next door to the property in question lying adjacent to the east to the property described in the notice dated September 27, 2010 as well as the corner Lots 15, 36, 37, Lots A and B, the re-subdivision of Lot 22, 23, and 24, and residential lot 25, we wish to object to the petition submitted by Kikelomo Togun for approval of variance of five parking places in the 18 space required in a B-3 community business development. We wish the appeal not overturn the original decision to deny the variance. The existing structures provide parking via open alley to the rear and additional parking in the front. If an exception to permit only 13 off street spaces is approved and provides inadequate, when those 13 spaces are in use, there is a strong probability that patrons will park on adjacent Lot 13 in so much as it is presently vacant land. The previous owners of the existing structure had a mutual agreement with the original owner of said Lot 13, for limited short term parking. Removal of a large tree which established property lines is resulted in those such distinction. Our ownership of Lot 13 and those noted is owned by the family and we are all in unanimous agreement that we wish this variance not to be approved. Thank you.

Councilwoman Bowman: Okay, I have a question for you. Do you have a copy of the petition?

Mr. Hughens: What I have is what's on for today for the appellant or the original?

Councillwoman Bowman: Today for the appeal.

Mr. Hughens: Yes Ma'am.

Councilwoman Bowman: You do have that?

Mr. Hughens: Right here.

Councilwoman Bowman: Sharon? How many signatures do you have on there?

Mr. Hughens: Well actually, this is just a notification.

Councilwoman Bowman: I thought you said you had a petition that was signed that - - -

Mr. Hughens: Oh, no ma'am. I did not. This is - - - I'm representing the family on this property.

Councilwoman Bowman: Okay.

Mr. Hughens: Which we jointly own the property in question.

Councilman Walford: Madam Chair, could he clear again where the property is?

Councilwoman Bowman: That's off Woolworth Road.

Mr. Hughens: No Ma'am. This is - - -

Councilman Long: This is E. 70<sup>th</sup>.

Councilwoman Bowman: Oh, this is Mike's, I'm sorry. This is the one at - - -

Mr. Hughens: Between Thornhill and Fairfield.

Councilwoman Bowman: Sharon?

Ms. Pilkinton: I wrote it wrong.

Councilwoman Bowman: I was going to say Sharon wrote on here Park Lane and Woolworth Road.

Mr. Thompson: BAC-88-10.

Councilwoman Bowman: Okay. Mike? Do you have anything else on it?

Councilman Long: No, that's fine.

Mr. Hughens: Thank you for listening.

Councilwoman Bowman: Sharon got me confused okay? Is Ken still here? Ken Krefft? Shelly, it's getting hot in here. Can you do something for us?

*Mr. Ken Krefft: (157 Archer)* I want to start out just thanking Council Members Lester, Walford, Bowman, Wooley and more particularly my member Long for their service. It is much appreciated. It is sometimes thankless and welcome the new kids on the block I guess we can call 'em. And Just had a bad thought as I stood up. 14 years ago today, It was 26-0, BAMA over LSU. I don't know why I had that thought.

Councilman Shyne: I don't know either, because that will never happen again.

Mr. Krefft: No, not this year. But I understand y'all are going to vote today or not vote, but vote to (inaudible) and I looked at that editorial and this concerns that Resolution No. 219, on the Bond Issue. Were I one of the new ones, I certainly would want to take a look at that. A delay of four weeks is not critical, it might cost. I polled 17 people and among that number only one said he would vote for a four week delay and one said maybe. The others pretty much non-committal. It's a good proposal the committee developed and certainly another \$55 or \$60,000 is doable. The main thing is to meet with the new group at their convenience as soon as we can, to meet with the new Council, all seven and see what might change. Personally, I think there's (inaudible) streets and drainage, (inaudible), I'm sure the other public safety and SPAR folks and water and sewer would probably want more, but certainly want to work with y'all and it was encouraging during the campaigns to see so much emphasis on infrastructure. With the latest blow out at Champion Lake and with Mike's departure, and Mike I want to thank you for all your service over the years. Mr. Strong has - - - you know I think the start of this year with the blowouts in January with the cold weather and things just blowing and going, and then when I was driving downtown on July 4<sup>th</sup> on Sunday evening, I'm going down right by the Armory, and I'm looking at about a 55 foot geyser of water that they fixed and re-fixed and re-fixed, and re-fixed and finally gave, and finally going to do it in a new project. Those pipes are just not holding. We have got to do something particularly about sewer. The Feds are on our case, we're all aware of that and certainly as soon as you all are ready, our new DDA Exec is still our Bond Chair, Liz Swaine and she and the others are more than willing to meet with y'all and get this thing going. And we'll vote on it as I mentioned Louisiana's 199<sup>th</sup> birthday I guess.

*Mr. John Hayter: (9045 Ellerbe Rd, #103)* I'm an attorney representing Doris and C.C. Butts who reside at 282 Arthur. This is in regards to a zoning appeal before you, C-85-10, having to do with property at 280 Arthur Avenue in Councilman Long's district. What we have is the homeowner requested a zoning variance from the ZBA to build a garage on the front of his house that would extend over the 30 foot setback line approximately 6 feet. My clients appeared before the ZBA and opposed it. The issues are that the homeowner came in and I have a picture that I will submit to you at the end of this, where he built part of his

house over his own driveway, and now he's come back and wants to build his garage, so that he wants to come out. So he kinda created his own problem here and now he wants to solve it by imposing on my clients as we see it. There is room as the picture shows for a driveway do go to the back of the house and build his garage in the back of the house, but instead he's choosing to come forward. And it's important to note that I drove the neighborhood this morning and I saw nothing of this, anyone else building a garage out forward in the whole neighborhood. So, I think it's important that we don't set precedent where we allow people to make a mistake and come back and re-correct it by imposing on the neighbors. Secondly, there is - - - it's important to note that the ZBA unfortunately according to the records I reviewed this afternoon before here showed that they did not make a bus tour of the property, and this is unfortunate because if you go out there and look at it, and I don't know if Mr. Long's had a chance and you can see in this picture, you can see the situation, the house are close. You can spit from one house to another and these people want to come out with this garage. My clients' opposition to this is that they have a right of view. As an attorney, I can tell you that the right of view is provided by the Louisiana Civil Code. You really can't impose on that. And I'm sure that the ZBA can't even impose on that and allow the structure to obstruct my clients' right of view. Certainly the can go out to the 30 foot setback line, they're legally entitled to that, but as they go out further, it obstructs part of my clients' view, and they simply don't want to look at anymore of a garage than they have to, nobody else would. So that is basically you know where we are. Unfortunately, the MPC staff position is well, he can come out 6 feet and obstruct your view, so what's more if it were 12 feet. When you add the 12, with all due respect, if I were at the movie and Mr. Seaton were to sit in front of me, he would be obstructing my view a little bit. I could probably live with that. With all due respect to Mr. Mayor, whose family I've represented in the past, it's a little bit different. So, I think that's kind of a situation we have here is how much does my client have to tolerate. It's too easy to (inaudible)

Mayor Glover: Anything to help.

Mr. Hayter: Anyway that is the situation. I want to give you all this picture, I don't want to take anymore of my three minutes and let y'all look at this. You'll vote on it, it's the last item on your agenda, and I'm sorry that I did it so long.

Councilman Long: Mr. Hayter, I did go and visit that site yesterday and we'll take it up during the hearing, but I also talked to the MPC staff as well, and actually the staff recommendation was against the variance, and I didn't know if you note that or not, but we'll take it up in a little bit.

Mr. Hayter: Well I was told they didn't say it was okay. So I apologize if I misrepresented.

Councilman Long: Well the recommendation from the staff basically, what I was told is that they didn't - - - it's conforming with the neighborhood. There was no other house that has a garage that sticks out that far. And we'll talk about it in a minute.

Mr. Hayter: Thank you for your efforts and I appreciate it. This is the house in question and this is what was added on, and you can see there is a driveway, there is a driveway that goes to the back of the house if they wish. Thank y'all for your time.

*Mr. Brian Bell: (12028 Mansfield Rd.)* I just come down to speak to y'all today about Ordinance No. 154 which is the vehicle for hire ordinance. I personally have seen some wording in there that I don't feel comfortable with. I feel like it's a violation of ICC Authority, and the - - - there is one other thing in there about the storage rates that I really feel (inaudible). Really it's just a wording deal with this ordinance. They took the dollar figures out of the ordinance as far as storage rates go. We're already regulated by that Public Service Commission and it says that, but then underneath it has the wrong rates. So, just a few little - - -.

Councilwoman Bowman: Okay, I'm trying to think who was in that last - - - go ahead Councilman.

Councilman Walford: Where are you in that ordinance?

Mr. Bell: Ordinance No. 154.

Councilman Walford: I'm 154, what section?

Mr. Bell: I apologize, I got up at 2:30 for work this morning.

Councilwoman Bowman: I was going to get - - - whose over there that can come up who worked on this?

Mr. Bell: And I do have some more notes and I may be able to find it. Section 102-164.

Councilman Walford: 164?

Mr. Bell: (Inaudible) possible? Sorry, C. Like I say this is old paperwork, but it says 102-164, (c) No storage facility shall charge an insurer or any other person a storage fee greater than the - - -

Councilwoman Bowman: You found it?

Councilman Walford: Yeah.

Mr. Bell: Under that, it says one is \$14 per day, per vehicle per day and outdoor storage, and that is now \$18 a day regulated by the Public Service Commission, and then covered storage, I'm (inaudible) I can't remember what it is exactly off my head, I think it's \$21. But if that wording is just struck out of the ordinance, it would just say - - - (inaudible).

Councilwoman Bowman: Is that what the problem is? Is it the wording, or is it something we made sure that was included in that, I want to be straight.

Cpt. Coffey: I didn't catch everything he was saying.

Mr. Bell: Yeah, that's not correct.

Cpt. Coffey: I think the state just recently granted the increase.

Mr. Sibley: So we need to change it from \$14 to \$18 is what you're saying?

Mr. Bell: I want to say that's what it is.

Councilwoman Bowman: So you're gonna - - -

Mr. Sibley: We can correct it and make it match the state rate.

Mr. Bell: Right, well my point is it says in the paragraph above it that you can't charge a greater amount than what's set forth by the Louisiana Public Service Commission. And it changes. So - - -

Cpt. Coffey: And at anytime the state can come back and change that amount to a greater amount if people apply to them for increases in the cost of doing business. So I think what the wording here in No. C that the fee can be no greater than the amount set forth by the Louisiana Public Safety Commission. Okay? We might just need to the other statements go in line with that.

Mr. Sibley: And Madam Chair, what we can do is if the Council is inclined to, is hold it over for the final vote to give us time to go back and - - -

Councilwoman Bowman: Yeah, because I was under the impression that they were given copies of everything prior to this.

Mr. Sibley: They were.

Councilwoman Bowman: Prior to the vote and if they had some questions, some concerns.

Mr. Sibley: Well it sounds like Madam Chair, here that there is a difference between the - - - the language says that we can't exceed the state rate and our rate is lower. We may want it lower or we may want to adjust it up. So I think it's a matter of he wants to make sure that we're not violating the State law. But it doesn't say that we have to charge what the State charges. It allows us to go up is something that we may want to consider.

Councilwoman Bowman: So you're suggesting that we - - - when this comes up on the agenda that we postpone it?

Mr. Sibley: Well if we have more situations that the Council feels that we want to look at those rates. The rates are set lower than the state limit. His point is the state allows us to go up to \$18. We're at \$14, which is where it's been. If we are inclined to go up, we can go up to \$18, but right now it's written at \$14.

Mr. Bell: The other wording problem that I found in there is the vehicle for hire are the drivers license for the vehicle for hire, it says that you have to have that to operate a tow truck in the City of Shreveport is the way I'm reading it. And again I believe that to be a violation of the interstate commerce. I believe that this city could possibly say you have to have that vehicle for hire ordinance to pick up for the City of Shreveport, but not in the City of Shreveport. The way I read it currently, and I thought we had addressed this in the public safety meetings is that - - - the way I read it a wrecker service from Alexandria can't come to Shreveport and pick up a vehicle without having that license.

Cpt. Coffey: (Inaudible) 102-61 I believe it is, is that anyone that has an application to do business within the City of Shreveport, then whether it's a tow truck, limousine, shuttle bus, the wording is that they must have the driver permit. And that's where we do a driver background check. That is some of the security that the Council wanted to put in place to cover all vehicle for hire that does business through the City of Shreveport where they do an application. And that is covered in 102-61. Now that does not cover is somebody comes from out of town because somebody from out of town broke down here, they are not covered under that.

Mr. Bell: And like I say, it's just the way I was reading, it says you have to have it to operate 'in' the City of Shreveport instead of 'for' the City of Shreveport.

Mr. Sibley: It's only pursuant to our ordinances. So if the ordinance doesn't apply to you which it wouldn't, in that case, then it doesn't apply. Because we did discuss that in Public Safety, he's correct, except it's not saying what you think it's saying.

Mr. Bell: And I apologize. We found out about this meeting last week I believe, and I wasn't aware of any other meetings, you know where it was read before the full council.

Councilwoman Bowman: So Dale, you suggest that when this comes up, we'll postpone it till the next meeting, so that everything can be corrected and - - -

Mr. Sibley: Well, what I think Madam Chair, that as it relates to the discussion, there are issues that seem that we need to go back and tweak it a bit, we should. But if they're not, for example, I think that was just a matter of clarifying for Mr. Bell what it says and what it doesn't say. In that case, I think the Council would be fine in going forward, but depending on the comments, because I know several of the operators are here. They may have some other issues to point out.

*Mr. Lee A. Jeter: (1512 Clay)* Thank you Madam Chair, thank you Mayor and Council. First and foremost I would like to thank the Council and Mayor's office administration and

staff and all of you for your continued support. I realize that a new Council will be - - - some new Council Members will be taking seats on the next meeting in November. For our department Councilman in our district, Councilman Lester, we'd like to thank you and all of the other departing Councilmen, and Council Chair for your support throughout the years in everything that we've endeavored to do. I'm also here to speak about a rezoning issue that will be before the Council today and that is zoning C-64-10. And again I spoke to this Council in the past about this particular matter and we're asking for your continued support on this issue today as it comes up for vote. We're eager and excited about the economic development opportunities that are taking place in the Allendale community. We're excited about getting forward the renovation of this building that we acquired to bring a community grocery store in the Allendale area, and approval of this zoning is critical to our efforts. And I would just asking today, when it comes up for a vote, for your continued support and would ask for the continued support of this Council as we go forward with everything that we're trying to do to revitalize communities and to build houses. We're not normally in the grocery store business, but we do what God ask us to do and tell us to do , and this opportunity fell into our hands as a economic development opportunity, and we would like to see this Council and our future Council Members support. Thank you very much for your time and the opportunity to speak.

*Ms. Kekelomo Togun: (214 W. 70<sup>th</sup>)* The case no is BAC-88-10. I appeared here before the hearing board of MPC on October 13<sup>th</sup> regarding the building on 483 E. 70<sup>th</sup> Street. Supposed to be used as a pediatric office, because my office right now is too small, so we want to move to a bigger office. And I was told that I need to apply for a variance because the building can only take 12 parking lots, and I was told that I need 15 parking lots for a pediatric office, and I remember - - - and they told me if I could get parking lot or parking spaces for my neighbors that, that would definitely help, but my neighbors refused to give me any parking lots. And I explained to them that most of my patients are by appointment, they do not all come at the same time. As one group leaves, another group arrives. And also the family may have about three or four or more children in one vehicle. They will all come in one vehicle. And also some of my clients do not have transportation, so they use Medicaid transportation, so Medicaid drops them, and come back to pick them up, they don't have to park. And I also told the Board that this category constituted about 20% of my patients. And the main reason why I appealed actually is that we've been able to get five parking lots from the store opposite the building. It's called Dollarmania. And I have a letter to that affect. They are ready to give us five parking lots, and the staff will be parking there, leaving the parking lots at the building for only the patients. So, that's my main reason for appealing. Because we now have our six extra parking lots.

Councilwoman Bowman: What's your last name again?

Ms. Togun: Too – gun, Too-gun Mike. Thank you.

Councilman Lester: You wanted to go first Mike?

Councilman Long: Well we're going to talk more in depth when that case comes up. But go ahead.

Councilman Lester: Well I'll listen to what you have to say later. I want to ask a question, but if you want to ask a question, go ahead, it's your party.

Councilman Long: Can we defer to later? Probably be the proper thing to do.

Councilman Lester: Well I don't want to go into debate, but I just wanted to ask her one question, because I don't want to bring these folks up when we go to - - - whatever. Madam, that building has been vacant for some time. What is the building presently now?

Ms. Togun: It's a vacant building.

Councilman Lester: What color is it?

Ms. Togun: It's - - - I would say bright yellow.

Councilman Lester: Okay, I know where you're talking about. I was trying to place it on 70<sup>th</sup> Street, because there are a number of buildings that are vacant, and I've seen some people trying to fix them up, and I was trying to place - - - is this the one that has a really large glass front window?

Ms. Togun: No.

Councilman Lester: Okay, that was my question.

*Mr. Philip Togun: (214 W. 70<sup>th</sup> Street)* I came to speak in support of my wife. We've been in Shreveport for 10 years, and our ministry is to help our people. All the other components of the ministry, the food pantry, the church, and the daycare center and different buildings, but the part about the clinic like she said, 95% of our patients are poor people on Medicaid. Many do not have transportation. Some walk to the clinic. So what we're trying to do is to be within a few blocks of the current site. The opposition to the clinic is unfounded. The (inaudible) to the left of the building already has a (inaudible). There is no way any of our patients can park there. And on the right side of the building the fence will be built so we don't encroach on his land. The metaphor for what's going on right now, pardon me as a preacher is that is like the story of the thief on the road to Jericho living among thieves. The Priest and the Levite passed by, but the good Samaritan stopped to help, and that's what Mr. Jamal Musa, the owner of Dollarmania has done. He has extended to us a life line, six parking lots for free, just to help us out. This has to do with compassion, it has to do with consideration, it has to do with the concept of live and let live. We did not anticipate this headwind of a position from our neighbors, and if the only objection has to do with parking, that is resolved. When he came a few minutes ago, he was saying that they were all united in the position to the clinic. But there's an anomaly on this letter here. The building's address is 483 E. 70<sup>th</sup> Street, and the letter is copied to four people, Mrs. Willie

Funtion supposedly lives at the same building that we are talking about. How can that be? That needs to be corrected. And so, we're asking that you look at the case critically, because it's not just for us, it's for people who need us. In Shreveport/Bossier area, most doctors do not take Medicaid. The few that do provide valuable service. And in light of that, we have to look at the people that use the services (inaudible). Thank you.

*Mr. Michael McDougald: (1502 Sububria)* When I talked to the Toguns I've known them for a while, I've worked with Dr. and Mr. Togun, at a state facility here in town, and I just felt like they needed a recommendation, not that you know me, I know most of y'all especially through a lot of showing up at my house. I know y'all there, but and Joyce (inaudible), but they just have a very high recommendation from me for whatever that means to y'all. They are very publicly minded. What they do, they do for the community, not primarily for themselves. And their ministry is national and international. They travel the world widely to do the help they do for children and their ministry. And so anyway that this could be resolved, we would appreciate that. They'd be good residents there and good neighbors. And they're very good citizens. Thank you.

*Mr. Sam Voisin: (9986 Loveland)* I just wanted to take a few minutes and introduce myself to the new Council Members, and say thank you to the outgoing Council Members. Of course Councilmen Shyne and Webb, look forward to continue working with you. I'm the General Manager of the Shreveport Convention Center and the Municipal Auditorium. I wear a few hats in the community, but mainly that, and also the DDA Chairperson for the Board. I wanted to let you know that I come before the Council every year to give an update, right around January/February of every year, to give you a recap of the previous year, and I give you an outlook of that year. And I'll be doing that once again in February 2011. Things are looking real good at the Convention Center right now. Of course Stacye Brown is back there, but she can attest to ASA, Amateur Soft Ball Association is in town. You may have noticed that all the restaurants are probably a long wait and that is due to this major convention in town. Now this is not necessarily a local convention, this is a national convention that travels all over the country, so we're very fortunate to get it. And then of course next week, we have the Global Strike Symposium, which will have a lot of high brass in town from all over the world, not just the country. I think even France is going to be represented. So, I just wanted to introduce myself and say welcome, and say thank you to the outgoing members, it was a pleasure working with you, and I hope to see you again.

Councilwoman Bowman: Thank you. We appreciate that.

*Mr. James Brown: (6839 Sagewood)*

Councilman Shyne: From Mooretown.

Councilwoman Bowman: Where is Sagewood, tell us again?

Mr. Brown: It's off Woolworth Road.

Councilwoman Bowman: That's what I was talking about. That's right, that's in G. He's always trying to claim something.

Councilman Shyne: She's always trying to claim some of my people.

Mr. Brown: Councilman Jenkins is going to be our new Councilman, and I just wanted to say congratulations to all the new Councilmen and Mayor Glover. And we have a problem over in that area, pretty bad. We have a company that wants to take up 10.4 acres directly behind our house. And I got petitions from the neighborhood, and also I just wanted to see were we able to protest this move.

Councilwoman Bowman: I had a question earlier and the name was written on the wrong sheet, the information was, and I need to look at the copy of your petition. Do you have that with you?

Councilman Walford: Madam Chair, are we on the BAC - - - I'm sorry, Zoning C-62-10?

Mr. Brown: Yes.

Councilman Walford: Okay.

Mr. Brown: And what they're doing is they just built a brand new facility adjoined to my neighbor's house. And it's right behind - - - it's joined to our fence, and we only have about - - - say about 7 foot of back yard, and they want to come in and just put a whole-nuther extension on, and we walk out of our back door and say for instance, I know where you live Shyne, the ditch that's in the back of your house, they would be your back yard.

Councilman Shyne: Ooh, that's pretty close.

Mr. Brown: Come out the door going to our fence. We're in a community, but our backyards are small, so it's just craze that these people would try to sell that property as commercial and put up these high-rise buildings and stuff behind our houses. So I hope that we can stop this build, and I hope that we can see this at another date, where I can collect myself more better, but as I say they're trying to take up 10.4 acres, and I also too have a diagram of this facility. And what they are, they are a pump company. And like I say for instance Halliburton or - - - let me rephrase that, any type of energy company has spill or whatever, they can come out and pump all the stuff up, but also too, they have a wash rack that's directly in back of the building, they have to rinse all of the equipment out. You know what I'm saying? Where is that going? Because on this paperwork here it says, Shreveport sewer. No, they don't have Shreveport sewer, we do. It says water for Shreveport, no water for Shreveport, where is this sewer going? That is a question and a concern to all the neighbors there. But also too - - -

Councilwoman Bowman: Do you have a copy of - - -

Ms. Pilkinton: It's on the New Business - - -

Councilwoman Bowman: I want a copy of what he has right there.

Mr. Brown: And just the other day, there was a big cloud of smoke coming from the building itself. And I thought it was the building catching on fire. I got pictures of it, but haven't had a chance to get them developed. But I mean, I'm talking like, if I come out my back door, to on the other side of you Councilman Shyne, I can walk in their back gate, if they put another facility. And my neighbor, he come out of his house and go through the back gate. Because their fence, we have a fence line. And the new fence line is joined up with ours, and they want to take up 10.4 acres all the way down. What I did was, I went out and a lot of the neighbors were concerned about it, and the paging, you hear paging early in the mornings and in the evenings. "Jim, pick up the phone and call", and "Call Ext 97," whatever. You know you can hear that all day. That's from the other company across the street. But if we're hearing all that, imagine what it's going to be early in the morning, you know with the big trucks and all that other stuff. So, I just want y'all to take it under consideration, and just to hear us out.

Councilwoman Bowman: That will be coming up later on our agenda, but if you'd like to stay and we'll get into it as soon as it comes up for a vote.

Mr. Brown: Thank you very much, and excuse me for being nervous. I'm usually not this nervous. Thank you.

Councilwoman Bowman: Okay, I don't have any others. That ends the Public Comments. Mr. Thompson?

Confirmations and Appointments: None.

## **CONSENT AGENDA LEGISLATION**

### **TO INTRODUCE RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:** None.

**ORDINANCES:** None.

### **TO ADOPT RESOLUTIONS AND ORDINANCES**

**RESOLUTIONS:** None.

**ORDINANCES:** None.

## **REGULAR AGENDA LEGISLATION**

**RESOLUTIONS ON SECOND READING AND FINAL PASSAGE OR WHICH REQUIRE ONLY ONE READING**

*The Clerk read the following:*

**RESOLUTION NO. 237 OF 2010**

**A RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND BKD, LLP FOR AN EXTERNAL AUDIT OF THE CITY OF SHREVEPORT FOR FISCAL YEAR JANUARY 1, 2010, THROUGH DECEMBER 31, 2010, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City is required by City Charter Section 4.28 to cause to have accomplished an annual financial audit of the City; and

WHEREAS, BKD, LLP agrees to conduct an audit of the City in accordance with the requirements of the City Charter and applicable law; and

WHEREAS, external audit firms are normally selected by the City for four years with one year contracts executed for each of those four years; and

WHEREAS, the engagement of BKD, LLP best meets the needs of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal, and regular session convened that it hereby authorizes the Mayor to execute a contract between the City of Shreveport and BKD, LLP substantially in accordance with the agreement filed for public inspection in the Office of the Clerk of Council on October 26, 2010.

BE IT FURTHER RESOLVED that if any provision or item of the resolution or the application thereof is held invalid, such invalidity shall not affect other 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 Walford, seconded by Councilman Long to adopt.**

Councilman Long: Madam Chairman, this is the I think this is the fourth year of their last contract that we have.

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

**RESOLUTION NO. 240 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION WITH THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, AND OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, the U.S. Department of Justice has invited the Shreveport Police Department to file an application for grant funds under the National Institute of Justice Predictive Policing Demonstration and Evaluation Program Phase II and

WHEREAS, the award, if approved will be for a total of \$556,474 and requires no cash match by the City of Shreveport. The funds will used to implement and field test a predictive model for tactical crime based on a group of leading indicators to be used for the prevention of tactical crime by district.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Cedric B. Glover, Mayor, those grant documents necessary to apply and receive funding established within the program administered by the U.S. Department of Justice, National Institute of Justice.

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 affect 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 Shyne, seconded by Councilman Wooley to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**RESOLUTION NO. 241 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE DONATION OF A 2010 FORD F150 CREW CAB TRUCK FROM THE UNITED STATES MARSHALS OFFICE IN SHREVEPORT, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City of Shreveport Police Department desires to accept the donation of a 2010 Ford F150 Crew Cab truck, listed in Appendix "A" from the United States Marshals Office in Shreveport, Louisiana, which serves a public purpose and renders a public service; and,

WHEREAS, Section 2.02 (e) of the City Charter allows the City to accept or refuse gifts, donations,

bequests or grants from any source for any purpose related to the powers and duties of the city or the

welfare of the inhabitants thereof, and provide for the care and investment of trust funds; and,

WHEREAS, the United States Marshals Office is donating the equipment listed in Appendix "A" to the City of Shreveport without any restrictions or conditions; and,

WHEREAS, this donation under these circumstances will enhance the duties of the City in the most cost effective manner.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the United States Marshals Office in Shreveport, Louisiana to accept the donation of the 2010 Ford F150 Crew Cab truck listed in Appendix "A".

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 application of this Resolution which can be given affect 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 in conflict herewith are hereby repealed.

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

#### **RESOLUTION NO. 243 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND SHREVEPORT COMMUNITY CHURCH RELATIVE TO CONVOY OF HOPE AND THE USE OF CITY PERSONNEL AND CITY EQUIPMENT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

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

WHEREAS, Shreveport Community Church through Convoy of Hope program desire to provide a service to the citizens of Shreveport; and

WHEREAS, Shreveport Community Church through the Convoy of Hope program will provide a job fair; free food; free medical screening, free entertainment, social service and educational materials by hosting the “Convoy Of Hope” affair on November 20, 2010 at the state fair grounds; and

WHEREAS, Shreveport Community Church has requested the use of city personnel inclusive of SPAR, police officers and firemen as determined necessary by the respective department heads; and

WHEREAS, Shreveport Community Church has requested certain city-owned property inclusive, but, not limited to tables, chairs, and barricade fencing during the event; and

WHEREAS, Shreveport Community Church has requested the use of public transportation to transfer people to and from the “Convoy of Hope Affair”; and

WHEREAS, the programs and services provided by Shreveport Community Church and Convoy of Hope serve as a community outreach and support which serves a public benefit and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the use of city personnel and city equipment by Shreveport Community Church on November 20, 2010 during the Convoy of Hope Affair is hereby approved.

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

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

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

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

**5. Resolution No. 245 of 2010:** A resolution stating the City of Shreveport's endorsement of Marshall Carl Rice D/B/A Carl Rice & Associations to Participate in the benefits of the Louisiana Restoration Tax Abatement Program and to otherwise provide with respect thereto.

**Read by title and as read, motion by Councilman Walford, seconded by Councilman Long to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Mr. Thompson: Madam Chair, if I might make a note to our staff, the next item needs to be signed today by the Mayor if they can get it up here?

Councilwoman Bowman: Okay.

*The Clerk read the following:*

#### **RESOLUTION NO. 246 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE PARISH OF CADDO RELATIVE TO REPLACEMENT OF THE GOVERNMENT PLAZA ROOF AND HVAC SYSTEM AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, on September 28, 2010, the City Council adopted a resolution which authorized the Mayor to execute an agreement with the Parish of Caddo ("Parish") relative to replacement of the Government Plaza roof and HVAC system; and

WHEREAS, this resolution would authorize the Mayor to execute an amendment to the original agreement authorized by the September 28, 2010 resolution which amends Paragraph 9 to provide that the party terminating the Agreement would also pay its proportionate share of contractual obligations incurred prior to receipt of notice of termination.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened that the Mayor be and he is hereby authorized to execute, for and on behalf of the City of Shreveport, an amendment to Paragraph 9 of the agreement with Caddo Parish relative to replacement of the Government Plaza roof and HVAC system substantially in accordance with the terms and conditions of the draft thereof filed for public inspection together with the original copy of this resolution in the office of the Clerk of Council on October 26, 2010.

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

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

**Read by title and as read, motion by Councilman Webb, seconded by Councilman Bowman to adopt.**

Councilwoman Bowman: Lynette, did you hear what Art just said?

Ms. Johnson: Ms. Bowman, please vote.

Councilwoman Bowman: Thank you Bea, I was talking to Lynette.

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

Councilwoman Bowman: Mr. Mayor, Lynette will be down to see you shortly.

Councilman Shyne: Madam Chairman? Mr. Mayor I think Joyce wants you to hurry up and get this fixed before she gets up there.

Councilwoman Bowman: There you go. So there wont' be no leaking on my head.

Councilman Shyne: She's concerned about mold, you know. She concerned about breathing in some mold when she gets up there.

Councilwoman Bowman: That ain't right, and Sam, you're leaving at a good time, hear?

Bell rings.

**7. Resolution No. 247 of 2010:** A resolution ordering and calling a Special Election to be held in the City of Shreveport, State of Louisiana, to authorize the incurring of debt and issuance of bonds therein, making application to the State Bond Commission in connection therewith, and providing for other matters in connection therewith.

**Read by title and as read, motion by Councilman Bowman, seconded by Councilman Long to postpone until the next regular meeting.**

Councilman Lester: By postponing, and I was not here yesterday.

Councilwoman Bowman: Yeah, and that was the question I asked yesterday, so it's going to be for the next Council to take it up, work with it, do what needs to be done, because Rick explained to us that trying to do it by November 9<sup>th</sup> really wasn't that pertinent, that it can also be done in December, and still get the April date. Is that correct Rick?

Mr. Seaton: Still get the April 2<sup>nd</sup> election, yes ma'am.

Councilwoman Bowman: So, we were getting all in a tizzy trying to get it done and didn't really have to do it.

Councilman Lester: Okay. Madam Chair, I appreciate that, I appreciate that explanation, and I appreciate obviously the dialogue that has gone on with most of the Council, current Council and incoming Council. I'm voting 'No', obviously as it is anyone's privilege, and I want to state for the record, my reasons why.

Councilwoman Bowman: Go ahead.

Councilman Lester: If I may give just really briefly, at the last Council Meeting, we had a pretty vigorous conversation about the situation relative to streets and drainage and those types of things. And we had a pretty vigorous conversation about what we believed our responsibility should be. With respect to this Council and the next Council, I don't see how - - - it's hard for me to make the argument consistently that we need to vote on the budget now, but we can wait to deal with the bond situation. In my mind (Bless you), I think that we should either postpone action on both, or act on both. But I am but one vote, and it is what it is. I also vote 'No' because sometime ago, I made a promise to some of my constituents. I'll be really specific to some that live in the Martin Luther King area, more specifically University Park and Mr. Williams, who is the President of the Neighborhood Association is here, who also happens to live in that area. We have some very bad street issues out there. We have entire streets, not more than just one or two panels of concrete, you're talking about entire sections of streets like Audrey Lane, Kemp Lane, Circle Drive that are in complete and total disrepair, and will need to be literally torn out from the connection to Martin Luther King Drive, all the way to the back of the subdivision. And I made them a promise that if we could ever get to a point of voting for a bond issue, that I would. Now I understand that the course of the Council is going to take this up in due course and put that election for the April date, but I do want to be able to look them in the face and say that I kept covenant with them, that's important. So, for those reasons, I'll be voting 'No'. Thank you Madam Chairman.

Councilwoman Bowman: Thank you Councilman Lester, and you're absolutely right. We did have heated debate in reference to this particular issue, and after listening to what the information that Mr. Seaton presented to us as far as the time wasn't going to make that big of a difference, as far as we were concerned, however, it's something that we got the committee together, and we kinda had our input, and so on. And hopefully a lot of that won't change, especially if we work with the Council Members who are going to replace us. But nevertheless, I look at they are going to be the ones who are going to have to sell it

to the citizens, and the more I thought about that and looked at it, you know I didn't have a problem with that. Especially being in position that I can certainly work with the new Council Member that's coming on to make sure that I bring forth issues that I'd like to see maybe added to, or point out a few other things, and I think he pretty well attended some of the meetings, and some of the other Council Member elect did as well. So I have no problem passing it on to them, and hoping that we get out and help them to still sell it to the citizens that this is something that is truly needed. I know we have some horrible streets and drainage issues and water mains and sewers breaking everywhere. Right Mike? And this is definitely a lot in here that needs to be taken up. So, Councilman Wooley?

Councilman Wooley: Thank you Madam Chairman. I just wanted to say that I will be voting to postpone this in the spirit of being consistent throughout the campaign as well as being on the Council. I thought it was very important to allow the next council and the mayor to make this decision to bring before the taxpayers. I think we did our part on this council by initiating this process, the Citizens Bond Committee did an excellent job in presenting us with the information for the wants and the needs of our community. But I think it is vital to allow the next government to make this decision to bring it before the city. Thank you.

Councilwoman Bowman: Okay, if no further discussion, lets vote.

Councilman Webb: Are we voting on 247?

Mr. Thompson: You're voting to postpone Resolution No. 247.

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

#### **RESOLUTION NO. OF 248 2010**

#### **A RESOLUTION TO ALLOCATE FUNDS TO SPECIFIC NOT-FOR-PROFIT ORGANIZATIONS FROM FUNDS BUDGETED IN "OTHER CHARGES" IN THE RIVERFRONT DEVELOPMENT SPECIAL REVENUE FUND AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, special appropriations are made by the City of Shreveport and then allocated to certain not-for-profit organizations which serve an overriding public purpose; and

WHEREAS, the City received proposals from not-for-profit organizations to fund projects and programs that are in the public interest; and

WHEREAS, the City Council wishes to specify the organizations which are to be funded in 2010.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, that funds budgeted in "Other Charges" in the 2011 Riverfront Development Special Revenue Fund Budget for not-for-profit organizations and programs are allocated to the following organizations and programs in the following amounts:

**Organizations and Amounts**

Caddo Council on Aging \$15,200

Caddo Council on Alcoholism and Drug Abuse \$4,500

Cohabitat \$37,500

Community Renewal International \$12,500

Gingerbread House \$2,300

Independence Bowl \$100,000

LSU-S Center for Business Research \$5,000

"a multi-cultural purpose" \$200,000

Neighborhood Investment Program \$255,000

Providence House \$16,900

Robinson Film Center \$50,000

Sci-Port \$68,900

Shreveport Green \$50,000

Shreveport Regional Arts Council \$175,000

Volunteers for America (Dress for Success program) \$2,000

Total \$994,800

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 Lester, seconded by Councilman Bowman.**

**Amendment Number 1 to Resolution No. 248 of 2010.**

AMEND THE ORDINANCE AS FOLLOWS:

Increase allocation for the Council on Aging from \$15,200 to \$30,000.

Explanation of Amendment:

This amendment will add \$14,800 for the Council on Aging for a total of \$30,000.

**Motion by Councilman Bowman, seconded by Councilman Lester to adopt Amendment No. 1 to Resolution No. 248 of 2010.**

Councilman Walford: I'm going to vote 'No' on this and I want to state my reason. I am a great supporter of the Council on Aging.

Councilwoman Bowman: You hear that Mary Alice.

Councilman Walford: Madam Chair, I have the floor if you don't mind.

Councilwoman Bowman: Monty, I was teasing with you. Do what you gotta do.

Councilman Walford: I don't see how we can pick one organization and say we're going to double what we gave them. Ann are you going to come forward and ask us to double yours for Sci-Port? I would expect every organization to, and I don't understand why we're going to do this to one and not to the others. So, in the spirit of fairness, I'm going to vote 'No'. I think it sets a terrible precedent.

Councilwoman Bowman: Thank you Councilman and we are going to - - - well, I'm going to make a statement as far as this is concerned. We have senior citizens who are - - - and I have quite a few in my district, especially who use the services of the Council on Aging. I support them, I always supported them, even when they requested, and let the record show that, they requested I believe \$65,000. What was presented to us was \$15,000. So at least give 'em half. That's what my goal was. To at least give 'em half of what they had requested.

Councilman Shyne: I wanted to say this so Councilman Walford and I will still be friends. I had planned to vote with Councilman Walford, but Councilwoman Bowman reminded me that it will only be a couple of years - - -

Councilman Walford: For you and I?

Councilman Shyne: So - - -

**Motion approved by the following vote: Ayes: Councilmen Lester, Webb, Shyne, and Bowman. 4. Nays: Councilmen Walford, Long, and Wooley. 3.**

**Amendment Number 2 to Resolution Of 248 of 2010.**

AMEND THE ORDINANCE AS FOLLOWS:

Establish allocation for the Martin Luther King Celebration in the amount of \$10,000.

**Explanation of Amendment:**

This amendment will fund the Martin Luther King Celebration in the amount of \$10,000.

**Motion by Councilman Lester, seconded by Councilman Shyne to adopt Amendment No. 2 to Resolution No. 248 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Webb, Shyne, and Bowman. 5. Nays: Councilmen Walford and Wooley. 2.**

Councilman Shyne: Councilman Lester, if you're going to have anything to do with that, I would appreciate it if you would let Councilman Long play his guitar at the celebration.

Bell rings.

Councilman Lester: I plan to be so far gone from this place.

**Motion by Councilman Lester, seconded by Councilman Bowman to adopt Resolution No. 248 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Shyne, and Bowman. 5. Nays: Councilmen Walford and Webb. 2.**

**RESOLUTION NO. 249 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO DEDICATE PIERRE AVENUE BETWEEN MURPHY STREET AND MAPLE STREET IN HONOR OF REVEREND E. EDWARD JONES, SR. AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY: COUNCILMAN LESTER**

**WHEREAS**, Councilman Calvin B. Lester has requested that Pierre Avenue, between Murphy Street and Mable Street, be dedicated in honor of Reverend E. Edward Jones, Sr.; and

**WHEREAS**, Reverend Jones has served faithfully as pastor of the Historic Galilee Missionary Baptist Church, located at 1500 Pierre Avenue for 52 years; and

**WHEREAS** In 1952, Reverend Jones graduated from Grambling State University earning a B.S. degree in Education, and in 1961 he earned a B.A. degree in Religion and Philosophy from Bishop College; and

**WHEREAS**, In 1985 Reverend Jones was elected President of the National Baptist Convention of America, Inc, (NBCA), after serving for 10 years as a Vice President. In 2003, Reverend Jones stepped down as President of the National Baptist Convention of America after for 18 years of service; and

**WHEREAS**, Reverend Jones, while pastor of Galilee, has been responsible for the development of Galilee City: a number of religious, housing, recreational and educational developments that are primarily located west of Pierre Avenue, between Murphy Street, and Maple Street which include the church complex, Galilee Eden Garden, a senior citizen housing complex with 51 units, Galilee Majestic Arms, a senior citizen housing complex with 75 units Galilee City Apartments, an apartment complex with 76 units, Galilee Early Childhood Learning Center, and Galilee Stewart/Belle Stadium; and

**WHEREAS**: Reverend Jones has for a number of years been selected by Ebony Magazine's editors as one of the "100 Most Influential Blacks in America"; and

**WHEREAS**, Reverend Jones was one of the first African-Americans elected to the Caddo Parish Police Jury (now The Caddo Parish Commission), and he was nationally recognized as a civil rights activist during the struggle to desegregate schools and public accommodations in Shreveport.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor, on behalf of the City, is authorized to dedicate Pierre Avenue in honor of Reverend E. Edward Jones for his vision, dedication, and commitment to improving the lives, opportunities, and circumstances of all citizens 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 the 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 ordinances or resolutions or parts thereof in conflict herewith are hereby repealed

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

Councilwoman Bowman: Joe, I saw Andre out in the audience, and the deal for Morningstar won't be til the 23<sup>rd</sup>.

Councilman Shyne: Where is Andre?

Councilwoman Bowman: He's out.

Councilman Shyne: Okay, tell him Joyce so he'll come.

Councilwoman Bowman: So, we won't take that up until the 23<sup>rd</sup>.

#### **RESOLUTION NO. 250 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO DEDICATE ALSTON STREET BETWEEN ST. JOHN STREET AND CLAY STREET IN HONOR OF REVEREND HARRY BLAKE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY: COUNCILMAN LESTER**

**WHEREAS**, Councilman Calvin B. Lester has requested that Alston Street between St. John Street and Clay Street be dedicated in honor of Reverend Harry Blake; and

**WHEREAS**, Reverend Harry Blake has been the pastor of Mount Canaan Baptist Church, located at 1666 Alston Street in Shreveport, Louisiana, for 44 years; and

**WHEREAS**, Reverend Blake while pastor of Mount Canaan, has been responsible for improving the lives of members of the greater community by building Canaan Village Apartments, a low income housing complex with 120 units, and Canaan Towers, a senior citizen/handicap housing complex with 100 units; and Reverend Blake serves as President of the Board of Directors of both Canaan Village and Canaan Tower Corporations oversees the day to day operations of these units; and

**WHEREAS**, some of Reverend Blake's other civic involvements include: President of Project Up-Lift, a center for the development of human potential, the Louisiana Recovery Authority, Shreveport Bossier Community Renewal, Past OIC Director, and past Director of the Excel PUSH Auxiliary; and

**WHEREAS**, Reverend Blake demonstrated his commitment to The Civil Rights Movement through his leadership in the Shreveport NAACP and his service as the first field coordinator for the Southern Christian Leadership Conference; and

**WHEREAS**, Reverend Blake has been a guest lecturer at a number of institutions including Morehouse School of Divinity, Arkansas Baptist College, Wiley College, Bishop College, and the L.K. Williams Ministers Institute; and

**WHEREAS**, Reverend Blake is married to the former Norma Jean Jernigan and the father of four: Elizabeth Guidry, Harry II, Rodney, and Monica Mickle and the grandfather of sixteen.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor on behalf of the City is authorized to dedicate Alston Street between St. John Street and Clay Street in honor of Reverend Harry Blake.

**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 the 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 ordinances or resolutions or parts thereof in conflict here with are hereby repealed.

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

#### **RESOLUTION NO. 251 2010**

#### **A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO REQUEST AN OPINION FROM THE LOUISIANA ATTORNEY GENERAL RELATIVE TO DONATION OF ADJUDICATED PROPERTY TO A NON-PROFIT ORGANIZATION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, LSA-R.S. 47:2236, et seq., authorizes a political subdivision to declare by ordinance its intention to acquire full ownership of adjudicated property; and

WHEREAS, LSA-R.S. 47:2237 authorizes a political subdivision to donate property acquired in accordance with R. S. 47:2236 to the extent allowed by the constitution; and

WHEREAS, Article 7, § 14(B)(6) of the constitution authorizes "...the donation of abandoned or blighted housing property by the governing authority of a municipality or a parish to a nonprofit organization...which agrees to renovate and maintain such property until conveyance of the property by such organization"; and

WHEREAS, the Office of the City Attorney intends to request an opinion from the Louisiana Attorney General for an interpretation of Article 7, § 14(B)(6); and

WHEREAS, the Office of the Louisiana Attorney General may render written opinions to the governing authority of a local political subdivision, its officers or attorneys, upon submission of a resolution adopted by the governing authority.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Shreveport, in due, regular and legal session convened, that the Office of the City Attorney is hereby authorized to request an opinion from the Louisiana Attorney General relative to donation of adjudicated property to a nonprofit organization pursuant to Article 7, § 14(B)(6) of the constitution.

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 to be 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 Lester, seconded by Councilman Shyne to adopt.**

Councilman Webb: Question. Why are we even having to give her the authority to do this?

Councilwoman Bowman: Terri, do you know? Did anybody ask this question before, cause I don't know.

Mr. Sibley: We explained what it was for, but not why. Councilman Webb was asking why do they have to give authority to you to request opinion?

Ms. Scott: The AG's office, and I'm really not sure if this is something they're doing procedurally, under the current Attorneys General, or if they did it under the previous Attorneys General, but their rules require that anytime the request is being requested or an opinion is being requested on behalf of a political subdivision, that it be accompanied by a resolution authorizing us to make the request from the governing authority.

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

**RESOLUTION NO. 256 OF 2010**

**A RESOLUTION TO URGE THE MAYOR TO WORK WITH THE CADDO PARISH COMMISSION AND THE SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH TO INSURE THAT THE PLANNING COMMISSION'S STAFF PROVIDES PLANNING SERVICES FOR THE REHABILITATION AND REDEVELOPMENT OF INNER CITY AND BLIGHTED NEIGHBORHOODS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

**BY: COUNCILMAN LESTER**

**WHEREAS**, RS 33:140.1 provides for the creation, organization, powers and duties of the Shreveport Metropolitan Planning Commission (the Commission); and

**WHEREAS**, RS 33:140.1 authorizes the Commission to take actions "...to prevent the spread of slums and to encourage and assist public and private agencies, corporations, and individuals in the rehabilitation and redevelopment of blighted areas"; and

**WHEREAS**, Shreveport's Department of Community Development, other organizations and individuals need plans and planning services for their programs designed to prevent the spread of slums and the rehabilitation and redevelopment of blighted areas; and

**WHEREAS**, Section 8.07 of the Charter authorizes the establishment of a metropolitan planning commission "as provided by the general laws of the State of Louisiana".

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor is urged and encouraged to work with the Caddo Parish Commission and the Shreveport Metropolitan Planning Commission of Caddo Parish to insure that the Planning Commission's staff provides planning services to the Department of Community Development, and selected organizations and individuals for the rehabilitation and redevelopment of inner city and blighted neighborhoods.

**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 Lester, seconded by Councilman Long to adopt.**

Councilman Lester: Thank you Madam Chair. We have gone through the process of dealing with the Master Plan, and I know there's going to be a lot of conversation obviously with this new Council on implementation strategies and what not. One of the things that I would like for the new Council and the new Administration, which is a continuation of the previous administration to take a look at is, the organization of MPC particularly as it relates to planning and development. Many cities, you're talking Los Angeles, you're talking about Washington, D. C., and things of that nature organized their MPC or their Planning Division as a part and parcel of Community and Economic Development. I think for far too long, Community Development has been in one silo and planning has been in another silo, and so you have scenarios where if you want to go eat at a nice restaurant, everything you have to do is on 70<sup>th</sup> Street (no disrespect to the folks on 70<sup>th</sup> Street), but in a city of 200,000, it doesn't make any sense for you to have everyone having to drive one place to do everything, where as when you look at planning and doing it in a balanced and orderly manner, and you look for developing communities and neighborhoods, if you would coordinate those services, you could actually have as many cities do, a planner. The police department has broken the City of Shreveport into four quadrants. You could have a scenario where you could have a planner for each one of those four quadrants. Marry that person to what's happening in Community Development so that when you start to do things like the incentives, like the fine folks Carl Rice is doing, then you know what's happening and then you have city resources that are going into not only helping them be successful, but giving them information about the different tax credits you have, and all those types of things. And being - - - having represented an area that has been blighted so long, and having to constantly fight uphill for everything, I'm just making the request through this resolution that the new administration and this new council take a look at maybe organizing in a different way to make more effective use of the planning office. Thank you Madam Chair.

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

#### **RESOLUTION NO. 257 OF 2010**

**A RESOLUTION TO CLARIFY THE MEANING OF STIPULATION NO. 2 IN CASE NO. BAC-66-09, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

BY: COUNCILWOMAN BOWMAN

**WHEREAS**, on November 10, 2009 the City Council upheld the decision of the Zoning Board of Appeals to approve the application in Case No. BAC-66-09, with certain stipulations including Stipulation No. 2; and

**WHEREAS**, Stipulation No. 1 reads as follows:

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 Zoning Board of Appeals; and

**WHEREAS**, Stipulation No. 2 reads as follows:

2. Approval is granted for a 1 year period only, requiring re-application to the Zoning Board of Appeals after 1 year; and

**WHEREAS**, the one year approval stipulation was adopted as a trial period to determine whether the operation of the proposed business is a good fit for the neighborhood in which it is located; and

**WHEREAS**, although the one year period is about to expire, the business has not opened because the development of the property and related issues have taken longer than anticipated; and

**WHEREAS**, it is therefore necessary to clarify the meaning of Stipulation No. 2.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened, that the phrase “Approval is granted for a 1 year period only” means one year from the date the certificate of occupancy is granted.

**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 Bowman, seconded by Councilman Lester to adopt.**

Councilman Walford: Madam Chair, if I could be a little out of order. That should be stipulated now on every time the Council does the one year, so if this should come up again, that it's from - - -

Councilwoman Bowman: Right. So, did you understand that? Okay.

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

**INTRODUCTION OF RESOLUTIONS:** *(Not to be adopted prior to November 23, 2010)*

*The Clerk read the following:*

1. **Resolution No. 252 of 2010**: A resolution approving the 2011 Budget for the Shreveport-Bossier Convention and Tourist Bureau, and otherwise providing with respect thereto.
2. **Resolution No. 253 of 2010**: A resolution authorizing the Mayor to execute an amendment to the May 11, 2007 Sludge Processing/Marketing contract between the City and C. E. Delaney, and to otherwise provide with respect thereto.
3. **Resolution No. 254 of 2010**: A resolution authorizing the Mayor to execute a cooperative purchasing agreement between the City of Shreveport and the Calcasieu Parish Police Jury, and otherwise providing with respect thereto.
4. **Resolution No. 255 of 2010**: A resolution authorizing the Mayor to execute an agreement with the LSU Board of Supervisors, acting through Louisiana State University in Shreveport, for the retention, preservation and servicing of the City records at LSUS, and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Walford, seconded by Councilman Webb to introduce Resolution No(s). 252, 253, 254, and 255 of 2010 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**INTRODUCTION OF ORDINANCES:** *(Not to be adopted prior to November 23, 2010)*

*The Clerk read the following:*

1. **Ordinance No. 167 of 2010**: An ordinance amending and replacing Section 90-124, specified "No Through Truck Routes", and otherwise providing with respect thereto. (F/Shyne)

**Read by title and as read, motion by Councilman Shyne, seconded by Councilman Long to introduce Ordinance No. 167 of 2010 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**ORDINANCES ON SECOND READING AND FINAL PASSAGE** *(Numbers are assigned Ordinance Numbers)*

*The Clerk read the following:*

1. **Ordinance No. 134 of 2010**: An ordinance creating and establishing a No Parking, No Standing, and No Stopping Zone for specific vehicles on either side of West 59<sup>th</sup> Street between Linwood Avenue and St. Vincent Avenue and to otherwise provide with respect thereto. (F/Shyne) (*Postponed October 26, 2010*)

**Having passed first reading on October 26, 2010 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 Walford to adopt.**

Councilman Walford: He finally claimed it yesterday for the record, he's been trying to give it to me.

Councilman Shyne: That's cause I love you so much Monty.

Bell rings.

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

2. **Ordinance No. 154 of 2010**: An ordinance revising, amending, and enacting Sections 102-1 and 102-40 through 273 of the City of Shreveport Code of Ordinances relative to vehicles for hire and to otherwise provide with respect thereto.

Councilman Walford: Motion to postpone.

Councilwoman Bowman: He said we didn't have to, is that right?

Mr. Sibley: Madam Chair, if I may, in light of the fact that we really didn't hear any comments that haven't been addressed in the statute, and also for the record, would like to note that as of yesterday, that we have communicated with Bossier City, and they have spoken to the ordinance, and they're fine with it. We're prepared to go forward with it and the Chief would like to make some comments. So, if the Council doesn't feel the need to hold it up for any reason, we're prepared to go forward because we don't think it's anything that's come up that's not covered.

Councilwoman Bowman: And you've already corrected whatever concern - - -

Mr. Sibley: Yes Ma'am, that was a matter of making sure he understood that we can charge up to \$18, but ours is \$14. So we're within the law and we just charge a little less than the state allows us to charge.

Chief Shaw: Council Chair and Council Members. I just want to mention a couple of things about the vehicle for hire ordinance. There was an incident not long ago in Desoto Parish where we actually issued the taxi driver permit to a sex offender. At that time, (inaudible) and as it exist today, we would still have to issue that taxi permit. Where we have to people

that have applied. If this is voted on today, we can deny. It puts us in a very precarious position regarding safety because we don't want to issue those. So actually if you look at it today and vote on it today, because of the issues that was a concern as far as some money owed, the \$14 fee, that's what the city ordinance calls for, we can always amend it and raise it if we want to go that way, we just can't go above the \$18. So I ask that you look at it today and vote on it today.

Councilwoman Bowman: At this time Councilman Walford?

Councilman Walford: Madam Chair, I'm scrolling back to it, but I'm convinced that it contradicts itself in what it says, and I would be happy to do a very quick amendment to correct that, but it's citing with an colon what the rates are set for by the Louisiana Public Service Commission, and it says \$14 per day for outdoor storage and \$17 for covered storage. It's just a matter of semantics but I think it should be fixed in the ordinance before we go forward. Ms. Glass.

Ms. Glass: We can do that. Are you saying that you want them to be able to go up to the state amount which is \$18 or you want to say that our limit is up to the whatever it is, \$14?

Councilman Walford: I think that it should have a period in (c) after the amount set forward by the Louisiana Public Service Commission period, and then there has to be something that says why our rates differ.

Ms. Glass: So my question is do you want us to be limited to the lower rates. They can't charge more than - - -

Councilman Walford: No, I want - - - I would be happy if we eliminated one or the two.

Ms. Glass: Okay, if we want to be able to go up to the state amount, we'll just take out the statements of the local.

Councilman Walford: I think that would fix it fine. And so Madam Chair, I'd like to do that amendment because I do think it, as it's written, it contradicts itself.

Councilman Lester: Can we publish a law with a fee and don't publish the fee? Because if you take out 1 and 2, it doesn't establish a fee. And then you've got a scenario where you're trying to enforce a law and someone could say well, 'Up to what the state says,' but you don't publish what the fee is.

Ms. Glass: I think we're just relying on the state's statute. You know we're saying that we don't have a lower fee set on our own, and that the state's statute prevails.

Ms. Sibley: But we actually do though. I think that's the issue.

Councilman Lester: Our fee is lower than the state.

Councilman Walford: Can we simply - - - a sentence after - - - put a period after Public Service Commission, and then ideally, it would be in one, you would say the maximum fees allowed in the City of Shreveport are \$14 per day for outdoor storage fee, \$17 per day for covered storage. But it does contradict itself as it is right now.

Mr. Thompson: So, you want your amendment to be with the lower fee?

Councilman Walford: I don't care, I just don't want it - - - you can - -

Ms. Glass: The question is which way does the Council want it? Do you want to be able to go up to the State fee or keep it down at the \$14 and \$17?

Councilman Lester: Why can't you say what the City fee is and give us the right to go to that?

Councilman Walford: That's what you would be doing if you put a period and then (inaudible).

Councilman Lester: Well, lets do that.

Councilman Shyne: Is it legal the way it is?

Councilman Lester: No, no, no, no I'm saying, you could say that the rate is for \$14, but we have the ability to go up to - - -

Mr. Thompson: I think it should go back to the Council if you go up.

Councilman Walford: Well that's what I think.

Councilman Lester: Well then fine, then.

Mr. Sibley: We would ask that you simply set the fee, because we have to be able to store it and say that's what we're charging. If we simply set the fee and the state law allows us to go up, we still have to come back to Council cause it's an ordinance.

Councilman Walford: Why not change (c) to say 'No storage facility shall charge more than - - - and then do the 1 and 2.

Mr. Thompson: Madam Chair, if it's a consensus that the amounts there are the amounts that you want, I think Ms. Glass can fix it.

Councilman Long: Okay, fix it.

Councilman Walford: Can we revisit this in a few minutes Madam Chair?

Councilman Lester: Motion to postpone until a later point in the meeting.

Councilman Long: Second.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Long to postpone until later in the meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

3. **Ordinance No. 155 of 2010**: An ordinance amending the 2010 Grants Special Revenue Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

4. **Ordinance No. 156 of 2010**: An ordinance amending the 2010 General Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long. *The Clerk read the following:***

**AMENDMENT 1 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In General Government, Increase Taxes and Assessments by \$56,000

In Section 2 (Appropriations):

In General Government, Increase Contractual Services by \$56,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment adds \$56,000 related to the City of Shreveport Film Industry Incentive Policy. This policy was established by Resolution 86 of 2009.

The TV series “The Gates” spent \$2,240,130 on qualified purchases within the City of Shreveport. This results in a sales tax rebate of \$56,003.

Total rebates so far in 2010 is \$236,112 based on over \$9.3 million in qualified purchases within the city limits of Shreveport.

**Motion by Councilman Lester, seconded by Councilman Long to adopt Amendment No. 1 to Ordinance No. 156 of 2010.**

Councilman Lester: I hope that the new Council will have plenty of these. This is a result of the film tax industry incentive that the Council passed in 2009. We’re rebating \$56,000 but the TV series spent \$2.2(million) within the confines of the City of Shreveport. And we rebated \$236,000 in sales taxes, but over \$9.3(million) have been spent within the municipal confines of the City of Shreveport. Not a bad investment.

Mayor Glover: Madam Chair, I think it’s also worth noting that our neighbors to the south, down I-49, the City and Parish of Lafayette has proposed a measure that essentially mirrors this one, and specifically cited the need to be able to level the playing field.

Councilwoman Bowman: They’re just jealous.

Mayor Glover: We lost the movie Secretariat to them which is premiering I think this week. But one of the things that their economic development folks came back to them and said they wanted to continue to be able to hopefully secure future projects, they needed to follow our lead. And so kudos to Mr. Lester, and kudos to the Council.

Councilman Lester: To the incoming Council, when I left, we were No. 1.

Councilman Walford: You had to brag.

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

**AMENDMENT 2 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In SPAR, decrease Personal Services by \$572,000, increase Contractual Services by \$550,000 and increase Improvements and Equipment by \$22,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment adjusts funding in SPAR between characters. This amendment does not impact Operating Reserves.

**Motion by Councilman Walford, seconded by Councilman Lester to adopt Amendment No. 2 to Ordinance No. 156 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**AMENDMENT 3 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In Finance, increase Taxes and Assessments by \$820,000

In Section 2 (Appropriations):

In Operational Services, decrease Personal Services by \$200,000, increase Materials and Supplies by \$300,000, increase Contractual Services by \$700,000 and increase Improvements and Equipment by \$20,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment recognized increased collection of sales tax for 2010 in the amount of \$820,000. The budget for Sales Tax for 2010 was \$109.6 million. Estimate (made in July 2010) used to prepare the 2011 budget was \$111 million. Current estimate is \$112 million. It is expected that actual collections for 2010 will still exceed budget and estimate, even with this \$820k increase.

This amendment decreases Personal Services by \$200,000 (for a total of \$450,000 with original ordinance), primarily achieved by unfilled vacancies.

This amendment appropriates \$300,000 (for a total of \$550,000 with original ordinance) in Materials and Supplies, primarily in Fleet and Solid Waste for increased fuel usage and increased repair costs for old packers.

This amendment appropriates \$700,000 in Contractual Services, primarily in Fleet and Solid Waste.

This amendment appropriates \$20,000 in Improvements and Equipment for a diagnostic computer for Fleet.

**Motion by Councilman Webb, seconded by Councilman Long to adopt Amendment No. 3 to Ordinance No. 156 of 2010.**

Councilman Walford: Madam Chair, that computer is the one that reads the air conditioning problems.

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

**Motion by Councilman Webb, seconded by Councilman Long to adopt Ordinance No. 156 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

5. **Ordinance No. 157 of 2010**: An ordinance amending the 2010 Water and Sewer Enterprise Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 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 Long to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

6. **Ordinance No. 158 of 2010**: An ordinance amending the 2010 Riverfront Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Webb to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

7. **Ordinance No. 159 of 2010**: An ordinance amending the 2010 Capital Improvements Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

8. **Ordinance No. 160 of 2010**: An ordinance amending the 2010 Downtown Entertainment Economic Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Long to adopt.**

Councilman Walford: This gets rid of the ugly fence and the ugly lot at Spring and Texas. It's long since outlived it's usefulness.

Councilman Long: Now called Walford Park.

Councilman Shyne: You know we might just do that after Monty gets off the council.

Councilman Walford: Don't I have to be dead first?

Councilwoman Bowman: They can dedicate it to you.

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

9. **Ordinance No. 161 of 2010**: An ordinance amending and reenacting portions of Chapters 74 and 94 of the Code of Ordinances relative to a Solid Waste Collection fee and to otherwise provide with respect thereto. (B/Walford)

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Long to adopt.**

Councilman Shyne: This is tough, but Mr. Mayor, did we say that we would make sure that our citizens are educated to the point, we would send information out in our water bills and not only once, kinda be like Michael's teacher, you know when he was in school, you know you'd have to point it out to Michael two or three times before he got it?

Councilman Long: Repetition (inaudible)

Councilman Shyne: There you go. Did we get an agreement on that Mr. Mayor?

Mayor Glover: Mr. Shyne, if the Council does in fact pass this, we will insure that the public has a clear understanding of exactly the nature of the fee, what it represents I think in terms of the actual percentage of the actual cost of garbage service, that this is probably at this point well less than 25%, probably somewhere close to actually 20% of the actual expense involved, and that Shreveport I think at this point, and Mr. Thompson, Mr. Sibley and Mr. Seaton, I'll stand correctly as well as you might, we may in fact be the only

municipality whose been able to identify at this point, especially one that has a population of upwards of 100,000 that does not have any form of a fee whatsoever. And so, if we're not the only ones, then we're certainly on a very short list. And that this overall expense represents I think somewhere between \$9 and 10,000,000 total from the City's General Fund that we cover from the general revenue of the city, unlike other cities, even those that are very close to us, if not only use it as a - - - do they not only cover the direct expense of providing the garbage service, they also use it as a revenue generator for the city coffers as well. This is not anything that the City has ever done. What this would represent is at best a coverage of 1/5<sup>th</sup> to 1/4<sup>th</sup> of the actual expenses.

Councilman Shyne: Mr. Mayor, thank you because I wouldn't want my Republican brother here to run through my neighborhood calling me a 'Tax and Spend Democrat'.

Bell rings.

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

10. **Ordinance No. 166 of 2010**: An ordinance amending Chapter 18 of the Code of Ordinances relative to Municipal Airports, and to otherwise provide with respect thereto. (F/Shyne)

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Shyne to adopt.**

Councilman Walford: Are we sure we want to do this now? These are some 1930 regulations that we have allowed to stay on the books. Mr. Shyne, it's your ordinance, are you sure that in 2010 that we want to get rid of these?

Councilman Shyne: Nudged by a strong Republican over here.

Councilman Walford: Well, I'm sorry, I couldn't resist that. I have been trying to get this for most of eight years.

Mr. Sibley: Madam Chair, I had a question back on 161 with the fee. We noticed in the ordinance there's no effective date or anything, so are we assuming that with the passage of seven days, it goes into effect, because in that case there are lot of budget numbers to be (inaudible) - - -

Councilwoman Bowman: I think in 2012.

Mr. Sibley: We need to go back and adjust budget numbers based upon that, so just wanted to (inaudible)

Mayor Glover: Mr. Thompson, Madam Chair? Arthur would you give us some direction or suggestions based on what was just said?

Mr. Thompson: Well, if there's no date in it, it's going to be effective seven days after you sign it. And I guess at any point after that, the city can start charging.

Ms. Glass: Are you sure it doesn't have to be some data processing done?

Mr. Sibley: Is it automatic, I guess is the question.

Councilwoman Bowman: Mr. Mayor? Arthur, how do we go about doing this so it would be the first of the year?

Councilman Walford: Well, Ms. Glass just made a good point. In order for data processing to do everything, in all likelihood, it goes into effect in seven days, but you can't implement it until they get that done, so you're going to have the month of December, and I think probably 1 January, you're going to be your January billing is probably when you can actually get it on the bills, and I would hate to see it doubled going back. So we can re-address it if you want a date in it, but I don't think it's necessary.

Mayor Glover: I just want to make sure that if we need to, that we do so. If not, we'll move forward based upon IT's ability to get it set.

Councilman Walford: But it's going to require programming.

Councilwoman Bowman: Sam, when you start getting those calls, remember what happened.

Councilman-Elect Sam Jenkins: Your number.

Councilwoman Bowman: No. Look, I voted 'No'.

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

11. **Ordinance No. 162 of 2010**: ZONING - C-64-10: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on NW corner of North Allen Avenue and Alston., Shreveport, Caddo Parish, Louisiana, **from R-3, Urban, Multi-Family Residence District to R-3-E, Urban, Multi-Family Residence/Extended Use District, limited to the "Fuller Center Office, Community Grocery and Deli only,** and to otherwise provide with respect thereto.

(A/Lester)

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by**

**Councilman Wooley, seconded by Councilman Long for adoption. *The Clerk read the following:***

**Amendment No. 1 to Ordinance No. 162 of 2010**

After Stipulation No. 1, insert the following:

2. The Fuller Center office, community grocery and deli shall not include any alcoholic beverage sales for uses, and no special exception use for alcoholic beverage sales or uses shall be granted for this property.

**Motion by Councilman Lester, seconded by Councilman Shyne to adopt Amendment No. 1 to Ordinance No. 162 of 2010.**

Councilman Lester: And just Madam Chair, really briefly, if you will recall, the folks from the Fuller Center made it clear that they were not moving forward with alcohol. This council will recall that this is the second store in that neighborhood that is opening, and the other one does not have alcohol and that was part and parcel their stipulation. You know we voted against doing that on Dell Street, and somebody spent a lot of money to run somebody against me, but I made it back up here anyway. So

Bell rings.

Councilwoman Bowman: Get out of here.

Councilman Lester: Oh yeah, yeah. But we're trying to keep some of this alcohol and foolishness out of Allendale, so I really appreciate what the Fuller Center is doing. I'm 100% in favor of what they're going and that whole community is sprouting up. You've got the houses that are beautiful, and now you've gotten - - - actually having people that are going to be doing business with each other and hiring people from the neighborhood. That's what it's all about.

Councilman Shyne: Madam Chairman? I see you and the City Attorney both doing a lot of fanning, what causes that?

Councilwoman Bowman: I'm telling you, it's been real in here.

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

**Motion by Councilman Lester, seconded by Councilman Walford to adopt Ordinance No. 162 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

12. **Ordinance No. 163 of 2010**: ZONING – C-65-10: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the SE corner of Jones and Market Streets, Shreveport, Caddo Parish, Louisiana, **from I-2, Heavy Industry District to R-4, High-Rise, Multifamily Residence District**, and to otherwise provide with respect thereto. (B/Walford)

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester to adopt.**

Councilman Walford: It's the Ogilvie Building, just cross your fingers and hope that it really happens.

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

13. **Ordinance No. 164 of 2010**: ZONING – C-66-10: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the NE and SE corners of Cox and Rosary and the SW corner of Corbitt and Rosary, Shreveport, Caddo Parish, Louisiana, **from R-1D, Urban, One-Family Residence District and R-1H-E, Urban One-Family Residence/Extended Use District to R-1D-E, Urban, One-Family Residence/Extended Use District limited to Caddo Community Action Agency Facilities/Headstart Center only**, and to otherwise provide with respect thereto. (B/Walford)

**Having passed first reading on October 26, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Councilwoman Bowman: Did I hear Monty and Calvin say they were warm over there? Did y'all say that?

Councilman Shyne: That was you and Terri now.

14. **Ordinance No. 165 of 2010**: ZONING – C-70-10: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the south side of Hollywood Avenue 310 feet south of Hollywood Avenue, and 255 feet west of Mansfield Road, Shreveport, Caddo Parish, Louisiana, **from B-2, Neighborhood Business District to B-3, Community Business District**, and to otherwise provide with respect thereto. (F/Shyne)

**Having passed first reading on October 26, 2010 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 Long to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Councilman Walford: Madam Chair, if we could revisit Ordinance No. 154, I have an amendment.

Councilwoman Bowman: Go ahead.

Councilman Walford: I'm going to let Arthur read it, he's much better at that.

*The Clerk read the following:*

**Amendment No. 1 to Ordinance No. 154 of 2010**

To Revise, Amend, and enact Sections 102-1 and 102-40 through 273 of the City of Shreveport Code of Ordinances relative to vehicles for hire and to otherwise provide with respect thereto.

Amend Section 102-164(c)(1) and (2) to read as follows:

(c) No storage facility shall charge an insurer or any other person a storage fee greater than:

(1) \$14.00 per vehicle per day for outdoor storage.

(2) \$17.00 per vehicle per day for covered storage, if such storage is necessary.

**Motion by Councilman Walford, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 154 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**Motion by Councilman Walford, seconded by Councilman Bowman to adopt Ordinance No. 154 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Councilman Shyne: Joyce, you better call him smoothie, cause you won't have many more times to do that.

Councilwoman Bowman: Well, that's true, I'll ask him. Is that okay with you Smoothie?

Mr. Sibley: Yes Ma'am Madam Chair, it is. If I may just thank Councilman Walford for 1) pointing that out and giving us a chance to fix it and Ms. Glass for pulling that amendment

together rather quickly so we can get this done today. So thank you, thank you to the Council.

*The adopted ordinances and amendments follow:*

**ORDINANCE NO. 137 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 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 include all open capital projects for 2011, listing the appropriation and whether it increases, decreases or maintains its current level of appropriation.

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

1. Appropriations

The following funds are hereby appropriated for capital projects for the year 2011, which is inclusive of amounts which have been previously appropriated in Capital Improvements Budget ordinances approved by the City Council. For all projects which are not listed herein, but which have been previously appropriated by the Council in capital budget ordinances, the prior appropriations shall remain in effect until such projects are closed by the Council.

The Director of Finance is hereby authorized to expend appropriated funds for all active capital projects in accordance with law, to the extent that funds are available.

**In Program A - Building and Improvements:**

Maintain the appropriation for **Building Maintenance (95A005)** at \$387,300. Funding source remains at \$196,800 from General Fund and \$190,500 from Riverfront Development Fund.

Maintain the appropriation for **Riverfront Buildings Improvements (97A001)** at \$2,031,000. Funding source remains at \$1,450,000 from Hotel/Motel Tax Rebates, \$500,000 from Riverfront Development Fund, \$31,000 from Insurance Proceeds and \$50,000 from General Fund.

Maintain the appropriation for **Shreveport Convention Center (97A004)** at \$110,095,100. Funding source remains at \$84,856,900 from 1999 Convention Center Bonds, \$2,990,800 from Sale of American Tower, \$17,700,000 from Interest Earned, \$4,545,500 from Insurance Proceeds and \$1,900 from Land Rent.

Maintain the appropriation for **Festival Site Development (98A001)** at \$8,390,600. Funding source remains \$6,257,900 from Riverfront Development Fund, \$1,808,900 from Hotel/Motel Tax Rebate, \$175,000 from Insurance Proceeds, \$133,800 from Economic Development and \$15,000 from Private Donations.

Maintain the appropriation for **Downtown City Hall (99A002)** at \$9,613,100. Funding source remains \$7,600,000 from 1999 City Hall Bonds, \$421,400 from Interest Earned, \$110,900 from Gain/Loss on Sale, \$1,000,000 from 2001 GOB, and 480,800 from Other Funds.

Maintain the appropriation for **Industrial Park Infrastructure (00A002)** at \$536,500. Funding source is 1983 GOB, Prop. 6.

Maintain the appropriation for **Convention Center Hotel and Associated Improvements (03A004)** at \$49,408,300. Funding source remains at \$32,483,300 from 2005 Hotel Bonds, \$2,425,000 from Interest Earned, \$2,500,000 from Other Funds and \$12,000,000 from State Capital Outlay.

Decrease the appropriation for **Festival Plaza Covered Pavilion (04A001)** by \$40,000 from Private Donations to \$1,150,000. Funding sources remain at \$400,000 from Riverfront Development Fund and \$750,000 from State Capital Outlay.

Maintain the appropriation for **ArtSpace at the West Edge (04A004)** at \$850,000. Funding source is State Capital Outlay.

Maintain the appropriation for **Renovations for ADA (06A001)** at \$1,422,800. Funding source remains at \$672,800 from General Fund and \$750,000 from Riverfront Development Fund.

Maintain the appropriation for **Municipal Auditorium Parking (06A003)** at \$730,000. Funding source remains at \$200,000 from 2003 GOB and \$530,000 from General Fund.

Maintain the appropriation for **Ledbetter Heights Land Banking (07A001)** at \$1,800,000. Funding source is Riverfront Development Fund.

Maintain the appropriation for **New Office Building for Operational Services (08A001)** at \$1,050,000. Funding source remains at \$300,000 from Water and Sewer Revenues and \$750,000 from Riverfront Fund.

Maintain the appropriation for **Downtown One-Stop Shop Building (08A002)** at \$750,000. Funding source remains at \$400,000 from 1999 City Hall Bonds and \$350,000 from Riverfront Fund.

Maintain the appropriation for **Government Buildings Emergency Generators (09A001)** at \$937,000. Funding source is State Grant.

Increase the appropriation for **SPAR Arts Center Replacement (10A001)** by \$760,000 from State Capital Outlay to \$1,655,200. Other funding source remains at \$895,200 from General Fund.

Maintain the appropriation for **Intermodal Bus Facility (10A002)** at \$2,783,359 established by Ordinance No. 121 of 2010. Funding source is the FTA.

Establish a new project **Parking Garage near Riverview and Barnwell (11A001)** with the appropriation of \$950,000. Funding source is Downtown Parking Enterprise Fund. The scope of this project is to construct additional parking capacity at the parking garage near Riverview Theater, Riverview Hall, and Barnwell Center.

Total for Program A Projects (All Years): \$194,540,259

#### **In Program B - Recreation Improvements:**

Maintain the appropriation for **Ledbetter Heights Park and Recreation Center (94B003)** at \$1,845,000. Funding sources remain at \$1,250,000 from 1999 GOB, Prop. 2, \$395,000 from the Riverfront Development Fund, and \$200,000 from Private Donations.

Maintain the appropriation for **Riverfront Park Extension (96B002)** at \$6,102,200. Funding source remains at \$491,600 from 1996 GOB, Prop. 8, \$1,899,200 from 1997 GOB, Prop. 8, \$278,800 from 1998 GOB, Prop. 8, and \$3,432,600 from 1999 GOB, Prop. 8.

Increase the appropriation for **Independence Stadium Capital Repairs & Improvements (02B001)** by \$28,500 to \$756,500. Funding source for increase is Other Funds and increases by \$28,500 to \$400,700. Other funding sources remain at \$115,900 from 1999 Stadium Bonds and \$28,900 from Riverfront Development Fund and \$211,000 from Private Donations.

Maintain the appropriation for **Jerry Tim Brooks Golf Course Improvements (10B001)** at \$200,000. Funding source is State Capital Outlay. The scope of this project is to make improvements at Jerry Tim Brooks Golf Course.

Maintain the appropriation for **Fern Avenue Path Overlay (10B002)** at \$85,000. Funding sources remains at \$1,100 from 1997 GOB, Prop. 2, \$32,600 from 1998 GOB, Prop. 2,

\$51,300 from 1999 GOB, Prop. 2. The scope of this project is to improve the shared-use path along Bayou Pierre.

Maintain the appropriation for **Red River Bicycle Path Extension to Preston Avenue (10B003)** at \$175,000. Funding sources remain at \$109,800 from 1999 GOB, Prop. 2 and \$65,200 from State Grants.

Maintain the appropriation for **Salvation Army/Fairgrounds Park Improvements** at \$100,000 established by Ordinance No. 114 of 2010 for the removal of contaminated soil from Fairgrounds Park and other improvements. Funding source is Private Donations.

Total for Program B Projects (All Years): \$9,263,700

### **In Program C - Street Improvements:**

Maintain the appropriation for **Youree Drive/Kings Highway Intersection Improvements (89C027)** at \$1,445,900. Funding sources remain at \$138,900 from 1989 GOB, Prop. 1, \$447,000 from 1993 GOB, Prop. 1, and \$860,000 from 2003 GOB.

Maintain the appropriation for **Greenwood Road at Pines Road Intersection (91C005)** at \$250,000. Funding sources remain at \$62,500 from 1983 GOB, Prop. 1 and \$187,500 from Urban Arterial.

Maintain the appropriation for **Shreve Park Industrial Campus Roadways (95C003)** at \$8,469,500. Funding sources remain at \$200,000 from 1981 GOB, Prop. 1, \$500,000 from 1983 GOB, Prop. 1, \$201,400 from 1991 GOB, Prop. 1, \$181,000 from 1993 GOB, Prop. 1, \$300,000 from 1993 A GOB, Prop. 2, \$317,600 from 1993 B GOB, Prop. 1, \$343,000 from 1996 GOB, Prop. 4, \$1,776,500 from EDA, \$1,500,000 from Riverfront Development Fund, and \$3,150,000 from State Grant.

Maintain the appropriation for **Lakeside Area Street Paving (96C010)** at \$2,375,000. Funding sources remain at \$25,000 from 1996 GOB, Prop. 4, \$200,000 from 1997 GOB, Prop. 4, \$325,000 from 1998 GOB, Prop. 4, \$1,375,000 from 1999 GOB, Prop. 4, and \$450,000 from 2003 GOB.

Maintain the appropriation for **Bridge Replacement Program (96C014)** at \$2,051,000. Funding sources remain at \$350,000 from 1983 GOB, Prop. 1, \$211,700 from 1993 B GOB, Prop. 1, \$300,000 from 1996 GOB, Prop. 4, \$12,000 from 1996 GOB, Prop. 10, \$927,300 from 1999 GOB, Prop. 4, and \$250,000 from 2003 GOB.

Maintain the appropriation for **I-49/Murphy St./Texas Avenue Corridor Improvements (98C007)** at \$290,000. Funding sources remain at \$150,000 from 1998 GOB, Prop. 4 and \$140,000 from 1999 GOB, Prop. 4.

Maintain the appropriation for **Landscaping on I-20 (01C001)** at \$700,000. Funding sources remain at \$624,700 from Urban Arterial, \$60,300 from 1993 B GOB, Prop. 1, and \$15,000 from Convention/Tourist Bureau.

Maintain the appropriation for **Southern Loop Extension (01C013)** at \$2,320,000. Funding sources remain at \$200,000 from 2001 GOB, \$1,400,000 from 2003 GOB and \$720,000 State Grant.

Maintain the appropriation for **South Brookwood Bridge Replacement (01C026)** at \$250,000. Funding sources remain at \$50,000 from 2001 GOB and \$200,000 from 2003 GOB.

Maintain the appropriation for **Sidewalk Program and Curb Cuts (01C029)** at \$3,335,000. Funding sources remain at \$250,000 from 1999 GOB, Prop. 4, \$1,000,000 from 2001 GOB, \$2,075,000 from 2003 GOB and \$10,000 from Private Donations.

Maintain the appropriation for **GIS Map Development (01C030)** at \$2,145,000. Funding remains at \$112,674 from 1997 GOB, Prop. 4, \$337,326 from 1999 GOB, Prop. 4, \$1,520,000 from 2001 GOB, and \$175,000 from 2003 GOB.

Maintain the appropriation for **Neighborhood Street Improvements - 2001 Bonds (01C031)** at \$7,292,400. Funding sources remain at \$1,292,400 from 1999 GOB, Prop. 4, \$2,000,000 from 2001 GOB and \$4,000,000 from 2003 GOB.

Maintain the appropriation for **Street Projects for Economic Development - 2001 Bonds (01C032)** at \$2,573,000. Funding sources remain at \$2,150,000 from 2001 GOB and \$423,000 from 2003 GOB.

Maintain the appropriation for **Street Lighting - 2001 Bonds (01C033)** at \$1,145,100. Funding sources remain at \$45,100 from 1996 GOB, Prop. 4, \$100,000 from 1999 GOB, Prop. 4, \$500,000 from 2001 GOB and \$500,000 from 2003 GOB.

Maintain the appropriation for **Railroad Crossing Imps. - 2001 Bonds (01C034)** at \$1,000,000. Funding sources remain at \$250,000 from 2001 GOB and \$750,000 from 2003 GOB.

Maintain the appropriation for **Concrete Street Improvements (09C001)** by \$2,900,000. Funding sources are \$2,400,000 from 1999 GOB, Prop. 4 and \$500,000 from 2003 GOB.

Maintain the appropriation for **CNG Fill Station at Solid Waste (10C001)** at \$1,265,740. Funding sources remain at \$650,000 from Riverfront Fund and \$615,740 from State Grant.

Total for Program C Projects (All Years): \$39,807,640

**In Program D - Drainage Improvements:**

Maintain the appropriation for **Ockley Ditch Improvements (92D002)** at \$12,729,100. Funding sources remain at \$850,000 from 1983 GOB, Prop. 2, \$1,200,000 from 1993 GOB, Prop. 2, \$1,190,000 from 1996 GOB, Prop. 10, \$840,900 from 1997 GOB, Prop. 10, \$1,601,100 from 1998 GOB, Prop. 10, \$2,333,000 from 1999 GOB, Prop. 10, and \$4,714,100 from Statewide Flood Control.

Maintain the appropriation for **Youree Drive Drainage (96D004)** at \$3,000,000. Funding sources remain at \$136,100 from 1996 GOB, Prop. 10, \$1,113,100 from 1997 GOB, Prop. 10, \$1,153,200 from 1998 GOB, Prop. 10, and \$597,600 from 1999 GOB, Prop. 10.

Maintain the appropriation for **City-Wide Drainage - 2001 Bonds (01D015)** at \$5,649,700. Funding sources remain at \$500,000 from 1998 GOB, Prop. 10, \$1,154,700 from 2001 GOB, and \$3,995,000 from 2003 GOB.

Increase the appropriation for **Paved Ditch Repairs (01D016)** by \$273,000 to \$3,492,905. Funding source for increase is USDA – NRCS Grant. Other funding sources remain at \$219,905 from 1996 GOB, Prop. 10, \$1,000,000 from 2001 GOB, and \$2,000,000 from 2003 GOB.

Maintain the appropriation for **Purchase of Flood-Prone Properties, Phase III (01D017)** at \$650,000. Funding source is 2001 GOB.

Total for Program D Projects (All Years): \$ 25,521,705

#### **In Program E - Water Improvements:**

Maintain the appropriation for **Amiss WTP Plants I and II Filter Improvements (98E006)** at \$32,183,518. Funding sources remain at \$2,845,289 from 1994A URB, \$9,570,229 from 2000A URB, \$19,540,000 from 2001 State Revolving Loan, \$175,000 from 2005 URB, and \$53,000 from 2007 URB.

Maintain the appropriation for **GIS Water Distribution Network Development (00E001)** at \$2,010,100. Funding sources remain at \$40,000 from 1991A Utility Revenue Bonds and \$1,970,100 from Water and Sewer Revenues.

Maintain the appropriation for **Backflow Preventers - Water Distribution System (04E002)** at \$3,979,755. Funding sources remain at \$354,800 from 2000A URB, \$1,600,000 from 2007 URB, \$196,900 from Water & Sewer Revenues, \$1,828,055 from EPA Grant.

Maintain the appropriation for **Russell Road Water Main Improvements (05E001)** at \$150,000. Funding source is 2005 URB.

Maintain the appropriation for **City-Wide Water Main Renewal/Replacement (05E008)** at \$4,465,018. Funding source is 2005 URB.

Maintain the appropriation for **SE Shreveport Water Distribution System Improvements (05E009)** at \$24,127,000. Funding sources remain \$18,927,000 from 2007 URB and \$5,200,000 from Water and Sewer Revenues.

Maintain the appropriation for **Amiss WTP Improvements – 2005 Bonds (05E012)** at \$21,600,000. Funding source is 2005 URB.

Maintain the appropriation for **Hope/Lawrence Street Water Main Improvements (05E015)** at \$250,000. Funding source is 2005 URB.

Maintain the appropriation for **W. 70<sup>th</sup> Street Water Main Relocation (08E001)** at \$1,450,000. Funding source is 2005 URB.

Maintain the appropriation for **Flourney-Lucas/Ellerbe Roads Water Main Relocation (08E002)** at \$1,765,900. Funding sources remain at \$ 625,000 from 2005 URB and \$1,140,900 from State Grant.

Maintain the appropriation for **SCADA System Upgrade at (09E001)** at \$150,000. Funding source is 2007 URB.

Maintain the appropriation for **Water System Infrastructure Improvements Program (09E002)** at \$11,000,000. Funding sources remain at \$2,000,000 from 2009 A DHH State Revolving Loan and \$9,000,000 from 2009 B DHH State Revolving Loan.

Maintain the appropriation for **E. 70<sup>th</sup> Street Water Main Relocation (10E001)** at \$225,000. Funding source is 2007 URB.

Total for Program E Projects (All Years): \$103,356,291

#### **In Program F - Sewer Improvements:**

Maintain the appropriation for **Lucas Sludge Field Improvements (98F014)** at \$665,000. Funding sources remain at \$30,000 from 1991 URB and \$635,000 from Water and Sewer Revenues.

Maintain the appropriation for **Lucas & N. Regional WWTP Expansion (00F001)** at \$80,407,000. Funding sources remain at \$25,000 from 1990 A URB, \$654,200 from 1991A URB, \$1,464,000 from 1994A URB, \$71,700,000 from 2002 State Loan Fund, \$6,257,000 from Water and Sewer Revenue and \$306,800 from FEMA.

Maintain the appropriation for **Agurs Lift Station Improvements (05F002)** at \$2,680,000. Funding sources remain at \$200,000 from 2005 URB and \$2,480,000 from 2010 DEQ State Revolving Loan Program.

Maintain the appropriation for **Broadmoor Lift Station Improvements (05F003)** at \$2,580,000. Funding sources remain at \$180,000 from 2005 URB and \$2,400,000 from 2010 DEQ State Revolving Loan Program.

Maintain the appropriation for **Darien Lift Station Improvements (05F005)** at \$1,610,000. Funding source is 2005 URB.

Maintain the appropriation for **Hardy Lift Station Improvements (05F008)** at \$1,580,000. Funding source is 2005 URB.

Maintain the appropriation for **Lucas Lift Station Improvements (05F013)** at \$6,029,300. Funding sources remain \$739,300 from 2005 URB and \$5,290,000 from 2010 DEQ State Revolving Loan Program.

Maintain the appropriation for **Querbes Lift Station Improvements (05F016)** at \$631,000. Funding source is 2005 URB.

Maintain the appropriation for **South Highlands Lift Station Improvements (05F017)** at \$180,000. Funding source is 2005 URB.

Maintain the appropriation for **City-Wide Sewer Main Renewal/Replacement (05F020)** at \$5,657,879. Funding source is 2005 URB.

Maintain the appropriation for **Miscellaneous Lift Station Improvements (05F025)** at \$1,015,000. Funding source is 2005 URB.

Maintain the appropriation for **Cross Lake Watershed Sewer Improvements (06F001)** at \$1,770,700. Funding sources remain at \$171,500 from 2005 URB, \$209,200 from EPA Grant, and \$1,390,000 from DEQ State Revolving Loan Program.

Maintain the appropriation for **Sanitary Sewer Evaluation Survey and Wastewater Master Plan (10F001)** at \$68,828. Funding source is 2005 URB.

Total for Program F Projects (All Years): \$104,874,707

#### **In Program G - Traffic Engineering:**

Maintain the appropriation for **Traffic Signal System Improvements (00G001)** at \$5,500,000. Funding sources remain at \$50,000 from 1990A GOB, Prop. 1, \$250,000 from 1993B GOB, Prop. 1, \$200,000 from 1998 GOB, Prop. 4 and \$5,000,000 from 2003 GOB.

Total for Program G Projects (All Years): \$5,500,000

#### **In Program H - Airports Projects:**

Maintain appropriation for **Improvements for Continental Air Lines Facility (01H008)** at \$5,902,200. Funding source from Shreveport Airport Authority is \$2,802,200. Funding source from State Grant remains at \$1,500,000. Funding source from Improvement/Cost Recovery remains at \$1,600,000.

Increase the appropriation for **Security Upgrades at Regional Airport (06H001)** by \$3,360,000 to 5,250,000. Funding source from Shreveport Airport Authority increases by \$160,000 to \$250,000. Funding source from State Grant increases by \$160,000 to \$250,000. Funding from Federal Aviation Administration increases by \$3,040,000 to \$4,750,000.

Increase the appropriation for **Update Master Plan at Regional Airport (06H003)** by \$919,000 to \$1,575,000. Funding source from Shreveport Airport Authority increases by \$44,000 to \$75,000. Funding source from State Grant increases by \$44,000 to \$75,000. Funding from Federal Aviation Administration increases by \$831,000 to \$1,425,000.

Maintain appropriation for **Rehab Runway 14-32 and Lighting Taxiway "A" South at Regional Airport (07H001)** at \$9,936,000. Funding sources remain at \$473,000 from Shreveport Airport Authority, \$473,000 from State Grant and \$8,990,000 from Federal Aviation Administration.

Maintain appropriation for **Regional Perimeter Road -Phase 1 (07H002)** at \$787,500. Funding sources remain at \$37,500 from Shreveport Airport Authority, \$37,500 from State Grant and \$712,500 from Federal Aviation Administration.

Maintain the appropriation for **Part 150 Noise Update (07H004)** at \$13,263,200. Funding sources remain at \$631,600 from Shreveport Airport Authority, \$631,600 from State Grant and \$12,000,000 from Federal Aviation Administration.

Maintain appropriation for **Air Cargo Facility (08H001)** at \$10,800,000. Funding sources remain at \$900,000 from Shreveport Airport Authority, \$900,000 from State Grant and \$9,000,000 from Revenue Bonds.

Increase the appropriation for **Construct Perimeter Fencing at the Shreveport Regional Airport (09H002)** by 1,068,500 to \$4,200,000. Funding source from Shreveport Airport Authority increases by \$50,900 to \$200,000. Funding source from State Grant increases by \$50,900 to \$200,000. Funding source from Federal Aviation Administration increases by \$966,700 to \$3,800,000.

Maintain the appropriation for **Rehabilitate Taxiway A Lighting (10H001)** at \$420,000. Funding sources are \$20,000 from Shreveport Airport Authority, \$20,000 from State Grant and \$380,000 from Federal Aviation Administration. The scope of this project is to rehabilitate the lighting on Taxiway A at the Shreveport Regional Airport.

Maintain appropriation for **Construct Sewerage System -Downtown Airport (04H003)** at \$100,000.

Funding source remains Shreveport Airport Authority.

Maintain the appropriation for **Overlay North Perimeter Road at Downtown Airport (06H006)** at \$1,095,000. Funding source from Shreveport Airport Authority remains at \$95,000. Funding source from State Grant remains at \$95,000. Funding source from Federal Aviation Administration remains at \$905,000.

Maintain appropriation for **Install Taxiway Lights - Downtown Airport (09H001)** at \$1,575,000. Funding sources remain at \$75,000 from Shreveport Airport Authority, \$75,000 from State Grant and \$1,425,000 from Federal Aviation Administration.

Maintain appropriation for **Overlay Runway 5-23 at the Shreveport Downtown Airport (09H004)** at \$1,416,000. Funding sources remain at \$67,400 from Shreveport Airport Authority, \$67,400 from State Grant and \$1,281,200 from Federal Aviation Administration.

Maintain appropriation for **Construct Safety Area for Runway 32 at Downtown Airport (10H002)** with an appropriation of \$210,000. Funding sources are \$10,000 from Shreveport Airport Authority, \$10,000 from State Grant and \$190,000 from Federal Aviation Administration. The scope of this project is to construct a safety area for Runway 32 at the Downtown Airport.

Maintain appropriation for **Update Master Plan at Downtown Airport (10H003)** at \$525,000. Funding sources are \$25,000 from Shreveport Airport Authority, \$25,000 from State Grant and \$475,000 from Federal Aviation Administration. The scope of this project is to update the Master Plan for Downtown Airport.

Maintain the appropriation for **Northwest Louisiana Air Service Task Force (10H004)** at \$5,000. Funding source is General Fund.

Establish the project **Rehabilitate Runway 5-23 at Regional Airport (11H001)** with an appropriation of \$5,250,000. Funding sources are \$250,000 Shreveport Airport Authority, \$250,000 from State Grant and \$4,750,000 from Federal Aviation Administration. The scope of this project is to rehabilitate Runway 5-23 at the Regional Airport.

Total for Program H Projects (All Years): \$62,309,900.

#### **In Program I - Fire Improvements:**

Total for Program I Projects (All Years): \$0.

#### **In Program L - Transit Improvements:**

Maintain the appropriation for **2000 Sportran Capital Improvements (00L001)** at \$3,000,600. Funding sources remain at \$560,500 from General Fund, \$2,437,500 from FTA Grant and \$2,600 from Insurance Proceeds.

Maintain the appropriation for **2002 Sportran Capital Improvements (02L001)** at \$3,509,100. Funding sources remain at \$659,000 from General Fund and \$2,850,100 from FTA Grant.

Maintain the appropriation for **2003 Sportran Capital Improvements (03L001)** at \$3,296,600. Funding sources remain at \$473,900 from General Fund, \$2,642,100 from FTA Grant, \$80,600 from NLCOG and \$100,000 from 1999 GOB, Prop. 4.

Maintain the appropriation for **2004 Sportran Capital Improvements (04L001)** at \$4,919,000. Funding sources remain at \$807,800 from General Fund, \$4,019,200 from FTA Grant, \$20,500 from Insurance Proceeds, \$7,500 from NLCOG and \$64,000 from Private Donations.

Maintain the appropriation for **2005 Sportran Capital Improvements (05L001)** at \$2,009,500. Funding sources are \$394,400 from General Fund, \$1,607,600 from FTA Grant and \$7,500 from NLCOG.

Maintain the appropriation for **2006 Sportran Capital Improvements (06L001)** at \$3,518,800. Funding sources remain at \$690,500 from General Fund, \$2,820,800 from FTA Grant and \$7,500 from NLCOG.

Maintain the appropriation for **2007 Sportran Capital Improvements (07L001)** at \$6,897,778. Funding sources remain at \$5,651,816 from FTA Grant, \$1,238,462 from General Fund and \$7,500 from NLCOG.

Maintain the appropriation for **2007 Sportran Hybrid Bus (07L002)** at \$515,000. Funding source remains FTA Grant.

Maintain the appropriation for **2008 Sportran Capital Improvements (08L001)** at \$3,278,500. Funding sources remain at \$2,622,000 from FTA Grant, \$649,000 from General Fund and \$7,500 from NLCOG.

Maintain the appropriation for **2009 Sportran Capital Improvements (09L001)** at \$3,332,500. Funding sources remain at \$2,666,000 from FTA Grant, \$659,000 from General Fund and \$7,500 from NLCOG.

Maintain the appropriation for **2009 Pedestrian Walkway (09L002)** at \$254,550. Funding sources remain at \$50,910 from 2003 GOB and \$203,640 from FTA Grant.

Maintain the appropriation for **2009 Sportran American Recovery & Reinvestment (ARRA) (09L003)** at \$4,716,500. Funding source remains FTA Grant.

Maintain the appropriation for **2010 Sportran Capital Improvements (10L001)** at \$8,562,100. Funding sources are \$1,581,460 from General Fund, \$6,973,140 from FTA Grant and \$7,500 from NLCOG. The scope of this project is to capitalize certain expenses as authorized by the FTA Preventive Maintenance Program.

Maintain the appropriation for **2010 Pedestrian Walkway (10L002)** at \$275,450. Funding sources are \$55,090 from 1998 GOB, Prop. 6 and \$220,360 from FTA Grant.

Maintain the appropriation for **2010 Sportran CNG Mini-buses (10L003)** at \$295,180. Funding sources are \$245,000 from FTA Grant and \$50,180 from Private Donations.

Establish the project **2011 Sportran Capital Improvements (11L001)** with the appropriation of \$3,536,950. Funding sources are \$699,900 from General Fund, \$2,829,550 from FTA Grant and \$7,500 from NLCOG. The scope of this project is to capitalize certain expenses as authorized by the FTA Preventive Maintenance Program.

Total for Program L Projects (All Years): \$51,918,108.

GRAND TOTAL - ALL ACTIVE PROJECTS \$ 597,092,310.

2. No office, department, agency or individual shall be allowed to expend any funds or incur any obligations other than in accordance with the Capital Improvements Budget's appropriations, as provided in Article 7 of the City Charter.

3. The Mayor be and is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend and receive the funds herein authorized.

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.

BE IT FURTHER ORDAINED that this ordinance shall become effective on January 1, 2011.

#### **ORDINANCE NO. 138 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE RIVERFRONT DEVELOPMENT SPECIAL REVENUE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City of Shreveport has available in fiscal year 2011 certain funds as a result of gaming activity on its Riverfront; and

WHEREAS, the City Council has previously determined that the dedication of these funds to riverfront, downtown and economic development activity to be beneficial to the interests of the City of Shreveport.

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

1. Estimated Receipts - The estimated receipts of the Riverfront Development Special Revenue Fund for 2011 are hereby established as follows:

Estimated Fund Balance as of 1/1/2011 \$ 152,300

Land Rent 912,900

Sam's Town Casino 5,110,000

Boomtown Casino 1,135,000

El Dorado Casino 6,690,000

Interest Earnings 60,000

TOTAL \$14,060,200

2. Appropriations - The funds set forth in the following classes of expenditures and projects are hereby appropriated out of the Riverfront Development Special Revenue Fund's receipts for the year 2011:

Personal Services \$ 125,500

Materials and Supplies 5,500

Contractual Services 155,400

Other Charges 1,065,300

Operating Reserves 184,200

Transfer to General Fund 6,542,200

Transfer to Other Funds 5,982,100

TOTAL \$14,060,200

3. The Riverfront Development Special Revenue Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4 Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from the receipts of the Riverfront Development Special Revenue Fund shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5 Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6 Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**AMENDMENT NO 1 TO ORDINANCE 138 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

Increase "Other Charges" by \$14,800.

Decreases "Operating Reserves" by \$14,800.

Adjust Totals and Sub-totals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment is intended to increase the funding for the Caddo Council on Aging non profit from \$15,200 to \$30,000.

**AMENDMENT NO. 2 TO ORDINANCE 138 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

Increase "Other Charges" by \$10,000.

Decreases "Operating Reserves" by \$10,000.

Adjust Totals and Sub-totals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment is intended to fund the Martin Luther King celebration in the amount of \$10,000.

**ORDINANCE NO. 139 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 GENERAL FUND BUDGET, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011.

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

1. Estimated Receipts - The estimated receipts for the General Fund for the year 2011 are hereby established and adopted as follows:

Taxes and Special Assessments \$ 145,620,000

Licenses and Permits 9,253,600

External Service Charges 12,577,400

Internal Service Charges 3,301,500

Interest 40,000  
Fines and Forfeits 4,080,000  
Intergovernmental 1,983,500  
Miscellaneous 11,079,700  
Transfer from Riverfront Fund 6,500,000  
Prior-Year Fund Balance 19,247,800  
**TOTAL \$ 213,683,500**

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated by department, out of the General Fund receipts for the year 2011:

Executive Office

Personal Services \$ 898,000  
Materials and Supplies 23,000  
Contractual Services 67,400  
Other Charges 1,300  
Improvements and Equipment 1,500  
**Subtotal \$991,200**

City Attorney

Personal Services \$1,007,400  
Materials and Supplies 17,900  
Contractual Services 71,900  
Other Charges 2,700  
Improvements and Equipment 1,600  
**Subtotal \$1,101,500**

Property Standards

Personal Services \$ 1,313,700

Materials and Supplies 105,700

Contractual Services 1,239,900

Other Charges 940,000

Improvements and Equipment 75,000

Transfers to Other Funds 25,700

Subtotal \$ **3,700,000**

Human Resources

Personal Services \$ 545,300

Materials and Supplies 7,600

Contractual Services 26,100

Other Charges 2,000

Improvements and Equipment 3,000

Subtotal \$ **584,000**

Information Technology

Personal Services \$2,137,800

Materials and Supplies 96,500

Contractual Services 1,130,600

Improvements and Equipment 196,600

Subtotal \$ **3,561,500**

Public Assembly and Recreation

Personal Services \$9,361,500

Materials and Supplies 916,800  
Contractual Services 4,198,100  
Other Charges 246,800  
Improvements and Equipment 180,000  
Notes Payable 596,800  
Subtotal **\$15,500,000**

Finance

Personal Services \$2,425,400  
Materials and Supplies 175,000  
Contractual Services 586,600  
Improvements and Equipment 13,000  
Subtotal **\$3,200,000**

General Government

Personal Services \$4,598,500  
Materials and Supplies 500  
Contractual Services 409,400  
Other Charges 2,823,500  
Operating Reserves 4,740,600  
Operating Reserves from Minerals 6,153,900  
Transfer to MPC Fund 865,000  
Transfer to SporTran Fund 5,778,000  
Transfer to Retained Risk Fund 6,750,000  
Transfer to Community Development Fund 796,100

Transfer to Golf Fund 57,000

Transfer to Water and Sewerage Fund 760,000

Subtotal \$ **33,732,500**

Police

Personal Services \$48,104,100

Materials and Supplies 2,192,300

Contractual Services 1,375,300

Other Charges 179,000

Improvements and Equipment 1,824,400

Transfer to Other Funds 1,612,800

Subtotal **\$55,287,900**

Fire

Personal Services \$45,586,700

Materials and Supplies 1,770,300

Contractual Services 1,161,500

Improvements and Equipment 1,224,200

Transfers to Other Funds 1,046,300

Subtotal **\$50,789,000**

Operational Services

Personal Services \$16,157,400

Materials and Supplies 3,946,200

Contractual Services 16,215,200

Improvements and Equipment 770,900

Transfers to Other Funds 2,591,800

Subtotal **\$39,681,500**

City Council

Personal Services \$ 1,082,300

Materials and Supplies 14,500

Contractual Services 206,500

Improvements and Equipment 17,900

Subtotal \$ **1,321,200**

City Courts

Personal Services \$2,728,200

Subtotal **\$2,728,200**

City Marshal

Personal Services \$1,505,000

Subtotal **\$1,505,000**

**GRAND TOTAL - GENERAL FUND OPERATIONS \$213,683,500**

3. The General Fund Budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action of the City Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from General Fund receipts shall be transferred to the proper capital funds as provided in the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend and receive the funds herein authorized, excluding contracts for special legal counsel.

6. City Court Judges' Salaries - The salary paid to each City Court judge by the City of Shreveport shall be \$80,900 per annum for the year 2011.

7. City Marshal's Salary - The salary paid to the City Marshal by the City of Shreveport shall be \$83,836 per annum for the year 2011.

8. Donation of City Funds - The Mayor is hereby authorized to execute all contracts involving funds appropriated herein. However, prior to execution, all contracts in which the City undertakes obligations or responsibilities over and above payment of funds herein appropriated must be authorized in accordance with Section 26-53 of the Code of Ordinances of the City of Shreveport, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **AMENDMENT NO 1 TO ORDINANCE 139 OF 2010**

Amendment Number 1 by Councilwoman Joyce Bowman to Ordinance Number 139 of 2010, An Ordinance Adopting the 2011 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Police Department increase Personal Services by \$10,000.

In General Government, decrease Operating Reserves by \$10,000.

Adjust totals and subtotals accordingly.

#### **EXPLANATION OF AMENDMENT:**

This amendment funds are needed for certifications and uniforms for the Pastor on Patrol as requested by Pastor Kimble.

#### **AMENDMENT NO. 2 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In City Courts increase Personal Services by \$46,300, establish Materials and Supplies in the amount of \$31,000, and establish Contractual Services in the amount of \$15,700.

In General Government, decrease Operating Reserves by \$93,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

The allocation of the \$93,000 amendment specific breakdown of subobject accounts is as follows:

1004 Training \$ 7,000

1007 Memberships \$ 2,200

1906 Performance Reserves \$37,100

2101 Postage \$10,800

2140 Books & Publications \$10,000

2150 Office Supplies \$10,000

2210 Gas & Diesel Fuel \$ 200

3120 Telephone \$10,000

3235 Publishing & Printing \$ 5,000

3236 Copies \$ 700

**AMENDMENT NO. 3 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Human Resources Department decrease Personal Services by \$15,000.

In General Government, increase Operating Reserves by \$15,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

The budget for the Personnel Director salary is \$25,000 more than the actual salary. This amendment budgets that \$25,000 as follows: training is increased by for General Fund employees by \$10,000 and the General Fund operating reserves is increased by \$15,000.

**AMENDMENT NO 4 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Police, increase Contractual Services by \$45,000.

In General Government, decrease Operating Reserves by \$45,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment funds Comcast service for Cameras Against Crime program.

**AMENDMENT NO 5 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In General Government, decrease Operating Reserves by \$100,000.

In Transfer, increase Community Development by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for the Business Retention Program and Housing and Business Analysis

The goal of the Business Retention Program is to create an environment for businesses to succeed and the community to prosper. The fundamental elements of a Business Retention Program are consulting services, marketing, and outreach and in-person interviews with business owners, analysis of business needs, referrals, resource development, and development of recommendations for policies and programs to retain and expand businesses.

**ORDINANCE NO. 140 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE GOLF ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, sufficient revenues for the operation of the City's municipal golf courses are available from sources authorized by law.

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

1. Estimated Receipts - The estimated Golf Enterprise Fund receipts for the year 2011 are hereby established and adopted as follows:

Estimated Available Fund Balance 1/1/2011 \$ 28,000

External Service Charges 1,199,600

Transfers from General Fund 57,000

Other Revenues 8,600

TOTAL \$1,293,200

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Golf Enterprise Fund operating receipts for the year 2011:

Personal Services \$ 745,500

Materials and Supplies 188,200

Contractual Services 268,400

Other Charges 200

Operating Reserves 33,900

Transfers 57,000

TOTAL \$1,293,200

3. The Golf Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from Golf Enterprise Fund receipts shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **ORDINANCE NO. 141 OF 2010**

#### **AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE AIRPORTS ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, sufficient revenues for the operation of the City's airports are available from sources authorized by law.

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

1. Estimated Receipts - The estimated Airport receipts for the year 2010 are hereby established and adopted as follows:

Estimated Available Fund Balance 1/1/2011 \$ 6,233,400

External Service Charges and Fees 10,659,700

Interest Income 70,000

Other Income 466,600

TOTAL \$ 17,429,700

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Airports operating receipts for the year 2011:

Personal Services \$ 5,411,200

Materials and Supplies 345,000

Contractual Services 2,044,800

Other Charges 3,511,900

Operating Reserves 5,253,300

Improvements and Equipment 92,500

Transfer to General Fund 292,000

Transfer to Retained Risk Fund 229,000

Transfer to Capital Projects Fund 250,000

TOTAL \$ 17,429,700

3. The Airports Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from Airports receipts shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**ORDINANCE NO. 142 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE WATER AND SEWERAGE ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, sufficient revenues for the operation of the City's Water and Sewerage system are available from sources authorized by law.

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

1. Estimated Receipts - The estimated water and sewerage receipts for the year 2011 are hereby established and adopted as follows:

Estimated Available Fund Balance 1/1/2011 \$ 120,000

Licenses and Permits 55,000

Water Sales 35,195,400

Sewer Charges 26,166,400

Other External Charges 459,400

Internal Service Charges 1,523,400

Interest Earnings 40,000

Other Income 70,400

Transfer from General Fund 775,000

TOTAL \$ 64,405,000

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the receipts of the Water and Sewerage Enterprise Fund for the year 2011:

Personal Services \$13,202,200

Materials and Supplies 7,463,300

Contractual Services 5,989,700

Other Charges 28,282,600

Operating Reserves 2,423,500

Improvements and Equipment 178,100

W & S Main Improvements 600,000

Transfer to General Fund 3,516,200

Transfer to Retained Risk Fund 2,500,000

Notes Payable 249,400

TOTAL \$64,405,000

3. The Water and Sewerage Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from receipts of the Water and Sewerage Fund shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **ORDINANCE NO. 143 OF 2010**

#### **AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE METROPOLITAN PLANNING COMMISSION SPECIAL REVENUE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, sufficient revenues for the operation of the Metropolitan Planning Commission available from sources authorized by law.

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

1. Estimated Receipts - The estimated receipts of the Metropolitan Planning Commission Special Revenue Fund for the year 2011 are hereby established and adopted as follows:

External Service Charges and Fees \$ 280,500

Caddo Parish Reimbursement 215,500

Operating Subsidy - Transfer from General Fund 865,000

**TOTAL \$1,361,000**

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Metropolitan Planning Commission Special Revenue Fund receipts for the year 2011

Personal Services \$1,217,100

Materials and Supplies 24,500

Contractual Services 58,400

Improvements and Equipment 61,000

**TOTAL \$1,361,000**

3. The Metropolitan Planning Commission Special Revenue Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

5. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

6. Dedication of Revenues - The funds collected as charges and fees pursuant to the zoning ordinances of the City of Shreveport and the Caddo Parish Commission, and the operating subsidy transferred herein from the General Fund are hereby dedicated to the operation of the Metropolitan Planning Commission for the year 2011.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**ORDINANCE NO. 144 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City Council has created the Community Development Special Revenue Fund, to account for certain funds spent on jobs training, housing improvement, codes enforcement and neighborhood development.

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

1. Estimated Receipts - The estimated Community Development Special Revenue Fund budget receipts for the year 2011 are hereby established as follows:

**2010 and Prior-Year Funds:**

Prior-Year CDNG Entitlement 200,000

Prior-Year HOME Program 1,545,600

Prior-Year HOME Program Income 300,000

Prior-Year HOPE Program Income 250,000

Prior-Year WIA Grants 2,904,100

Prior-Year SHMA Program Income 110,300

Prior-Year Housing Program Income 228,100

Prior-Year Riverfront Development Funds 141,400

Prior-Year Section 108 (SICED) 588,500

Prior-Year Business Development Prog. Income 850,000

Prior-Year State HPRP 19,600

Prior-Year Federal HPRP 13,300

Prior-Year CDBG-Recovery 35,100

SUBTOTAL - 2010 AND PRIOR YEARS **\$7,186,000**

**Fiscal Year 2011 Funds:**

CDBG Entitlement 2,816,900

Housing Program Income 258,200

HOME Entitlement 1,461,600

HOME Program Income 194,200

HOPE Program Income 25,000

Federal Emergency Shelter 114,500

State Emergency Shelter 102,000

Basic Education Program Income 4,000

Transfer from General Fund 796,100

Business Development Program Income 75,000

Private Donations - PYHOS 5,000

SHMA Program Income 2,000

Transfer from Riverfront Fund 300,000

SUBTOTAL - FY 2011 FUNDS **\$ 6,154,500**

GRAND TOTAL REVENUES **\$13,340,500**

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Community Development Special Revenue Fund's receipts for the year 2011:

**From Prior-Year Funds:**

Prior-Year CDNG Entitlement 200,000

Prior-Year HOME Program 1,545,600

Prior-Year HOME Program Income 300,000  
Prior-Year HOPE Program Income 250,000  
Prior-Year WIA Grants 2,904,100  
Prior-Year SHMA Program Income 110,300  
Prior-Year Housing Program Income 228,100  
Prior-Year Riverfront Development Funds 141,400  
Prior-Year Section 108 (SICED) 588,500  
Prior-Year Business Development Prog. Income 850,000  
Prior-Year State HPRP 19,600  
Prior-Year Federal HPRP 13,300  
Prior-Year CDBG-Recovery 35,100  
SUBTOTAL - 2010 AND PRIOR YEARS **\$7,186,000**

**From 2011 Revenues:**

**Administration:**

Personal Services \$676,100  
Materials and Supplies 16,300  
Contractual Services 78,800  
Improvements and Equipment 5,000  
Transfer to General Fund 112,800  
Federal ESG 114,500  
State ESG 102,000  
TOTAL ADMINISTRATION **\$1,105,500**

**Housing and Business Development:**

Personal Services \$ 664,700  
Materials and Supplies 25,300  
Contractual Services 116,300  
Improvements and Equipment 4,700  
Transfer to General Fund 108,200  
Basic Education Program 4,000  
Business Development Program Income 75,000  
Housing Program- CDBG 2,127,300  
HOME Program 1,355,400  
Paint Your Heart Out - Private 5,000  
Misc. Programs (HOPE, SHMA, Rental Rehab) 27,000  
TOTAL – HOUSING AND BUSINESS DEV. **\$4,512,900**

**Workforce Development:**

Personal Services 536,100  
TOTAL – WORKFORCE DEVELOPMENT **\$ 536,100**  
GRAND TOTAL - APPROPRIATIONS (2011) **\$ 6,154,500**  
GRAND TOTAL - ALL APPROPRIATIONS **\$13,340,500**

3. The Community Development Special Revenue Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action of this Council, be and is hereby adopted

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed by receipts of the Community Development Special Revenue Fund shall be transferred to the proper capital funds as provided in the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive the funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will become effective on January 1, 2011.

### **AMENDMENT NO 1 TO ORDINANCE 144 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts)

Fiscal Year 2011 Funds:

Increase Transfer from General Fund by \$100,000

In Section 2 (Appropriations):

Housing and Business Development:

Establish Other Charges by \$100,000

Adjust totals and subtotals accordingly.

### **EXPLANATION OF AMENDMENT:**

\$100,000 for the Business Retention Program and Housing and Business Analysis

The goal of the Business Retention Program is to create an environment for businesses to succeed and the community to prosper. The fundamental elements of a Business Retention

Program are consulting services, marketing, and outreach and in-person interviews with business owners, analysis of business needs, referrals, resource development, and development of recommendations for policies and programs to retain and expand businesses.

**AMENDMENT NO 2 TO ORDINANCE 144 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts)

Fiscal Year 2011 Funds:

Increase Transfer from Shreveport Redevelopment by \$100,000

In Section 2 (Appropriations):

Administration:

Establish Other Charges by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for Land Cost Studies for Allendale

The city has acquired over 100 vacant, abandoned, and tax delinquent properties in the Allendale neighborhood for housing and business development. The funding for this project will match a Neighborhood Stabilization Grant to construct housing, rehabilitate or demolish the dilapidated structures and stabilize the neighborhood. The land can also engage in strategic transfers to non profit or for-profit organizations for specified public purposes such as the development of affordable housing.

**ORDINANCE NO. 145 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE RETAINED RISK INTERNAL SERVICE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City Council has created a Retained Risk Internal Service Fund whose purpose is to provide funding for property damage, workers' compensation and general liability claims made against the City of Shreveport.

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

1. Estimated Receipts - The estimated receipts of the Retained Risk Internal Service Fund for 2011 are hereby established as follows:

Estimated Fund Balance as of 1/1/2011 \$ 12,307,500

Transfer from General Fund 6,750,000

Transfer from Water and Sewerage Fund 2,500,000

Transfer from Airports Fund 229,000

Interest Income 200,000

Insurance Subrogation 900,000

Miscellaneous Revenue 10,000

**TOTAL \$ 22,896,500**

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Retained Risk Internal Service Fund's receipts for the year 2011:

Personal Services \$ 2,967,500

Materials and Supplies 6,800

Contractual Services 20,300

Other Charges 8,732,000

Liability Reserves 11,166,900

Improvements and Equipment 3,000

**TOTAL \$ 22,896,500**

3. The Retained Risk Internal Service Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized, subject to the provisions of Section 26-174 of the Code of Ordinances relative to the settlement of claims against the City.

5. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **ORDINANCE NO. 146 OF 2010**

#### **AN ORDINANCE ADOPTING THE 2011 BUDGET FUNDING CONTRACTUAL SERVICES PROVIDED TO SPORTRAN BY METRO MANAGEMENT ASSOCIATES, INC. AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City of Shreveport operates a public transit transportation system known as SporTran; and

WHEREAS, the City of Shreveport has contracted with Metro Management Associates, Inc., to provide management services for the operation and maintenance of the SporTran transit system.

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

1. Estimated Receipts - The estimated receipts, including operating subsidies, available for the operation of the SporTran transit system for the year beginning January 1, 2011 are hereby established and adopted as follows:

Operating Income \$ 2,708,000

Government Grants and Contributions:

City of Shreveport \$ 5,778,000

City of Bossier City 730,000

State of Louisiana 593,000

Federal Transit Administration 3,278,000

Prior-Year City Funds 71,000

Subtotal \$10,450,000

TOTAL \$13,158,000

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the receipts produced by SporTran operations and operating subsidy receipts for the year beginning January 1, 2011:

Contractual Services \$ 13,113,000

Transfer to Capital Projects Fund 45,000

TOTAL \$13,158,000

3. The SporTran budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed by SporTran receipts and subsidies shall be transferred to the proper capital funds as provided in the Capital Improvements Budget ordinance.

5. Operating Transfers - All amounts authorized in this ordinance to subsidize SporTran operations shall be transferred to the SporTran budget as needed.

6. Administration - The Mayor, or any duly authorized representative, is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive the funds authorized herein.

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. 147 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE GRANTS**

**SPECIAL REVENUE FUND APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City has created a Grants Special Revenue Fund, to account for the receipt of and expenditure of funds provided to the City by various agencies to assist in city operations.

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

1. Estimated Receipts - The estimated Grants Special Revenue Fund for the year 2011 are hereby established as follows:

**Police 2010 and Prior-Year Receipts:**

Prior-Year Cameras Against Crime 2006 12,400

Prior-Year COPS Universal Hiring 2008 395,100

Prior-Year JAG Recovery 2009 465,800

Prior-Year Predictive Policing Demonstration Phase II 662,200

Prior-Year COPS Universal Hiring 2009 1,100,500

Prior-Year DARE 2010 42,900

Prior-Year AFIS 2010 173,300

Prior-Year Shreveport Enforcement Project 2010 162,600  
Prior-Year Organized Crime Drug Enforcement Task Force 50,000  
Prior-Year High Intensity Drug Trafficking Area 2010 20,000  
Prior-Year JAG 2010 135,100  
Prior-Year Multi-Jurisdictional Task Force 2010 101,800  
Prior-Year Safe Streets 2010 25,000  
Prior-Year ATF Grant 2010 30,000  
Prior-Year US Marshals 2010 15,000  
Prior-Year Crimes Against Children Task Force 2010 20,000  
Prior-Year Reduction of Crack/Drug Houses 2,000  
Prior-Year Federal Interoperability 2007 115,300  
Prior-Year State Homeland Security SHSP 2,400  
Prior-Year JAG 2008 25,700  
Prior-Year PSN Anti-Gang Initiative 2008 9,700  
Prior-Year JAG 2009 81,600  
Prior-Year Gun Crime Reduction 2009 1,000  
Prior-Year Anti-Gang Initiative 2009 18,400  
SUBTOTAL Police 2010 and Prior-Year Receipts \$ 3,667,800

**Police Fiscal Year 2011 Revenues:**

State Narcotics 234,800  
Federal Narcotics 185,500  
Sex Offender 56,100  
PSN Gun Crime Reduction 2010 9,800

PSN Anti-Gang Initiative 2010 19,000

DARE Grant 2011 102,400

AFIS 2011 384,200

Shreveport Enforcement Project 2011 177,200

Org Crime Drug Enforcement Task Force 2011 70,000

High-Intensity Drug Trafficking Area 2011 35,000

Safe Streets 2011 23,000

ATF Grant 2011 40,000

US Marshals 2011 20,000

Crimes Against Children Task Force 2011 25,000

SUBTOTAL Police FY 2011 REVENUES \$ 1,382,000

GRAND TOTAL POLICE REVENUES \$ 5,049,800

**Sportran 2010 and Prior-Year Receipts:**

Prior-Year 2009 JARC 241,094

Prior-Year 2009 New Freedom 99,969

Prior-Year 2010 JARC 230,500

Prior-Year 2010 New Freedom 98,100

SUBTOTAL Sportran 2010 and Prior-Year Rev. \$ 669,663

**Sportran Fiscal Year 2011 Revenues:**

JARC 2011 263,000

New Freedom 2011 112,000

SUBTOTAL Sportran FY 2011 REVENUES \$ 375,000

GRAND TOTAL Sportran REVENUES \$ 1,044,663

**Environmental 2010 and Prior-Year Receipts:**

Brownfield Revolving Loan Fund (680033) \$ 399,751

Brownfield Revolving Loan Fund (680124) 51,772

Energy Efficiency and Conservation Block Grant 1,362,900

SUBTOTAL Environmental 2010 and

Prior-Year Receipts \$ 1,814,423

GRAND TOTAL Environmental REVENUES \$ 1,814,423

GRAND TOTAL FOR ALL GRANTS FUND REVENUES: \$ 8,852,942

2. Appropriations - The funds set forth herein are hereby appropriated out of the Grants Special Revenue Fund's receipts for the year 2010 and prior years:

**From Police 2010 and Prior-Years Revenues:**

From Prior Year Us Marshal 2010, appropriate \$15,000 to Personal Services.

From Prior Year Crimes Against Children Task Force 2010, appropriate \$20,000 to Personal Services.

From Prior Year High-Intensity Drug Trafficking Area Grant, appropriate \$20,000 to Personal Services.

From Prior-Year Safe Street 2010, appropriate \$25,000 to Personal Services.

From Prior-Year Federal Justice Assistance Grant 2008, appropriate \$25,000 to Personal Services and \$700 to Other Charges.

From Prior Year ATF Grant 2010, appropriate \$30,000 to Personal Services.

From Prior Year Org Crime Drug Enforcement Task Force 2010, appropriate \$50,000 to Personal Services.

From Prior Year Federal Justice Assistance Grant 2009, appropriate \$81,100 to Personal Services, and \$500 to Other Charges.

From Prior-Year Federal Interoperability Grant 07, appropriate \$115,300 to Improvements and Equipment.

From Prior Year Federal Justice Assistance Grant 2010, appropriate \$135,100 to Improvements and Equipment.

From Prior Year COPS 2008 Universal Hiring Program, appropriate \$395,100 to Personal Services.

From Prior Year JAG Grant Recovery 2009, appropriate \$286,900 to Personal Services, and \$4,800 to Materials and Supplies and \$600 to Contractual Services and \$800 to Other Charges and \$172,700 to Improvements and Equipment.

From Prior Year COPS Hiring Grant 2009, appropriate \$1,100,500 to Personal Services.

From Prior Year Predictive Policing Demonstration Phase II, appropriate \$102,200 to Personal Services, and \$365,000 to Contractual Services, and \$195,000 to Improvements and Equipment.

From Prior Year State Homeland Security SHSP, appropriate \$2,400 to Improvements and Equipment.

From Prior Year PSN Gun Crime Reduction 2009, appropriate \$1,000 to Personal Services.

From Prior Year Reduction of Crack/Drug Houses, appropriate \$2,000 to Material and Supplies.

From Prior Year PSN Anti-Gang Initiative 2008, appropriate \$5,100 to Personal Services and \$4,600 to Contractual Services.

From Prior Year Cameras Against Crime 2006, appropriate \$1,000 to Materials and Supplies and \$11,400 to Contractual Services.

From Prior Year PSN Anti-Gang Initiative 2009, appropriate \$12,100 to Personal Services and \$6,300 to Contractual Services.

From Prior Year Dare Grant 2010, appropriate \$42,900 to Personal Services.

From Prior Year Multi-Jurisdictional Task Force 2010, appropriate \$54,100 to Personal Services and \$20,700 to Contractual Services and \$27,000 to Improvements and Equipment.

From Prior Year Shreveport PD Year Long 2010, appropriate \$125,000 to Personal Services and \$37,600 to Improvements and Equipment.

From Prior Year AFIS 2010, appropriate \$173,300 to Personal Services.

SUBTOTAL from Police 2010 and Prior-Year Receipts \$ 3,667,800

**From Police FY 2011 Revenues:**

From Crimes Against Children 2011, appropriate \$25,000 to Personal Services.

From US Marshals 2011, appropriate \$20,000 to Personal Services.

From ATF Grant 2011, appropriate \$40,000 to Personal Services.

From High-Intensity Drug Trafficking Area Grant 2011, appropriate \$35,000 to Personal Services.

From Org Crime Drug Enforcement Task Force 2011, appropriate \$70,000 to Personal Services.

From Safe Streets 2011, appropriate \$23,000 to Personal Services.

From PSN Anti-Gang Initiative 2010, appropriate \$12,400 to Personal Services and \$6,600 to Contractual Services.

From PSN Gun Crime Reduction 2010, appropriate \$9,800 to Personal Services.

From Dare 2011, appropriate \$87,800 to Personal Services and \$14,600 to Other Charges.

From AFIS 2011, appropriate \$384,200 to Personal Services.

From Shreveport PD Year Long 2011, appropriate \$139,600 to Personal Services and \$37,600 to Improvements and Equipment.

From State Narcotics Fund, appropriate \$7,000 to Personal Services, \$21,800 to Materials and Supplies, \$29,000 to Contractual Services, \$22,000 to Other Charges and \$155,000 to Improvements and Equipment.

From Federal Narcotics Fund, appropriate \$5,000 to Personal Services, \$30,000 to Materials and Supplies, \$30,000 to Contractual Services, \$25,000 to Other Charges and \$95,500 to Improvements and Equipment.

From Sex Offender Fund, appropriate \$20,000 to Personal Services, \$23,000 to Materials and Supplies, \$8,100 to Contractual Services and \$5,000 to Improvements and Equipment.

SUBTOTAL from FY 2011 Police Grant Funds \$ 1,382,000

GRAND TOTAL POLICE APPROPRIATIONS \$ 5,049,800

**From Sportran 2010 and Prior-Years Revenues:**

From Prior-Year JARC 2009, appropriate \$241,094 to Contractual Services.

Prior-Year New Freedom 2009, appropriate \$99,969 to Contractual Services.

Prior-Year JARC 2010, appropriate \$230,500 to Contractual Services.

Prior-Year New Freedom 2010, appropriate \$98,100 to Contractual Services.

SUBTOTAL from Sportran 2010 and Prior-Year Receipts \$ 669 663

**From Sportran FY 2011 Revenues:**

From JARC 2011, appropriate \$263,000 to Contractual Services.

From New Freedom 2011, appropriate \$112,000 to Contractual Services.

SUBTOTAL from Sportran FY 2011 Grant Funds \$ 375,000

GRAND TOTAL Sportran APPROPRIATIONS \$ 1,044,663

**From Environmental 2010 and Prior-Years Revenues:**

From Prior-Year Brownfield Revolving Loan Fund (680033), appropriate \$\$18,700 to Personal Services, \$5,304 to Materials and Supplies, \$26,747 to Contractual Services, \$331,200 to Other Charges, \$15,000 to Improvements and Equipment and \$2,800 to Transfers to Other Funds.

From Prior-Year Brownfield Revolving Loan Fund (680124), appropriate \$10,000 to Personal Services, \$2,000 to Materials and Supplies, \$22,373 to Contractual Services and \$58,400 to Other Charges.

From Prior-Year Energy Efficiency and Conservation Block Grant, appropriate \$300,000 Personal Services, \$75,000 to Contractual Services, \$200,000 to Other Charges and \$490,000 to Improvements and Equipment.

GRAND TOTAL Environmental APPROPRIATIONS \$ 1,814,423

GRAND TOTAL FOR ALL GRANTS FUND APPROPRIATIONS: \$ 8,852,942

3. The Grants Special Revenue Fund budget presented to the Council by the Mayor on October 1, 2010, as amended by subsequent action of this Council, be and the same is hereby adopted.

4. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend and receive the funds herein

authorized, and in accordance with the assurances contained in the Federal and State grants received by the City.

5. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

6. Program Income - All receipts generated directly from activities funded from intergovernmental sources shall be deposited into the proper account in accordance with Federal or State Law.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **ORDINANCE NO. 148 OF 2010**

#### **AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE DOWNTOWN ENTERTAINMENT ECONOMIC DEVELOPMENT SPECIAL REVENUE FUND, APPROPRIATING THE FUNDS THEREIN AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, Article 7 of the City Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City of Shreveport has created a Tax Increment Financing (TIF)

District within a portion of the Downtown Riverfront area; and

WHEREAS, the City has created the Downtown Entertainment Economic Development Special Revenue Fund to account for the additional sales taxes generated within the TIF District and to budget the receipts therefrom

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

1. Estimated Receipts - The estimated Downtown Entertainment Economic Development Special Revenue Fund receipts for the year 2011 are hereby established as follows:

Estimated Fund Balance as of 1/1/2011 \$ 800,800

Sales Taxes from the TIF District 150,000

Interest Earnings 4,000

Land Rent 126,900

TOTAL REVENUES \$1,081,700

2. Appropriations - The funds set forth herein are hereby appropriated out of the Downtown Entertainment Economic Development Special Revenue Fund's receipts for the year 2011:

Personal Services \$ 0

Materials and Supplies 0

Contractual Services 0

Other Charges 0

Operating Reserves 1,081,700

Improvements and Equipment 0

TOTAL APPROPRIATIONS \$1,081,700

3. The Downtown Entertainment Economic Development Special Revenue Fund budget presented to the City Council on October 1, 2010, as amended by subsequent action of the City Council, be and is hereby adopted.

4. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend and receive the funds herein authorized, excluding contracts for special legal counsel.

5. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized, except in accordance with section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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 severable,

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

**AMENDMENT NO TO ORDINANCE 148 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

Decrease Estimated Fund Balance as of 1/1/2011 by \$175,000

Increase Sales Taxes from the TIF District by \$50,000.

In Section 2 (Appropriations):

Decrease Operating Reserves by \$125,000.

EXPLANATION OF AMENDMENT:

This amendment recognizes that the impact of Ordinance 160 of 2010 that appropriates \$175,000 for green space at the East corner of Spring and Texas. This amendment also recognizes a higher level of sales tax revenue based on actual amounts from 2010.

**ORDINANCE NO. 149 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE DOWNTOWN PARKING ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the City Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City Council has created a Downtown Parking Enterprise Fund, whose purpose is to use funds collected from parking activities to promote improved parking facilities in the downtown area.

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

1. Estimated Receipts - The estimated Downtown Parking Enterprise Fund receipts for the year 2011 are hereby established and adopted as follows:

Estimated Fund Balance 1/1/2011 \$ 860,600

External Service Charges \$ 330,000

Fines and Forfeitures 350,000

Interest 8,000

TOTAL \$1,548,600

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Downtown Parking Enterprise Fund's receipts for the year 2011:

Contractual Services \$ 418,300

Operating Reserves 179,300

Transfer to General Fund 1,000

Transfer to Capital Projects 950,000

TOTAL \$1,548,600

3. The Downtown Parking Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from Downtown Parking Enterprise Fund receipts shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

7.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**ORDINANCE NO. 150 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE CONVENTION CENTER ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, the City Council has created a Convention Center Enterprise Fund, whose purpose is to account for the revenues and expenses of the hotel.

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

1. Estimated Receipts - The estimated Convention Center Enterprise Fund receipts for the year 2011 are hereby established and adopted as follows:

Transfer from Riverfront Fund \$ 1,745,000

Current Year Fund Balance 0

TOTAL \$ 1,745,000

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Convention Center Enterprise Fund's receipts for the year 2011:

Contractual Services \$ 1,745,000

Other Charges 0

Operating Reserves 0

TOTAL \$ 1,745,000

3. The Convention Center Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from the Convention Center Hotel Fund receipts shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

7.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

#### **ORDINANCE NO. 151 OF 2010**

#### **AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE CONVENTION CENTER HOTEL ENTERPRISE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the fiscal year beginning January 1, 2011; and

WHEREAS, the City Council has created a Convention Center Hotel Enterprise Fund, whose purpose is to account for the revenues and expenses of the hotel.

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

1. Estimated Receipts - The estimated Convention Center Hotel Enterprise Fund receipts for the year 2011 are hereby established and adopted as follows:

Transfer From Riverfront \$ 1,687,100

Interest Earnings \$ 0

Miscellaneous Income 1,766,500

Current Year Fund Balance <1,255,800>

TOTAL \$ 2,197,800

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Convention Center Hotel Enterprise Fund's receipts for the year 2011:

Contractual Services \$ 0

Other Charges 2,197,700

Operating Reserves 100

TOTAL \$ 2,197,800

3. The Convention Center Hotel Enterprise Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from the Convention Center Hotel Enterprise Fund receipts shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6. Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

7.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**ORDINANCE NO. 152 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 BUDGET FOR THE SHREVEPORT REDEVELOPMENT AGENCY SPECIAL REVENUE FUND, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the City Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the Shreveport Redevelopment Agency (SRA) is authorized by R.S. 33:4625 and the City's General Redevelopment Plan to acquire and to land bank vacant adjudicated property for future redevelopment projects and to acquire other property for current redevelopment projects in Redevelopment Areas, and the City is authorized by law and by contract with the SRA to provide funds for the acquisition of said properties; and

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

1. Estimated Receipts - The estimated receipts of the Shreveport Redevelopment Agency Special Revenue Fund for 2011 are hereby established as follows:

Estimated Fund Balance as of 1/1/2011 \$181,500

Interest Earned 1,300

External Service Charges 0

TOTAL \$182,800

2. Appropriations - The funds set forth in the following classes of expenditures and projects are hereby appropriated out of the Shreveport Redevelopment Agency Special Revenue Fund's receipts for the year 2011:

Contractual Services \$ 0

Other Charges 0

Operating Reserves 182,800

Improvements & Equipment 0

TOTAL \$182,800

3. The Shreveport Redevelopment Agency's Special Revenue Fund budget as presented to the City Council on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4 Capital Transfers - All amounts authorized by the Capital Improvements Budget ordinance to be financed from the receipts of the Shreveport Redevelopment Agency Special Revenue Fund shall be transferred to the proper capital funds as provided by the Capital Improvements Budget ordinance.

5 Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

6 Donation of City Funds - No funds herein appropriated shall be donated, loaned or pledged, and no expenditures for such purposes shall be authorized except in accordance with Section 26-53 of the Code of Ordinances, as it exists now or may hereafter be amended.

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.

BE IT FURTHER ORDAINED that this ordinance shall become effective on January 1, 2011.

**AMENDMENT NO 1 TO ORDINANCE 152OF 2010**

Amendment Number 1 by Councilman Calvin Lester to Ordinance Number 152 of 2010, An Ordinance Adopting the 2011 Budget for the Shreveport Redevelopment Agency Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

Decrease Operating Reserves by \$100,000

Establish Transfer to Community Development by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for Land Cost Studies for Allendale

The city has acquired over 100 vacant, abandoned, and tax delinquent properties in the Allendale neighborhood for housing and business development. The funding for this project will match a Neighborhood Stabilization Grant to construct housing, rehabilitate or demolish the dilapidated structures and stabilize the neighborhood. The land can also engage in strategic transfers to non profit or for-profit organizations for specified public purposes such as the development of affordable housing.

**ORDINANCE NO. 153 OF 2010**

**AN ORDINANCE ADOPTING THE 2011 DEBT SERVICE FUND BUDGET, APPROPRIATING THE FUNDS AUTHORIZED THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Article 7 of the Charter of the City of Shreveport requires the adoption of a comprehensive operating budget for the year 2011; and

WHEREAS, the City of Shreveport has created a Debt Service Fund to provide for the payment of principal and interest on the General Obligation Bonds of the City for the year 2011; and

WHEREAS, the City Council has the authority to levy a special property tax whose proceeds are allocated to the Debt Service Fund.

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

1. Estimated Receipts - The estimated receipts of the Debt Service Fund for the year 2011 are hereby established as follows:

Estimated Fund Balance as of 1/1/2011 \$43,550,159

Ad Valorem Taxes 36,500,000

Hotel-Motel Tax Revenues 2,700,000

Interest Income 400,000

TOTAL \$83,150,159

2. Appropriations - The funds set forth in the following classes of expenditures are hereby appropriated out of the Debt Service Fund's receipts for the year 2011:

2011 Requirements - Principal and Interest \$35,700,000

Less: Operating Transfer (Riverfront Fund) (983,000)

Less: Operating Transfer (General Fund) (9,900,000)

NET EXPENDITURES \$24,817,000

Fund Balance 12/31/11 \$58,333,159

TOTAL \$83,150,159

3. The Debt Service Fund budget presented to the City Council by the Mayor on October 1, 2010, as amended by subsequent action by this Council, be and the same is hereby adopted.

4. Administration - The Mayor is hereby authorized to execute all contracts, deeds, grant documents and other legal instruments necessary to expend or receive funds herein authorized.

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.

BE IT FURTHER ORDAINED that this ordinance will be effective on January 1, 2011.

**ORDINANCE NO. 134 OF 2010**

**AN ORDINANCE TO CREATE AND ESTABLISH A NO PARKING, NO STANDING AND NO STOPPING ZONE FOR SPECIFIC VEHICLES ON EITHER SIDE OF WEST 59<sup>th</sup> STREET BETWEEN LINWOOD AVENUE AND ST. VINCENT AVENUE AND TO**

**OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BE IT ORDAINED** by the City Council of the City of Shreveport in

regular and legal session convened that it shall hereafter be unlawful for anyone to park, stop or leave standing any semi-tractor, semi-trailer, or truck with three or more axles or exceeding 15,000 pounds on either side of West 59<sup>th</sup> Street between Linwood Avenue and St. Vincent Avenue.

**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,

or applications and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances or resolutions or parts

thereof in conflict herewith are hereby repealed.

**ORDINANCE NO. 154 OF 2010**

**AN ORDINANCE TO REVISE, AMEND, AND ENACT SECTIONS 102-1 and**

**102-40 THROUGH 273 OF THE CITY OF SHREVEPORT CODE OF ORDINANCES RELATIVE TO VEHICLES FOR HIRE AND TO OTHERWISE PROVIDE WITH**

**RESPECT THERETO**

**BE IT ORDAINED** by the City Council of the City of Shreveport, in due, legal and

regular session convened that Section 102- 1 is hereby amended and revised to add the following

definitions in place of the existing definitions by the same name replace “Casino Transportation

Services” with “Casino Shuttle” definition and all other definitions not specifically addressed herein to

remain in effect:

“ARTICLE I. IN GENERAL”

Sec. 102-1 Definitions

“Bus Service – a motorized vehicle propelled or operated on, over and upon the public streets as a ‘for hire’ vehicle. Bus service is provided only on pre-designated routes on a regular schedule.

Casino Shuttle – a casino shuttle is a vehicle propelled or operated on, over and upon the public streets as a ‘for hire’ vehicle capable of carrying not less than thirteen (13) passengers nor more than twenty (20) passengers. Casino shuttles are to transport from casino to casino, from casino to hotels, or from hotels to casinos. The use of casino shuttles as taxicabs, limousines or charter buses are strictly prohibited.

Limousine – a motorized vehicle propelled or operated on, over and upon the public streets as a ‘for hire’ vehicle carrying seven (7) passengers or more plus the driver. Limousines are subject to calls from potential passengers for a fixed rate, flat rate or hourly rate, with a minimum of one hour notice prior to service being rendered. The use of limousines as taxicabs or on-call is strictly prohibited.

Taxicab – a taxicab is a motorized vehicle propelled or operated on, over and upon the public streets as a “for hire’ vehicle carrying six (6) passengers or less. Taxicabs are subject to a call from a fixed location such as a garage, office or taxi stand. Rates for taxi cabs are set forth in this ordinance. No taxicab company shall operate less than ten (10) vehicles as taxi cabs so as to secure continuous taxicab service required by this ordinance.”

BE IT FURTHER ORDAINED by the City Council of the City of Shreveport, in due, legal and

regular session convened that Sections 102-41 through 273 of the Code of Ordinances of the City of Shreveport are hereby amended revised and enacted and now reads as follows:

“ARTICLE II. LICENSING OF VEHICLES FOR HIRE”

Sec. 102-41. Required.

(a) No vehicle for hire shall be used or operated by any person on the streets of the city without an applicant or association first having obtained a written certificate, as provided in R.S. 45:200.2 and referred to in this division as a vehicle for hire license for that vehicle, without having complied with all of the requirements of this chapter, and all other laws of the city and state governing such operation, and without complying with other laws of the city and state governing such operation and service.

(b) Vehicles for hire may operate only under an approved license. License holders who operate taxicabs may be compensated by the licensee or by a fixed and definitive rate for usage, by a fixed commission or percentage of the gross amount received from operation of the vehicle, by a combination of usage and commission, or under either a lease agreement or an owner-operator agreement, with such agreements being approved by the city council in the manner set forth in this section. All applicable sales and use taxes shall be assessed and collected upon the vehicle for hire operation.

(c) Taxicab lease or owner-operator service agreement entered into for the purposes of this chapter shall be in a form approved by the city council by resolution. The maximum lease or owner-operator service agreement payments required to be paid by drivers for the lease of vehicles for hire or use of licensee services and facilities shall be established by the city council by resolution.

(d) No changes shall be made in the form, terms, or conditions of such lease or owner-operator service agreement unless approved by the city in the following manner. Any such changed or amended agreement form shall be submitted in writing, with an explanation of the changes and the reasons therefore, together with a statement that the changes shall become effective unless an objection is made as provided in this article, to the chairman of the city council and the Chief of Police, with a copy sent to the internal auditor and clerk of council. If no objection is made by any member of the council or the internal auditor within 15 days of their receipt of the submission, the changed agreement form shall be deemed approved. If either official has any objection, he shall so notify the licensee in writing within 15 days. He shall then notify the clerk of council to place the matter on the agenda of the next regular meeting of the city council. The city council shall thereafter approve or disapprove such agreement form.

#### Sec. 102-42. Application.

(a) Any applicant or association desiring to operate one or more vehicles for hire in the city Chief of Police of the city for a vehicle for hire license for these vehicles. Such application shall be submitted upon forms to be furnished by the Chief of Police, and the applicant or association shall furnish all information requested on the application form. Applications which are incomplete shall be rejected.

(b) All applications for vehicle for hire licenses within the city shall set forth:

(1) The number of vehicles proposed to be operated as vehicles for hire within the city. No application shall be accepted by the Chief of Police which provides for the operation of less than ten vehicles as taxicabs by the applicant or association, in order to allow the applicant or association to provide the continuous taxicab services required by section 102-82.

(2) The name and address of the applicant who shall be the owner of such vehicles; provided, however, that individual operators may join together in a firm or association, which firm or association need not own the vehicles for which licenses are sought, but such firm or association shall establish a central office, provide 24-hour dispatching services, require daily reports of member operators, and maintain an adequate bookkeeping system covering both association receipts and expenditures, and receipts and expenditures of the individual operators, and shall meet such other requirements as may be determined by the Chief of Police.

(3) The trade name under which the applicant does or proposes to do business; if individual operators are organized in an association within the meaning of this chapter, such association shall be organized under, and conducted by, articles of agreement in writing, signed by the owners of the individual vehicles comprising such association, such articles of agreement or amendments thereof shall be submitted in advance for approval to the Chief of Police.

(4) The class, type, seating capacity, make, manufacturer, license number, vehicle identification number, design and color scheme of each and every vehicle proposed to be operated for hire within the city, and any lettering and marks to be used thereon, with the intention that all vehicles licensed under a particular applicant or association shall have similar color schemes and lettering design and that such color and design (for taxicabs only) shall be different from those used by previously approved applicants and/or associations.

(5) Whether or not the applicant or any of its employees or members, if the applicant is an association or corporation, is currently convicted of the violation of any national, state or municipal laws.

(6) Whether or not the applicant, or any persons with whom he is currently legally associated or employed, or any member of an association which is applying for a vehicle for hire license, has claims or judgments against him or it for damages alleged to have resulted from the negligent operation of a vehicle for hire.

(7) The financial ability and responsibility of the applicant as reflected by a complete financial statement or, if an association of taxicab owner/operators, a full and complete statement of the amounts to be contributed monthly or annually by each member, insurance coverage to be provided, and other pertinent facts which may be required by the Chief of Police.

- (8) If the applicant is a firm, corporation or association, the application shall state the names and addresses of the officers, director or members.
- (9) All applications must contain a statement of the facts showing the experience of the applicant, or, if such applicant is a firm, corporation, or association, the experience of each operator in rendering such services and the period of time that he has rendered it in the city.
- (10) Payment of the proper license fee as required by section 102-43.
- (11) Evidence that the applicant or association has in force the insurance required in section 102-47.
- (12) Any other information which may be required by the Chief of Police, provided that any applicant or association may appeal any such information requirement which it believes to be unnecessary in the manner provided for in section 102-46.

Sec. 102-43. Fees.

The fee for a vehicle for hire license issued by the city for taxi and limousine businesses shall be \$150.00 per vehicle, per year. All fees shall be payable to the city through the Shreveport Police Department. All licenses shall expire twelve months from issue and must be renewed by the city in order to remain in force.

Sec. 102-44. Issuance.

- (a) Upon receipt of an application for a vehicle for hire license, Chief of Police shall issue such license if he finds that the applicant meets all requirements of this article.
- (b) In determining whether or not a license should be issued, the Chief of Police shall give weight and due regard, among other things, to:
  - (1) The probable permanence and quality of the service offered by the applicant or association.
  - (2) The experience that the applicant or association has had in rendering such service in the city, and the past experience of the applicant in prompt adjustment of claims and in payment of judgments, if any, to claimants as a result of injuries received from the negligent operation of vehicles for hire.
  - (3) The financial ability of the applicant or association to respond in damages.
  - (4) The stability of the business organization of the applicant or association, and the ability of its central office to provide continuous, satisfactory and responsible service on a

business-like basis, and to meet other organizational requirements set forth by the Chief of Police.

(5) The character and condition of the vehicles to be used, which shall be determined by an inspection of each vehicle by the Chief of Police or his designee as provided in section 102-81.

(c) If the Chief of Police finds that licenses should be issued to an applicant or association for the operation of vehicles for hire, he shall issue to the applicant or association a license and a windshield sticker for each vehicle authorized to so operate. This sticker shall be displayed in a conspicuous place in such vehicles at all times.

(d) The licenses shall be effective only as to the exact number and kind of vehicles named in the application. Such license shall not be transferable.

(e) In the case of approved associations, the license shall designate the vehicles licensed there under and the name of the owner/operator, in addition to the name of the association.

Sec. 102-45. Denial.

If the Chief of Police finds that licenses should not be issued for all or part of the applicant or association's vehicles for hire, he shall notify the applicant or association, in writing, within 15 days, that such application or part thereof has been denied.

Sec. 102-46. Appeal from findings of Chief of Police.

(a) After the Chief of Police has made his findings and declares such findings to the applicant for a vehicle for hire license, he or the opponent of the application shall have the right to appeal to the city council within ten days therefrom. If an appeal is not made to the city council from the Chief of Police decision within ten days, his decision shall be final. Such appeal shall be perfected by a letter addressed to the city council and delivered to the clerk of council stating that an appeal from the decision of the Chief of Police is desired. The council, as soon as practicable after receiving such notice of appeal, shall grant or deny a request for a hearing on the appeal and, after the hearing of the appeal, shall sustain, modify or reverse the findings of the Chief of Police, and shall notify the Chief of Police of its findings. The findings of the city council shall be final, subject to any applicable legal processes.

(b) An applicant or association who has been denied a license or licenses by the Chief of Police, and such denial has been upheld by the city council or not appealed to them, shall not be permitted to make another application for one year from the date of his filing for a license or licenses, unless the denial was only for a portion of the vehicles proposed to be licensed.

Sec. 102-47. Insurance required.

(a) Before any license shall be issued by the Chief of Police, or before the renewal of such license shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the Chief of Police as evidence of insurance coverage as required in this section. This shall not be construed as forbidding individual owner-operators operating within an association to arrange for their own insurance, but merely to indicate that the responsibility for providing evidence of insurance rests with the association in such cases.

(b) Insurance coverage as provided in subsection (a) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the state and naming the city as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than six months, and for any taxicab insured there under shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any taxicab, with the minimum amount of insurance to be \$25,000.00 for bodily injury for any one person in any accident, \$50,000.00 for bodily injury in any one accident and \$25,000.00 for property liability. Such policy shall expressly provide that it may not be canceled, except after 30 days' written notice to the Chief of Police.

(c) The operation of any vehicle-carrying passengers for hire within the city without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this chapter, subjecting the owner, licensee and/or vehicle operator to all applicable penalties provided in this article and this chapter.

Sec. 102-48. Revocation or suspension.

(a) Except as provided in this section, licenses may be revoked, suspended, altered or amended by the Chief of Police only after a hearing is held, with the applicant or association having had at least ten days' written notice of the hearing date, together with the nature of the charges against it. Should such hearing reveal a violation of any of the terms of this chapter or reflect derelict or incompetent performance of the laws of the city, state, or nation, or ordinances of the city, the Chief of Police or his designee may revoke, suspend, cancel or amend the licenses of the applicant or association, as the offense may warrant. The requirement for ten days' written notice shall be waived if, in the opinion of the Chief of Police, there is a danger to the public safety, health or welfare posed by failing to suspend or revoke the license of an applicant or association immediately. In this instance, the Chief of Police or his designee shall provide the applicant or association with written notice of the charges against it and shall hold a hearing on the charges within three days from the date of the written notice.

(b) All persons authorized to operate a vehicle for hire under this article shall promptly pay all state, city and parish taxes as they shall come due including, but not by way of limitation, occupational license taxes and vehicle for hire driver's license fees. The failure

to pay such taxes or fees as they become due shall be cause for suspension or revocation of the license.

(c) If the decision of the Chief of Police or his designee is adverse to the interests of the applicant or association, they may appeal to the city council, with such appeal to be handled as set forth in section 102-46.

Sec. 102-49. Change of ownership.

(a) If there is a change of ownership or title to any vehicle for the operation of which a license has been issued under this article, the licensee shall have the right to replace within 90 days after sale, destruction or elimination of the vehicle, another vehicle of the same or similar type and construction and receive a new vehicle identification sticker if all other requirements of this article are complied with.

(b) A change of ownership or the elimination of an owner from an association as defined in this article shall automatically revoke such license and the license shall be destroyed.

(c) Before any change of licensed vehicles shall be approved, the applicant or association shall file an amended certificate of insurance with the Chief of Police indicating that the coverage required by section 102-47 is in force.

Secs. 102-50--102-60. Reserved.

### ARTICLE III. VEHICLE FOR HIRE DRIVER'S LICENSE

Sec. 102-61. Required.

Each individual driving or operating a vehicle for hire within the city shall be required to obtain a vehicle for hire driver's license from the police department. No person shall operate a vehicle for hire-upon the streets of the city, and no person who owns or controls a vehicle for hire shall permit it to be driven unless the driver of that vehicle shall have then in force a vehicle for hire driver's license issued under the provisions of this chapter.

Sec. 102-62. Qualifications.

Each applicant for a vehicle for hire driver's license shall certify that he meets the following qualifications:

(1) He is a person over 18 years of age.

(2) He has never been convicted anywhere under the laws of this state, or of this city or any other city, within five years, and has not served any part of a sentence therefore within five years before the date of the filing of this application, of the offense of murder, aggravated rape, simple rape, aggravated burglary, simple burglary, armed robbery, simple

robbery, illegal possession or sale or use of narcotics (felony grade), contributing to the delinquency of a juvenile, indecent behavior with a juvenile, has not been convicted three or more times within the past five years of any traffic offense, and has not been convicted of driving under the influence of alcohol or drugs during the year preceding the filing of the application, and is not currently a Convicted Sex Offender as defined by Louisiana Revised Statute.

a. He has never been convicted anywhere under the laws of this state, or of this city or any other city, within one year, and has not served any part of a sentence therefore within one year before the date of the filing of this application, of the offense of illegal possession of narcotics (misdemeanor grade), pandering, prostitution, or soliciting for prostitution, first offense.

b. He has never been convicted anywhere under the laws of this state, or of this city or any other city, within two years, and has not served any part of a sentence therefore within two years before the date of the filing of this application, of the offense of illegal possession of narcotics (misdemeanor grade), pandering, prostitution, or soliciting for prostitution, second offense.

(3) He has not been convicted of any other felony or of any misdemeanor involving moral turpitude against the criminal laws of this state, within five years, has not served any part of a sentence therefore within five years before the date of the filing of the application, and he is not presently charged therewith, or with any of the felonies, offenses or misdemeanors set forth in subsection (2) of this section (excepting minor traffic violations), or with violating any of the provisions of this article.

(4) He is not addicted to the use of intoxicating liquor, does not use any narcotic drugs except as prescribed by a physician, and is not suffering from any diseases or infirmities which might make him an unsafe or unsatisfactory driver.

(5) He possesses a currently valid chauffeur's license issued by the state.

Sec. 102-63. Fee.

Each applicant for a vehicle for hire driver's license under the terms of this article shall pay a fee of \$20.00 to the police department at the time of his application, in addition to a fingerprint fee of \$20.00. All licenses shall expire one year from the date of issue, unless otherwise revoked, canceled or suspended.

Sec. 102-64. Investigation of applicant.

The police department shall conduct an investigation of each applicant for a vehicle for hire driver's license, and each applicant shall submit himself to be photographed and fingerprinted.

Sec. 102-65. Issuance; license to be posted.

(a) Upon approval of an application for a vehicle for hire driver's license, the chief of police shall issue a license to the applicant, which shall bear the name, address, age, signature and photograph of the applicant.

(b) Every driver licensed under this article shall post his vehicle for hire driver's license in full view of all passengers in such a manner as to make it accessible to them.

Sec. 102-66. Denial; suspension; revocation.

(a) The chief of police may deny any applicant's application for a license whenever in the exercise of his reasonable and sound discretion, and after notice and affording the applicant a hearing thereon, he shall determine that the applicant is not a fit and proper person to have such a license. If a license is denied by the chief of police, the applicant may appeal within ten days of such denial to the city council, with the appeal to be handled as set forth in section 102-46.

(b) The chief of police is hereby given authority to suspend any vehicle for hire driver's license issued under this article for a driver's failure or refusal to comply with the provisions of this article, such suspensions to last for a period of not more than 30 days.

(c) The chief of police is also given authority to revoke any vehicle for hire driver's license for failure to comply with the provisions of this article; provided that the license may not be revoked unless the driver has received notice of the charges against him and has had the opportunity to present evidence on his behalf.

(d) Whenever a person who shall have been issued a vehicle for hire driver's license under this article shall be charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violation of this article, the chief of police is hereby given authority to suspend the driver's license pending final disposition of the charges against him, and to revoke such license upon conviction thereof.

Sec. 102-67. Unlicensed drivers.

If any person not licensed under this article is found operating any vehicle, carrying passengers for hire, the Chief of Police may immediately take action to suspend or revoke the license held by the owner and operator of the vehicle, or by an association of owner-operators.

Secs. 102-68--102-80. Reserved.

ARTICLE IIIA. OPERATING REGULATIONS

Sec. 102-81. Vehicle requirements.

The following general regulations shall apply to all vehicles for hire, as designated in this article:

(1) *Name of license holder.* Every such vehicle shall have painted or permanently affixed on the vehicle, in proportionate letters not less than three inches in height, the name of the license holder who owns and/or controls the operation of the vehicle, and the number of the vehicle's certificate. This provision shall not apply to limousines and intra-city charter buses, as defined herein.

(2) *Class of service to be displayed.* Every such vehicle shall carry permanently attached thereto, as part thereof, a sign, in plain view by day and lighted by night, indicating the class of service offered to be rendered by such vehicle. This provision shall not apply to limousines and intra-city charter buses or to SporTran buses.

(3) *Signs obscuring view.* No signs, devices or emblems of any kind shall be placed on the windshield of the vehicle or on any part of the vehicle that shall in any way obscure or interfere with the vision of the driver of the vehicle.

(4) *Inspection of vehicles.*

a. No vehicle for hire shall be used in such service if, from use, dilapidation, wear or other causes, it is dangerous or unsafe for the carriage of passengers. The Chief of Police or his designee shall have the right at all times to examine and inspect any vehicle for the purpose of determining if the vehicle is safe for the carriage of passengers, in addition to the inspections described elsewhere in this section.

b. All vehicles for hire licensed pursuant to this chapter shall display a current safety inspection sticker (Motor Vehicle Inspection sticker) issued by the state of Louisiana. In addition, all such vehicles shall be inspected annually by the Chief of Police or their designee and before the vehicle is initially placed into operation to assure the proper operation and function of the vehicle's heating and air conditioning systems, its interior cleanliness and exterior appearance and for any unauthorized or illegal equipment (such as scanning devices). In addition, taxicabs shall be inspected to assure that they have adequate means of two-way communication with the central dispatcher and that their taximeters are lighted and operating correctly. The fee for this inspection shall be \$25.00 per vehicle inspection.

(c) The failure by any vehicle of any portion of the city's or the state's inspections shall be grounds for revocation of the license issued for that vehicle, unless the condition(s) causing the failure are corrected within seven days of the owner or operator being notified. The operation of a vehicle for hire after the expiration of the seven day period without the defect being corrected is declared to be a violation of this chapter.

(5) *Rates of fares to be posted.* There shall be fixed on the inside of each vehicle for hire except for limousines and intra-city charter buses a card upon which shall be printed in plain, legible type the rate of fare which will be charged for the service offered in accordance with the provisions of this article. This card shall be placed in such a manner that it can be easily and conveniently read by any passenger riding therein.

(6) *Passenger restraint devices.* No taxicab or limousine shall carry more persons as passengers than there are functioning seat belts in the vehicle.

Sec. 102-82. Operating requirements--taxicabs.

The following rules and regulations shall govern the business of operating a taxicab as a vehicle for hire as provided for in this article:

(1) The service to be rendered to the public under the classification of taxicab service shall not be limited or restricted to any particular hours, or period of the day or week, but shall be continuous; the intent and purpose hereof being to make such services available to the public, upon demand, at any and all times throughout the day and night and to require that the taxicab licensee shall respond to any and all requests for service within a reasonable period of time.

(2) No operator of any taxicab shall refuse to take any passenger to any destination within ten miles of the city limits of Shreveport or Bossier City, provided that the driver shall be required to take only the class of passengers the taxicab is registered to accommodate.

(3) In transporting any passengers in taxicab service, the driver or operator of such vehicle shall transport them by the most direct route which is practical.

(4) No person shall park any vehicle other than one licensed under the provisions of this article at any place, location or area designated by the property owner thereof for use as a taxi station or taxi stand.

(5) Taxicabs located in any officially designated stand shall be loaded in their order of occupancy of the stand ("first-in, first-out"), and only the taxicab "first-out" may move into a passenger zone at such stand for the purpose of loading; provided, however, that each prospective taxicab passenger shall have the right, unless otherwise prohibited, to approach, engage and occupy any taxicab at its location within such stand, and it shall be unlawful for the operator of any taxicab or any other person to interfere, prevent or impede the movement of a loaded taxicab from such stand.

(6) It shall be unlawful for any driver of a taxicab to solicit passengers by accosting any person at any place in the city, except on private property by virtue of a contract made with the owner thereof.

(7) The driving of taxicabs along, upon or across streets on which there are operated buses, for the purpose of picking up passengers awaiting buses, or the admittance into taxicabs of such passengers so awaiting buses on such streets, or within 100 feet thereof, is hereby declared to be cruising and is strictly prohibited.

(8) No taxicab operating in the city shall be equipped with a scanning device capable of intercepting radio communications.

Sec. 102-83. Taxicab fares.

(a) *Metered rates.* The metered taxicab rates for taxicabs operating in the city shall be as listed herein. Rates shall not be adjusted more than once in a 365-day period and only with the approval of the city council.

(1) For the first mile or fraction thereof, a maximum of \$4.00.

(2) For each additional one-eighth mile or fraction thereof, \$0.25.

(3) When a taxicab is required to wait at the request of the passenger, the charge therefore shall be \$18.00 per hour for such waiting time.

(4) This fee shall cover up to two passengers. An additional fee of \$1.00 per person may be charged for all additional passengers.

(b) *How rates are applied.*

(1) Except as described in subsection (a)(4) of this section, the rates set out in this section shall apply up to and including five passengers, where the point of origin and point of destination of such passengers is the same.

(2) When all passengers are members of the same group or party and originate from the same point and go to the same destination, or when the original passenger directs the driver to pick up or discharge others in the same group or party, all passengers up to the maximum number specified in this section shall be transported for the metered fare as authorized in this section.

(3) When one or more additional groups consisting of one or more passengers share the same taxicab, the fare charged shall be the metered fare. The driver shall reset the meter upon the discharging of each group. Additional passengers may be picked up at the beginning of any trip or en route only if such pickup is acceptable to the initial passenger or group employing the taxicab.

(c) *Overcharging.* Except for the hazard fee authorized in this section, no driver of any taxicab shall charge more for the use of such taxicab than is shown on the taximeter thereon.

(d) *Written receipt upon request.* The driver or operator of any vehicle used in taxicab service shall, upon the request of the passenger, give such passenger a written receipt showing the time and the date, and the point from which and to where the passenger was hauled, and the amount charged therefore.

(e) Flat rate or charge. Nothing in this section shall prohibit taxicabs from being operated for a flat rate or charge, provided that no such charge shall be greater than the amount which would be charged for the same service calculated at metered rates, and further provided that such flat rate or charge be mutually agreed upon between the operator and party responsible for payment of the fare prior to the beginning of the service.

#### Sec. 102-84. Taximeters.

(a) Every vehicle for hire operated as a taxicab shall be equipped with a taximeter attached to each vehicle to measure the distance traveled, record the time the vehicle is in waiting and to record the charge or fare therefore in an accurate manner.

(b) The face of such taximeter shall show but one tariff, which shall be registered in accordance with the rate prescribed in this article.

(c) Every taximeter shall be connected with and operated from the front wheel or axle and/or transmission of the taxicab to which it is attached. Every vehicle operated in taxicab service shall, during the period between sunset and sunrise, be equipped with a light which shall be so reflected upon the face of the taximeter as to enable the passengers using the taxicab to read the figures indicated thereon.

(d) No person shall offer any vehicle for hire in taxicab service within the city for a fare, charge or fee based on distance or time unless the taximeter placed, attached or installed thereon shall have been inspected by the city or its designee, and no such person shall detach any certified or inspected taximeter from any taxicab and attach such taximeter to any other vehicle, the front wheels of which are of different diameter from those of the vehicle upon which the taximeter was originally tested, unless a new inspection is made of such taximeter.

(e) If at any time a complaint is made to the Chief of Police that any taximeter registers inaccurately or improperly, then the Chief of Police shall order that the taximeter be tested and that it be removed from service if it is found to be registering inaccurately or improperly until such time as these errors are corrected. It shall be unlawful for any owner or person to permit the use of such taximeter until repairs have been made and it has passed a subsequent inspection by the Chief of Police or his designee.

(f) It shall be the duty of every driver or operator of every vehicle used in taxicab service, at the termination of his service, to call the passenger's attention to the amount registered. The taximeter shall not be changed until after the fare is paid or a charge ticket therefore made out and delivered to the person hiring such vehicle.

(g) No driver or operator of any vehicle used in taxicab service shall permit any passenger to ride thereon or therein with the flag on the taximeter up or toward a vertical position and no person shall tamper with, mutilate or break any taximeter with the intention of causing the taximeter to register improperly or incorrectly or inaccurately.

Sec. 102-85. Operating requirements--Other vehicles for hire.

(a) No vehicle for hire which is operated as a casino transportation service shall be operated as a taxicab. Vehicles operated by a casino transportation service shall transport passengers for hire only from casinos to other casinos or between hotels and casinos along a fixed route of travel, said fixed route shall be approved by the Chief of Police.

(b) Nothing in this chapter shall be construed to prohibit any entity, such as a lodging establishment, from operating a vehicle as a courtesy transportation service between two or more points, provided that the vehicle is available solely to the patrons of that establishment and is operated solely by an employee or agent of such establishment. The use of such vehicles as taxicabs, limousines or casino transportation services is hereby prohibited. A statement shall be displayed in each vehicle clearly indicating that patrons are transported at no charge, exclusive of voluntary tipping.

Sec. 102-86. Licensee's records and reports.

Every vehicle for hire licensee shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures, and such other operating information as may be required by the Chief of Police. Every licensee shall maintain the records containing such other data as may be required by this article for a period of three years after the expiration of their license at a place readily accessible for examination by the Chief of Police, the clerk of council and the internal auditor.

Secs. 102-87--102-125. Reserved.

#### ARTICLE IV. BUS SERVICE\*

Sec. 102-126. SporTran bus service authorized.

Notwithstanding the other provisions of this chapter, the operation of an intracity bus service known as "SporTran," by and under the authority of the city, is hereby authorized by the city council.

Sec. 102-127. Fares.

(a) The fee schedule for SporTran is hereby set at the following rates, effective on and after October 6, 2008:

Adult basic fare . . . \$ 1.25

\*Senior citizen (age 62+ with SporTran ID or Medicare card and proof of ID) . . . 0.60

\*Persons with disabilities (must be certified with Sportran ID or Medicare card and proof of ID) . . . 0.60

\*Medicare cardholder (must furnish proof of ID) . . . 0.60

Child (under 37 inches tall--average height of a three-year-old) . . . Free

Child (37 inches tall--through age 11) . . . 0.60

\*Student (age 12 through 12th grade) . . . 0.60

Transfer charge . . . 0.25

SporTran daily and monthly passes:

Day pass . . . 3.00

Adult flash pass . . . 40.00

\*Discount flash pass (For senior citizens, persons with disabilities, Medicare cardholders and students. Must have SporTran ID card to purchase or to use discount flash pass) . . . 20.00

Lift Line (SporTran's Paratransit one-way fare) . . . 2.50

\*Senior citizens, persons with disabilities, medicare cardholders and minor students (age 12 through 12th grade) are required to have an ID Card, as prescribed by SporTran. Required ID cards must be presented when boarding and a SporTran ID card must be shown along with a Discount FlashPass. If paying cash fare, senior citizens and medicare cardholders may use their Medicare card to receive the discount fare. Students will not be eligible for discount fare beyond 19 years of age. These special fares are good at all times with a valid ID Card as described above. Otherwise, full fare will be required.

From May 1 through September 30 of each year, local employers participating in the area's Ozone Action Program may purchase adult 30-day flash passes for their employees at the discounted rate of \$20.00 per pass. Local universities, colleges, community colleges, and trade schools participating in the area's Ozone Action Program may purchase adult 30-day flash passes for their students at the discounted rate of \$20.00 per pass. In order to qualify for this discounted rate, an employer must register as a participant in the Ozone Action Program and remain an active participant in the program. Users of the discounted flash pass must be employees or students of an Ozone Action Plan participant.

(b) The fares stipulated in this section shall be exact fares, and the operators of all SporTran equipment shall not carry money for the purpose of making change.

Sec. 102-128. Operating regulations.

(a) *Bus routes.*

(1) The licensee of any bus service authorized by the city council pursuant to this article shall file with the Chief of Police a designation of a starting point at which such vehicle shall render such service and a terminal point where it shall end, and also the route the vehicle will traverse between such points, including the name of the streets to be traversed. These routes may be changed not more often than once in three months, by filing an updated route description with the chief administrative officer.

(2) No driver of a bus shall deviate from designated routes to operate on or receive or discharge passengers on any other streets, unless required to do so by construction projects directed by a police officer.

(3) Each vehicle operated in bus service shall carry permanently attached thereto a sign, in plain view by day and lighted after dark, indicating the route to be taken by the vehicle.

(b) *Loading and unloading.* Passengers shall not be received or discharged by buses in neutral ground or median strips of any block. Passengers shall not be received or discharged at any place other than the curbing on the right of the vehicle.

(c) *Stopping at railroad crossings.* It shall be unlawful for the driver of any bus to cross over the main line tracks of any railroad without first bringing his bus to a complete stop and satisfying himself that there is no danger in crossing the tracks.

(d) *Smoking prohibited.* It shall be unlawful for any person to smoke on or in any vehicle engaged in bus service within the city, or in the downtown transit terminal building.

(e) *Activities prohibited while bus is in motion.* It shall be unlawful for the driver of any bus, or for any person controlling or operating a bus, to cause, suffer or permit any driver to collect fares, make change, issue any tickets or transfers, make any entries of records, or count transfers, tickets or money while the bus is in motion upon the surface of any street in the city.

Sec. 102-129. Disorderly conduct by passengers prohibited.

(a) It shall be unlawful for any person to create a disturbance or conduct himself in a disorderly manner while a passenger on any bus within the city.

(b) Within the meaning of this section, disorderly conduct on a bus is defined as follows:

- (1) To be in an intoxicated condition.
  - (2) To use any unnecessarily loud, offensive or insulting language.
  - (3) To engage in a fistic encounter.
  - (4) To conduct oneself in such a boisterous and disorderly manner as to unreasonably disturb and alarm other passengers or to interfere with the operation of the bus.
- (c) The operator or person in charge of a bus shall have the right to bring his vehicle to a stop until such time as a peace officer can be summoned, if necessary, to cause the arrest or removal of any person committing any offense defined in this section.

Sec. 102-130. Licensing of other bus services.

(a) *License required.* No vehicle shall be operated as an intracity bus service, except as a charter bus service, without the owner thereof having obtained from the city council a license declaring that the public convenience and necessity requires such an operation, such an owner being referred to as the licensee. This section shall not apply to the operation of the SporTran bus system by the city.

(b) *Application.* Any applicant desiring to operate a bus service in the city shall make application to the Chief of Police for a bus service license. Such application shall be submitted on forms to be furnished by the Chief of Police and shall contain the information required of taxicab licensees pursuant to section 102-42.

(c) *Information required.* In addition, all such applications shall contain a statement from the applicant showing:

- (1) That there is a demand for the bus services proposed to be rendered;
- (2) The experience of the applicant upon rendering these services;
- (3) The period of time which the applicant has rendered these services;
- (4) The fares the applicant proposes to charge for such services and any information which shows that adequate and dependable bus service can be rendered for the prices stipulated;
- (5) The routes upon which the applicant proposes to operate a bus service;
- (6) Evidence that it has in force public liability insurance coverage in the same amounts as are then in force for the SporTran bus system or as may be required by the Chief of Police and

(7) Such other information as may be required by the ~~chief administrative officer~~ Chief of Police.

(d) *Fee.* The fee for a bus service license issued by the city shall be ~~\$250.00~~ \$150.00 per vehicle per year, payable as described in section 102-43.

(e) *Investigation of application.* Upon receipt of an application for a bus service license, the Chief of Police shall conduct an investigation, taking into consideration the factors identified in section 102-44, and shall recommend to the city council whether or not a bus service license should be issued.

(f) *Determination by council.* The city council shall receive the report from the Chief of Police and determine whether the application for a bus service license shall be approved. It may conduct such additional investigations on this issue as it deems necessary and may, if it chooses, hold a public hearing on the subject.

(g) *Issuance.* If the city council finds that a bus service license should be awarded to the applicant, it shall, by resolution, direct the Chief of Police to award such a license.

(h) *Renewal of licenses.* Applications for the renewal of a bus service license shall be reviewed by the Chief of Police, who shall report to the applicant and the city council his recommendation as to whether a bus license for the upcoming year should be authorized. If no objection to the recommendation of the Chief of Police shall be filed by the applicant or by the chairman of the city council within 15 days of the chairman's receipt of the recommendation, the recommendation shall be accepted. If either person has any objection, he shall notify the Chief of Police in writing within the 15 days. He then shall notify the clerk of council to place the matter on the agenda of the next regular meeting of the city council. The city council shall thereafter approve or disapprove the proposed award of the bus service license.

(i) *Other regulations.* An entity which is licensed to provide bus service within the city shall abide by the regulations contained in sections 102-48, 102-49, 102-61 through 102-68 and 102-81.

Secs. 102-131--102-135. Reserved.

## ARTICLE V. TOWING AND RECOVERY

Sec. 102-136. Definitions.

*Abandoned vehicle* shall mean any motor vehicle left unattended on a public right of way which poses a hazard to other traffic, or in such a manner that it can be presumed the owner has left the vehicle unattended.

*Accident recovery work* shall mean the towing, removal or movement of a vehicle involved in an accident upon any highway or roadway.

*Automobile liability insurance* shall mean insurance which covers damage to property or personal injuries to third parties.

*Calendar day* shall mean a period beginning at 12:00 a.m. and ending at midnight 24 hours later.

*Chief administrative officer* shall mean the chief administrative officer of the City of Shreveport, Louisiana, or his/her designee.

*Covered storage* shall mean any covering which adequately protects a vehicle against weather conditions. This shall be a roofed structure which adequately protects a vehicle against rain, dew, and other elements.

*Enclosed storages* shall mean storage within an enclosed building which is separate from any other storage, and it is secured to prevent any unauthorized entry.

*Garage keepers legal liability* shall mean insurance which provides coverage to owners of storage garages, parking lots, body and repair shops, for liability as a bailee with respect to damage to automobiles left in their custody for safe keeping or repair. Coverage is contingent upon establishing liability on the part of the insured.

*Garage liability* shall mean insurance which covers the legal liability of automobile dealers, garages, repair shops and service stations for claims of bodily injury and property damage arising out of business operations. Damage to customers' cars is excluded from this coverage; however, garage keepers' liability coverage may be written as a part of the garage liability policy.

*Gross combination weight rating (GCWR)* shall mean the value specified by the manufacturer as the loaded weight of a combination vehicle. In the absence of a value specified by the manufacturer, the GCWR shall be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

*Gross vehicle weight rating (GVWR)* shall mean the value specified by the manufacturer as the loaded weight of a single vehicle.

*Heavy-duty tow truck* shall mean a tow truck with a single axle or tandem axle with a manufacturer's carrying capacity certificate of no less than thirty-five thousand (35,000) pounds.

*Highway* shall mean the entire width between the boundary lines of every publicly maintained right of way when any part thereof is open to use by the public for the purpose

of vehicular travel, including bridges, causeways, tunnels, and ferries; synonymous with the word "street."

*ICC* shall mean the Interstate Commerce Commission.

*Impound* shall mean the official seizure of a vehicle by the police for use in their investigations, for a violation of the law, or which is illegally parked in a fire, handicapped or tow away zone, or which would otherwise be immobilized by a "boot."

*Light duty tow truck* shall mean a tow truck with a manufacturer's carrying capacity certificate of no less than 10,000 pounds but no more than 34,999 pounds.

*No preference* shall mean the owner or driver of a vehicle does not select a particular company he wishes to tow the vehicle. In such cases, the police department shall utilize a rotational list in selecting the towing company.

*On-hook coverage* shall mean insurance which protects the towed vehicle and its cargo or contents when it is hooked up with a recovery line to a vehicle or object whether in transport or not.

*Person* includes both singular and plural and shall include any individual, firm, corporation, association, or partnership.

*Place of business* shall mean a permanent structure which the registered tow truck operator occupies, either continuously or intermittently, with a telephone service, and where the tow business books and records are retained.

*Police Chief* shall mean the chief of police of the Shreveport Police Department, Shreveport, Louisiana, or his/her designee.

*Power operated winch* shall mean a winch operated by means of an energy source including but not limited to power take-off systems, hydraulic systems or, for some types of tow trucks, electric systems.

*Preference* shall mean the owner or driver of the vehicle requests a particular company to tow his vehicle, which includes requests for towing service clients.

*Rotational list* shall mean a list maintained by the police department of towing companies having a current tow truck permit(s). It is used to select a towing company when no owner or driver preference is expressed or when the vehicle is impounded. Companies are called by the police department in the order in which they appear on the list.

*Tow* shall mean the act by a tow truck of picking up a disabled, abandoned, or impounded vehicle and moving it to a location specified by the owner of said vehicle, or to a location directed by the Shreveport Police Department.

*Towing service client* shall mean any commercial entity which has contracted with a particular tow truck service to tow vehicles it owns, leases, operates or which are requested to be towed to the entity's business location in the event the vehicles are wrecked or otherwise disabled within the city.

*Tow truck* shall mean a motor vehicle equipped with a boom or booms, winches, slings, tilt beds, wheel lifts, under-reach equipment and/or similar equipment designed for the towing and/or recovery of vehicles and other objects which cannot operate under their own power or for some reason must be transported by means of towing, including all vehicles displaying a Louisiana Towing and Recovery license tag.

*Tow truck driver* shall mean any individual who operates and drives any tow truck or emergency tow truck on the streets of the City of Shreveport, either for his own benefit or for the benefit of another.

*Tow truck owner* shall mean any person engaged in the business of towing disabled, impounded, or abandoned motor vehicles or engaged in the business of storing such vehicles and who owns or is entitled to use a "tow truck," and who uses same in the conduct of his business or any part thereof. The term "tow truck owner" shall include any person owning a ten percent or greater interest of any towing company permitted by the City of Shreveport.

*Vehicle storage area* shall mean storage facilities which include an approved yard or building where vehicles are stored.

Sec. 102-137. Scope.

This article shall apply to any person or entity permitted to tow vehicles in the city. The provisions of this article shall also apply to any person or entity operating tow vehicles without first being permitted by the city.

Sec. 102-138. Relationship to other laws and regulations.

Nothing in this article shall exempt any person from complying with any other laws or regulations.

Sec. 102-139. Purpose.

This article is enacted to regulate the towing and recovery industry in the city, to protect both the citizens of the city and members of the industry, to ensure adequate towing services during emergencies, and to allow for the smooth flow of vehicular traffic.

Sec. 102-140. Tow truck permit required.

- (a) In order to be placed on the city's rotational list a person must first obtain a tow truck permit from the city. Each towing company shall be permitted as a separate entity.
- (b) Tow truck permits shall be issued for each tow. Tow truck permits are nontransferable. Any change in ownership of the vehicle or towing service shall cancel the permit except as otherwise provided herein.
- (c) Permit stickers and decals shall be permanently affixed to the inside of the front windshield of each tow vehicle.
- (d) Any person who has been convicted or is currently under indictment or facing formally filed criminal charges anywhere under the laws of this state, or of this city or any other city for any crime relating to auto theft, theft of a motor vehicle, unauthorized use of a moveable, unauthorized use of a motor vehicle, unauthorized removal of a motor vehicle, illegal possession of stolen things, vehicle insurance fraud, burglary of a vehicle, distribution of and/or possession with intent to distribute a controlled dangerous substance and/or possession of stolen vehicles or vehicle parts shall not be issued a permit. If any permittee knowingly employs any person or continues to employ any person who has committed or allegedly committed such an offense, his permit may be denied, suspended or revoked in accordance with the procedures outlined in this chapter.
- (e) Permittees for each tow truck business shall be placed on the rotational list in the order determined by the date and time the complete application is submitted to the Chief of Police if the application is made prior to February 1 of the ensuing calendar year.
- (f) Any person(s) applying for a permit prior to February 1 of the ensuing calendar year, but who, because of the permittee's failure to meet the requirements of this chapter, ~~do~~ does not receive a permit until after February 1, shall be placed on the rotational list in the order of the issuance of the permit.
- (g) Any person(s) applying for a permit after February 1 of the current calendar year shall be placed on the rotational list in the order of the issuance of the permit.
- (h) Permits shall be issued for a period not exceeding one year and shall expire at 11:59 p.m., January 31, each year.

Sec. 102-141. Fees for permits and inspections.

- (a) The fee for a tow truck permit shall be \$10.00 per vehicle, per year.
  - (1) Twenty-five dollars (\$25.00) for the inspection of each vehicle to be permitted as a tow truck.
  - (2) Fifty dollars (\$50.00) for maintaining the rotation list(s).

- (3) Twenty-five dollars per year for the registration of a towing service client list.
  - (4) Five dollars for any changes made to the towing service client list during the permit year. Each name added or deleted from the towing client list shall be considered a change.
  - (5) Ten dollars for the investigation of each owner's criminal record.
- (b) All fees shall be payable to the city through the Chief of Police.

Sec. 102-142. Method of application.

- (a) Any person desiring to participate on the rotational list in the city shall make application to the Chief of Police for a tow truck permit. Such application shall be submitted upon forms to be furnished by the Chief of Police, and the applicant shall furnish all information requested on the application form. Applications which are incomplete shall be rejected. The filing of an application for a permit does not authorize the applicant to begin towing service operations.
- (b) The Chief of Police shall be notified in writing within ten days of any change in the information provided on the original application.
- (c) The application shall state the number of tow trucks an owner desires to operate and shall list the make, model, vehicle identification number and correct state license number of each vehicle to be permitted by the applicant as a tow truck.
- (d) The application shall include the name of the owner, or, with respect to a legal entity such as a corporation, the application shall include the following:
- (1) The name and current address of the president;
  - (2) The name and current address of the secretary;
  - (3) The name and current address of the registered agent for service of process; and
  - (4) The names and addresses of all persons holding stock in the amount of ten percent or more of the total stock issued by the corporation.
- (e) The applicant shall furnish the following with his application:
- (1) Evidence that his business and storage facility is domiciled within the Parish of Caddo.
  - (2) Evidence that he has a current occupational license issued by the city and that all other taxes and licenses are current. The application shall also include the trade name of the company.

- (3) Evidence that he has secured a certificate of occupancy issued by the city where appropriate.
- (4) Evidence that he has in full force and effect the insurance required by section 102-158.
- (5) Payment of the proper permit fee, as required by section 102-141.
- (6) Evidence that he has met the storage requirements established by the state.
- (7) A current towing service client list, if applicable. The list shall consist of:
  - a. The names and addresses of their clients; and
  - b. A letter from the client evidencing that the tow company is authorized to act as their agent.
- (8) A list of the name, date of birth, address, and driver's license number of all persons employed by or working for the permittee. All persons employed by or working for the permittee as a tow truck driver shall be so identified.
- (9) A single telephone number which may be called 24 hours a day. This number must be listed in the directory of the telephone company servicing the area. For the purposes of this section, listings with directory assistance shall be acceptable.
- (10) A signed, notarized statement substantially as follows:

"Under oath, I affirm the application was made and filed in good faith, that all submitted information is accurate, that the applicant's towing equipment and storage facilities meet the minimum requirements established by law and that the applicant agrees, in good faith, to abide by all applicable laws, rules or regulations governing the towing permit for which this application is made."
- (11) In the case of a heavy duty tow truck, the applicant shall provide proof of compliance with all Interstate Commerce Commission and the Department of Transportation regulations applicable to the vehicle.
  - (f) Any change in the ownership or location of the place of business of the towing service shall cancel the permit and it must be surrendered, except as otherwise provided herein.
  - (g) Any notice required by law or by this section to be served upon any permittee shall be served personally or mailed to the last known address of such person as reflected in the application. It is the duty of every permittee to notify the Chief of Police, in writing, of any change in the address or place of business of the permittee.

(h) Any towing service that adds or deletes a towing vehicle from its fleet shall notify the Chief of Police, in writing, of the make, model and serial number of the vehicle and must send a written notice from the towing service insurance carrier that the vehicle has been added or deleted from the present insurance coverage.

Sec. 102-143. Renewal.

(a) Any person seeking renewal of an existing permit shall apply in the same manner as a person seeking to apply for a new permit.

(b) Applications for renewal shall be submitted on or before January 15.

Sec. 102-144. Issuance of permit.

Upon receipt of an application for a permit, the Chief of Police shall issue the permit if he finds the applicant meets all of the requirements of this article.

Sec. 102-145. Denial of a permit.

(a) If the Chief of Police finds that a permit should not be issued for the operation of a tow truck(s), or finds that the said permit already issued should be suspended or revoked, he shall notify the applicant in writing of his decision within 15 days of the date the application for a permit is submitted to his office.

(b) If an applicant has been denied a permit or has had his permit suspended or revoked by the Chief of Police pursuant to the grounds listed in section 102-167 or section 102-168, and such denial has been affirmed by the city council, or if the applicant fails to appeal the decision of the Chief of Police to deny, suspend or revoke the permit to the city council, the applicant shall not be allowed to make another application for one year from the date of his filing of the application.

Sec. 102-145.1. Removal or suspension from the city rotational list.

(a) Upon a showing that a permit holder on the city rotational list, after receipt of a no-preference call from the police department, did, without good cause, fail or refuse to respond with a tow truck and pick up the subject vehicle and move it to the location specified by the owner or the city police department, then the Chief of Police may suspend or remove the permit holder from the rotational list for a period not to exceed 30 days.

(b) Upon a second violation, Chief of Police may suspend or remove the permit holder from the city rotational list for a period of not less than 30 days but not to exceed six months.

(c) Upon a third violation, the Chief of Police may permanently remove the permit holder from the city rotational list.

(d) The permit holder may appeal any action of the Chief of Police taken pursuant to the authority of this section, in accordance with section 102-46.

Sec. 102-146. Appeal from the findings of the Chief of Police.

After the Chief of Police has made and communicated his findings to deny, revoke or suspend a permit to the applicant for the permit or permit holder, the applicant or permit holder shall have the right to appeal to the city council within ten days therefrom. Such appeal shall be perfected by a letter from the aggrieved party addressed to the city council and delivered to the clerk of council stating that an appeal from the decision of the Chief of Police is desired. The council, as soon as practicable, but no more than 60 days after receiving such notice of appeal from the findings of the Chief of Police, shall set a date for the applicant's hearing and, after the hearing of such appeal, shall sustain, modify, or reverse the findings made by the Chief of Police of its findings. The findings of the city council shall be final. If an appeal is not made to the city council from the decision of the Chief of Police within ten days, his decision shall become final.

Sec. 102-147. Trade name.

(a) Each permittee shall use a unique name approved by the Chief of Police which shall be clearly distinguishable from the trade name of any other permittee. The Chief of Police shall approve any trade name which has been accepted and currently registered with the Secretary of State of Louisiana.

(b) Any change in ownership due to sale, merger, dissolution, death or other reason shall reserve the towing service trade name for a period of 30 days, during which time the successor or owner may apply for a towing permit.

(c) The trade name shall be listed in the local telephone directory for the area in which the company's place of business is located. A listing with the Shreveport area directory assistance shall be acceptable.

Sec. 102-148. Tow truck driver: requirements.

(a) No tow truck owner shall operate or allow anyone to operate his tow truck(s) unless the driver has a Vehicle For Hire drivers license as outlined in Article III, Sections 102-61 through Sections 102-67 and until the following requirements are fulfilled:

(1) Tow truck drivers shall have a valid state commercial drivers license. The class of license must be compatible with the equipment operated.

(2) Every driver shall be competent by reason of experience or training to safely operate the type of tow truck or tow trucks authorized by the permit.

- (3) Every driver shall possess the knowledge and ability to rig, move, pick up and transport vehicles without causing or increasing existing damage.
- (4) Every driver shall be free from impairment of alcoholic beverages, narcotics or dangerous drugs when operating a towing service or tow truck.
- (5) No tow truck company or individual shall operate a tow truck without having in his possession proof of current insurance.
- (6) Every owner and operator shall be familiar with the laws, rules and regulations pertaining to tow trucks.
  - (b) Drivers shall wear outer clothing sufficient to identify the towing company and driver.
  - (c) Drivers must be 18 years of age or older.

Sec. 102-149. Required lighting equipment.

- (a) All lighting equipment installed on the tow truck shall be maintained in a good and operable condition.
- (b) Tow trucks shall comply with all applicable lighting and equipment requirements under state law.
- (c) Any tow truck towing a vehicle, except a slide back tow truck, shall also have affixed stop, brake and tail lights on each side, near the rear of the towed vehicle. These stop, brake and tail lights shall operate when those of the tow truck are actuated.

Sec. 102-150. Required equipment.

- (a) Each tow truck shall be equipped, at all times, with the following:
  - (1) Five gallons (1,155 cubic inches) of sand, clean dirt or commercial oil and grease absorbent carried in a weather proof container.
  - (2) An electric flashlight or lantern of at least two cell capacity in good working condition.
  - (3) One four-pound fire extinguisher having an Underwriters Laboratory rating of 5 B:C or more, or two four-pound fire extinguishers having an Underwriters Laboratory rating of 4 B:C or more.
  - (4) A steering wheel clamp, rope or equivalent having sufficient strength to adequately lock the steering mechanism of a towed vehicle in a straight, forward position.

- (5) A heavy duty shop broom and shovel for cleaning an accident site.
- (6) The trade name of the company shall be displayed on each door or side panel of each tow truck in permanently affixed letters no less than two and one-half inches in height. Such letters shall be clearly defined and free of runs or spots that may make them difficult to read. The letters shall be of a color contrasting to the background on which they appear.
- (7) Permitted trucks shall be equipped with a minimum of 20 feet of at least 5/16-inch diameter chain with a 5/16-inch diameter hook at each end for light duty tow trucks and 20 feet of 3/8-inch diameter chain with a 3/8-inch diameter hook at each end for heavy duty tow trucks.
- (8) Permitted light duty tow trucks, except rollback trucks, shall be equipped with dolly wheels and all necessary fittings and attachments for their use.
- (9) Permitted tow trucks shall be equipped with three flares or reflectors visible at a distance of not less than 600 feet under normal atmospheric conditions at night.
- (10) Permitted tow trucks shall be equipped with two snatch blocks of four-ton capacity and two wheel chocks.
- (11) Permitted tow trucks shall be equipped with a two-way communications system such that the police department may directly or indirectly contact the tow truck driver while enroute to a call.
- (12) Permitted light duty tow trucks shall not be equipped with only an electric winch unless the truck is a slide back tow truck.
- (13) Permitted heavy duty tow trucks shall be equipped with a heavy duty towing hitch and a minimum of 75 feet of auxiliary air lines equipped with necessary transfer fittings.
- (14) Permitted slide back tow trucks, in addition to the above, shall be equipped with 50 feet of 3/8-inch or larger cable.
- (15) Tow trucks of all types shall bear a valid Louisiana motor vehicle inspection (MVI) certificate and a Louisiana towing and recovery license plate.
- (16) Tow trucks of all types shall be equipped with safety chains which shall be used when towing any vehicle.

Sec. 102-151. Required vehicle equipment for towing.

- (a) Permitted light duty tow trucks shall be equipped or manufactured as follows:

- (1) Each permittee shall maintain at least two permitted tow trucks which are operational for daily use.
- (2) The GVWR shall not be less than 10,000 pounds as rated by the manufacturer or certifying laboratory (one ton truck).
- (3) The distance from the rear of the passenger cab to the center of the rear axle shall be a minimum of 60 inches.
- (4) The truck shall be equipped with a four speed or heavy duty automatic transmission.
- (5) The truck shall be equipped with dual rear wheels and tires.
- (6) The truck shall be equipped with a service brake system capable of adequately controlling the movement of or stopping and holding the combination of vehicles under normal and adverse operating conditions and a parking brake system separate from the service brake system which is maintained in proper working order.
- (7) The sling, plate, bar or equivalent device shall be adequate for any weight drawn, properly mounted and secured to the tow truck without excessive slack.
- (8) The booms and winches shall be of no less than four-ton capacity as determined on a single line pull. Each winch shall have no less than 100 feet of wire rope of a minimum diameter of 3/8 inches or rated for 12,000 pounds breaking strength. All such equipment shall be maintained in good condition.

(b) Permitted slide back tow trucks shall be equipped or manufactured as follows:

- (1) The GVWR shall not be less than 10,000 pounds as rated by the manufacturer or certifying laboratory (one ton truck).
- (2) The distance from the rear of the passenger cab to the center of the rear axle shall be a minimum of 102 inches.
- (3) The winch shall be rated at not less than a four-ton capacity.
- (4) The slide back tilt bed shall be 16 feet or longer and hydraulically operated.
- (5) The truck shall be equipped with a four speed or heavy duty automatic transmission.
- (6) The truck shall be equipped with dual rear wheels and tires.
- (7) The truck shall be equipped with a service brake system capable of adequately controlling the movement of or stopping and holding the combination of vehicles under

normal and adverse operating conditions and a parking brake system separate from the service brake system which is maintained in proper working order.

(c) Permitted heavy duty tow trucks shall be equipped or manufactured as follows:

(1) The GVWR shall not be less than 35,000 pounds as rated by the manufacturer or certifying laboratory (3 1/2 tons).

(2) The distance from the rear of the passenger cab to the center of the rear axle on single axle trucks or center of the bogie on tandem trucks shall be a minimum of 102 inches.

(3) The truck shall be equipped with at least a four speed or heavy duty automatic transmission.

(4) The truck shall be equipped with dual rear wheels and tires.

(5) The truck shall be equipped with a service brake system capable of adequately controlling the movement of or stopping and holding the combination of vehicles under normal and adverse operating conditions and a parking brake system separate from the service brake system which is maintained in proper working order.

(6) The sling, plate, bar or equivalent device shall be adequate for any weight drawn, properly mounted and secured to the tow truck without excessive slack.

(7) The booms and winches shall be of no less than 25 tons as determined on a single line pull. Each winch shall have no less than 200 feet of wire rope of a minimum diameter of 9/16-inches or rated for 27,000 pounds breaking strength. All such equipment shall be maintained in good condition.

(8) In addition to the principal sling, plate, bar, cable or other equivalent device, the towed or carried vehicle shall be further secured, at a minimum, by two chains, hooks, straps or the equivalent attachment devices and two safety chains having a capacity equal to the weight of the towed vehicle.

Sec. 102-152. Determination of towing capacity.

(a) The capacities listed herein shall be determined solely by the manufacturer's specifications for the capabilities and capacities of the tow trucks and all towing equipment.

(b) Each tow truck shall be equipped with only those winches and cranes produced and constructed by a manufacturer of such equipment which carries product liability on such product, and which regularly produces winches and cranes of guaranteed quality.

(c) A winch or crane will not be prohibited by this section if the tow truck owner submits to the Chief of Police a certification from a reputable testing laboratory, regularly engaged in the testing of such similar equipment, indicating the capacity of the winch or crane is not less than the weight for which the application is being made. All costs of such testing shall be borne by the applicant. The applicant and the manufacturer shall assume all product liability responsibilities.

Sec. 102-153. Tow truck components must be in good operating condition.

(a) All tow truck components such as winches, cables, clamps, thimbles, sheaves, guides, controls, blocks, slings, chains, hooks, and hydraulic components, shall be assembled in accordance with factory recommendations and specifications and shall be maintained in good condition at all times.

(b) All required equipment must be in good operating condition and available on the truck at all times.

(c) The vehicle registration and proof of all required insurance shall be carried in the truck at all times.

Sec. 102-154. Tow truck equipment use.

(a) At no time shall any tow truck exceed the manufacturer's gross vehicle weight rating or the manufacturer's rated capacity for the towing assembly.

(b) At no time shall a tow truck attach to a vehicle which, by its size and/or weight, would make towing the vehicle an unsafe movement. A tow truck and its load should never exceed the capabilities of the towing vehicle to safely accelerate, stop or maneuver.

Sec. 102-155. Inspections.

(a) The Chief of Police or his designee may physically inspect the tow truck, the place of business and the storage facility.

(b) All tow trucks must be inspected annually as required by R.S. 32:53.

(c) Nothing in this section shall prevent any peace officer, the Chief of Police or his designee from conducting an inspection without notice to determine the fitness of a tow truck or driver at any reasonable time and place.

(d) If, at any time, a tow truck is found by a peace officer or the Chief of Police to be in need of repair in order to satisfy the minimum standards of this article, the tow truck will be placed out of service until such repairs are completed and the tow truck passes an inspection.

Sec. 102-156. Prohibition of unauthorized operation.

(a) No person regulated under these rules shall stop at the scene of an accident or at or near an unattended disabled vehicle for the purpose of soliciting an engagement for towing service, either directly or indirectly, nor furnish any towing service, unless that person has been summoned to such scene by the owner or operator of the disabled vehicle or has been requested to perform such services by a law enforcement officer or agency pursuant to that agency's authority.

(b) Tow truck drivers shall not, without the express authorization of the responsible investigating agency, attach to or move any vehicle from a public highway, street or from any public property when such vehicle is abandoned, stolen, damaged or left unattended. Notwithstanding the conditions imposed by this section, operators may in emergency cases, slide left, right or otherwise move a vehicle damaged as the result of an accident, if the movement is for the purpose of extracting a person from the wreckage or to remove an immediate hazard to life or property. In no event shall the movement be more than is reasonable or necessary.

(c) No tow truck owner or operator shall tow or otherwise move a vehicle which he knows or should know was immobilized by a law enforcement agency unless a member of that law enforcement agency is present and directs the towing or movement of the vehicle.

(d) No tow truck shall have a police monitoring device in the tow truck unless authorized in writing by a specific law enforcement agency for the convenience of the agency. Such letter of authorization shall be signed by the head of the agency and shall be carried in the tow truck at all times.

Sec. 102-157. Towing services to use due care.

Towing services shall determine the method and manner of removing vehicles provided, however, they shall exercise due care in removal operations and follow the lawful direction of any law enforcement officer.

Sec. 102-158. Insurance requirements.

(a) Before any permit shall be issued to any owner of a tow truck company, or before any renewal of said permit shall be granted, the owner shall be required to file an insurance policy and/or certificate of insurance with the Chief of Police evidencing insurance coverage complying with the requirements contained in subsection (b) below.

(b) The insurance coverage in subsection (a) above means an insurance policy or policies and/or a certificate of insurance covering all licensed tow trucks of the insured, issued by a company or companies qualified to do business in the state, with an A.M. Best rating of at least a VII and must be performable in Caddo Parish, Louisiana. Liability insurance policies or certificates of insurance, including garage liability policies, must show the year,

make and model, state license number, and motor number of all tow trucks which have been authorized to operate by the Chief of Police. All such insurance policies and/or certificates of insurance must contain a provision and/or endorsement requiring that the Chief of Police be given at least 30 days written notice by certified mail, return receipt requested, prior to the date of cancellation or material change in coverage before such policy may be canceled or amended by the insurer. All such policies shall provide the minimum coverage to "show proof of financial responsibility," as that term is defined in the financial responsibility laws of the state as are now in force or hereafter amended. Provided, however, in no event shall insurance coverage on tow trucks be less than the amount of \$300,000.00 combined single limit for bodily injury and property damage in any one accident for light-duty tow trucks. The required insurance coverage for heavy-duty tow trucks shall not be less than \$1,000,000.00 combined single limit for bodily injury and property damage in any one accident. Further, before any tow truck permit shall be issued, or before renewal of such permit shall be granted, the owner shall keep in full force and effect worker's compensation and employer's liability insurance in the amount of \$1,000,000.00, and a garage keeper's legal liability coverage in an amount not less than \$100,000.00 for light-duty tow trucks and \$100,000.00 for heavy-duty tow trucks. The owner shall also maintain garage liability insurance in an amount not less than \$1,000,000.00 whether permitted for light-duty or heavy-duty tow trucks. Further, the owner shall maintain on-hook coverage in an amount not less than \$100,000.00 for light-duty tow trucks and \$100,000.00 for heavy-duty tow trucks. The maximum deductible acceptable on any of the above coverage is \$1,000.00 without prior approval of the Chief of Police.

(c) If such proof of financial responsibility is evidenced by an insurance policy, such policy shall be carried with an insurance company admitted to do business in Louisiana and performable in Caddo Parish. All certificates of insurance shall contain the initial and expiration dates of coverage, the serial number of the vehicle(s) in which the permit will be applicable, and name the city as an additional insured, with the exception of worker's compensation coverage. The Chief of Police shall suspend, cancel, or revoke any tow truck permit heretofore issued without further notice to the owner if satisfactory evidence of proof of financial responsibility is not in full force and effect at all times.

Sec. 102-159. Allowable fees for permitted towing companies.

Towing companies permitted by the city may charge for non-consensual towing and recovery services only those amounts authorized in the most recent tariff approved by the Louisiana Public Service Commission. This shall include all no-preference and impounded vehicle calls originated through the Shreveport Police Department or other authorized city agency.

Sec. 102-160. Rules of operation.

- (a) Each tow truck permittee shall be operational 24 hours a day, seven days a week. The permittee shall provide a single telephone number so that his business may be contacted at all times. The use of answering machines or services is prohibited.
- (b) The owner or driver of a towing service shall not transfer or assign his right to tow. Subcontracting towing services to another company is prohibited.
- (c) Each tow truck permittee shall arrive at any location within the city within 45 minutes from receipt of the call from the police department's dispatcher. Heavy duty tow trucks shall arrive at any location within the city within 60 minutes from receipt of the call from the police department's dispatcher. Failure to meet this standard on three occasions within a permit year shall result in removing the tow company from the rotational list until the end of the permit year.
- (d) It shall be the duty of the tow truck driver engaged in the removal of a wrecked or disabled vehicle to clear the streets of any and all debris, parts, glass or spilled fluids. In the event two or more tow trucks are engaged in towing vehicles, it shall be the duty of each tow truck driver to clear the streets of all debris, parts, glass or spilled fluids.
- (e) The tow truck driver who tows a vehicle shall sign police tow storage and inventory report. The tow truck driver shall be accountable to officer in charge of the crash scene or the officer requesting the tow and/or the owner of the towed vehicle at all times. A violation of this section shall constitute the basis for cancellation of the tow truck permit without notice.
- (f) If a tow truck driver dispatched to a police call determines he cannot safely move the vehicle and that another type of tow truck is required, the next tow truck of the type needed shall be requested from the rotational list. The tow truck which could not safely move the vehicle cannot charge for the call but will be placed back at the top of the rotational list.
- (g) If upon arrival at the scene, the owner or driver of the vehicle desires the services of another towing company, the tow truck at the scene shall remove the vehicle from obstructing traffic to a nonhazardous area and leave it for the owner to have it removed. The tow truck originally called shall not lose its turn on the rotational list. It shall be the responsibility of the owner to have the vehicle removed in a period of time not to exceed two hours from its placement. If the owner or driver of the vehicle fails to remove the vehicle in the required time, the police department may have it removed at the expense of the owner or driver.
- (h) All tow truck drivers shall obey all lawful orders given to them by any law enforcement officer and shall not in any manner interfere with such law enforcement officer in the performance of his/her duty nor shall they interfere with the flow of traffic.

(i) In the event the driver of a wrecked or disabled vehicle has been rendered unable to give permission to the officer at the scene to remove the wrecked or disabled vehicle, the officer may order the vehicle towed.

(j) All vehicles which are classified as impounds or no-preference shall be towed to a location designated by the city.

Sec. 102-161. Towing/storage facility business practices.

(a) For the purpose of inspecting records, the business hours of the owner's place of business shall be 8:00 a.m. to 5:00 p.m., excluding weekends and holidays.

(b) The operator shall post a clearly visible sign at the place of business and the storage facility bearing the following:

(1) The trade name of the company;

(2) The telephone number of the company; and

(3) A listing of the service charges and storage rates.

(c) All billing invoices shall be consecutively numbered and shall be of a type specified by the Chief of Police, and shall contain all information required by state law.

(d) A copy of the invoice shall be filed by invoice number at the business location and a copy of any voided invoices shall be retained.

(e) The address of the towing service listed on the initial application shall be the location where its business records are retained. The application shall also list the location of all storage areas for vehicle inspection and retrieval.

(f) The owner of a storage facility is required to maintain a suitable place of business to transact business and accommodate the public. It shall be staffed from at least 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays, throughout the year. The storage facility is subject to inspection by the Chief of Police or his designee.

(g) Towing services must make business records and facilities available for inspection upon request by law enforcement officers.

Sec. 102-162. Storage procedures.

(a) All vehicles shall be returned to the owner in substantially the same condition as they existed prior to being towed.

(b) All permittees shall employ reasonable safeguards to ensure that personal belongings and contents in the vehicle are intact and returned to the vehicle's owner or agent upon release of the vehicle.

(c) Any person who shows proof of ownership or written authority from the vehicle's registered or legal owner may inspect and view the vehicle without charge during normal business hours except that written authorization from the police department shall be required if the vehicle has been impounded.

(d) Unless the vehicle has been impounded, the owner or his agent may remove personal items from the vehicle without charge during business hours. The removal of vehicle parts or equipment is prohibited.

#### Sec. 102-163. Storage facilities.

(a) Storage areas shall be secured to prevent free entry and shall be reasonably attended in such a manner so that the property contained therein is secure at all times.

(b) Permittees shall have sufficient storage for 100 vehicles, 20,000 square feet, and covered storage adequate for no less than six vehicles, 1,200 square feet. In addition, the permittee must maintain an enclosed storage facility at least 14 feet high, 15 feet in width, and 30 feet in length. This enclosed storage facility must be locked, secure and equipped with interior lighting.

(c) If a facility uses outdoor storage, it shall be surrounded by a secure fence having at least one locking gate of construction equal to that of the fence. The storage facility shall comply with all applicable zoning requirements.

(d) All storage facilities shall be adequately lighted during the hours of darkness to provide security and safety.

(e) Outdoor storage must be paved or have a sufficiently hard or gravel surface to prevent problems in moving a vehicle during inclement weather. Entrance and exit aprons shall be paved.

(f) When a vehicle is stored pursuant to the request of a law enforcement agency or under contract in accordance with R.S. 32:1722, the storage operator shall provide the following information to law enforcement authorities:

(1) The location from which the vehicle was towed;

(2) A description of the vehicle;

(3) The license plate number and vehicle identification number of the vehicle; and

(4) The location to which the vehicle was towed.

(g) The shared use of a storage facility by two or more towing companies is prohibited, except as may be determined by the department of public safety and the corrections towing and recovery unit.

(h) Towing operators intending to lease or rent storage facilities from state and locally approved firms shall provide a letter signed by the lessor delineating the responsibility of the lessor to comply with this chapter. If the lessor does not comply with the provisions of this chapter, the permit of the towing company may be suspended by the Chief of Police until such time as the permittee has secured another storage facility which complies with the provisions of this chapter.

(i) Towing operators shall maintain all records of the towing and storage of vehicles for a period of five years. The Chief of Police, the Clerk of Council or internal auditor shall have the right to enter and inspect all towing and storage facilities during normal business hours and these records shall be made available upon request.

(j) Vehicles impounded by the police department and any items contained therein may be released only upon the written authorization of the police department. Records of impounded vehicles shall include the following:

(1) The date and time the call for service was received and from whom;

(2) A description of the vehicle including the make, model, color, vehicle identification number and license plate number;

(3) The date, time and place at which the operator began the towing operation;

(4) The date and time the vehicle was released to the owner;

(5) The signed release from the police department authorizing the release of the vehicle; and

(6) The tow truck driver's name.

Sec. 102-164. Storage rates.

(a) Vehicle storage fees shall be based upon a calendar day.

(b) No storage fees shall accrue until after the end of the calendar day following the day the vehicle was towed.

(c) No storage facility shall charge an insurer or any other person a storage fee greater than the amount set forth by the Louisiana Public Service Commission:

- (1) \$14.00 per vehicle per day for outdoor storage.
- (2) \$17.00 per vehicle per day for covered storage, if such storage is necessary.

(Note: The Louisiana Public Service Commission declared inside storage to be synonymous with covered storage. PSC Order Number R-27182-B page 2.)

(d) The daily storage fee shall be the only fee charged by the storage facility during the storage of the vehicle. There shall be no additional charge for locating the vehicle in the storage facility, viewing the vehicle, photographing the vehicle, removal of items from the vehicle or any other similar activity that does not require towing or moving the vehicle during regular business hours.

#### Sec. 102-165. Registration of towing service clients list.

(a) Permittees may register a list of towing service clients with the Chief of Police. The permittee shall also submit a signed letter from all clients indicating that the permittee is authorized to provide towing services on behalf of the client. This list shall be forwarded to the police communications unit which shall make every reasonable effort to assure that tow calls in which the client has requested are assigned to the tow company which has previously contracted with the towing service client. The city shall not be liable for any damages or costs incurred as a result of the assignment of any tow call to another towing company, if the city has been provided with erroneous information.

(b) It is the responsibility of the tow truck permit holder to inform the Chief of Police, in writing, if the list is changed in any manner as a result of the termination or modification of existing agreements or the addition of new clients to a tow company's list.

(c) In any event, a complete towing service client list shall be provided with the renewal of a permit.

#### Sec. 102-166. Revocation or suspension of permit.

Any person who violates any of the provisions of this article may have his towing permit revoked, suspended, or canceled by the Chief of Police as follows:

- (1) Upon a first violation, the Chief of Police may suspend the permit for a period not to exceed 30 days.
- (2) Upon a second violation, Chief of Police may suspend the permit for a period of not less than 30 days but not to exceed six months.
- (3) Upon a third violation, the Chief of Police may revoke the permit.

(4) The permit holder may appeal any action of the Chief of Police taken pursuant to the authority of this section in accordance with section 102-146 of this chapter.

In addition to the powers of the Chief of Police described in this section to revoke, suspend or cancel any permit, any person who violates the provisions of this article shall also be subject to criminal penalties for violations hereof pursuant to the provisions of section 1-14 of this Code, as per section 102-170.1, together with the provisions of any applicable state, parish, or federal laws.

(5) Whenever a person who shall have been issued a tow truck driver's license/permit to operate under this article shall be charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this article, the chief of police is hereby given authority to suspend the driver's license pending final disposition of the charges against him, and to revoke such license upon conviction thereof.

Sec. 102-167. Grounds for suspension of permit.

(a) The grounds for suspending a tow truck permit include, but shall not be limited to, the following conditions:

(1) If the owner or driver violates any of the provisions of this article and the violation does not warrant revocation. The period of suspension shall be determined in accordance with the severity and frequency of the violation;

(2) If the permittee contracts for storage and the operator of the storage facility does not comply with the provisions of this article;

(3) If the owner or driver fails to respond to a request from the Chief of Police, fails to appear for a hearing after being requested or notified of the hearing, or, fails to assist the Chief of Police in his investigation of a complaint;

(4) If the towing and recovery license plate is suspended;

(5) If any insurance required by this article is revoked or lapses; and

(6) If there is any change in the place of business or the storage location without notifying the Chief of Police or his designee.

(7) If the permit holder has been convicted or is currently under indictment or facing formally filed criminal charges anywhere under the laws of this state, or of this city or any other city for any crime relating to auto theft, theft of a motor vehicle, unauthorized use of a moveable, unauthorized use of a motor vehicle, unauthorized removal of a motor vehicle, illegal possession of stolen things, vehicle insurance fraud, burglary of a vehicle, distribution of and/or possession with intent to distribute a controlled dangerous substance

and/or possession of stolen vehicles or vehicle parts; or if any permittee knowingly employs any person or continues to employ any person who has committed or allegedly committed such an offense.

Sec. 102-168. Grounds for revocation of permit.

(a) The grounds for revoking a tow truck permit include, but shall not be limited to, the following conditions:

(1) If, while engaged in the operation of a tow truck, an owner or operator is convicted of R.S. 14:98 (driving while under the influence of narcotics, dangerous drugs or intoxicating beverages) or R.S. 14:99 (reckless driving), or has had his license to drive suspended and the evidence shows the owner knew or should have known of the above violations;

(2) If it is discovered the permit was issued based on information supplied by the applicant when the applicant knew or should have known the information was false or inaccurate;

(3) If the owner or operator habitually violates the provisions of this article;

(4) If the towing and recovery license is revoked; and

(5) If a towing company knowingly continues to employ a driver who has been convicted of any crime relating to auto theft, theft of a motor vehicle, unauthorized use of a moveable, unauthorized use of a motor vehicle, unauthorized removal of a motor vehicle, illegal possession of stolen things, vehicle insurance fraud, burglary of a vehicle, distribution of and/or possession with intent to distribute a controlled dangerous substance and/or possession of stolen vehicles or vehicle parts.

(6) If the permit holder has been convicted or is currently under indictment or facing formally filed criminal charges anywhere under the laws of this state, or of this city or any other city for any crime relating to auto theft, theft of a motor vehicle, unauthorized use of a moveable, unauthorized use of a motor vehicle, unauthorized removal of a motor vehicle, illegal possession of stolen things, vehicle insurance fraud, burglary of a vehicle, distribution of and/or possession with intent to distribute a controlled dangerous substance and/or possession of stolen vehicles or vehicle parts or if any permittee knowingly employs any person or continues to employ any person who has committed any such an offense.

Sec. 102-169. Records of violations.

All records constituting a violation of this article shall be maintained by the Shreveport Police Department.

Sec. 102-170. Police discretion.

Nothing in this article shall prevent a police officer from using his discretion in determining the type of tow needed in an emergency situation.

Sec. 102-170.1. Violations and penalties.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as prescribed in section 1-14 of this code.

Sec. 102-170.2. Power of Chief of Police to make rules and regulations.

In addition to the specific authority granted to the Chief of Police in this chapter, the Chief of Police is authorized to make, promulgate and publish reasonable rules and regulations for the purpose of the proper administration and enforcement of the provisions of this chapter, provided that such rules and regulations shall not be inconsistent with the provisions of this chapter or other laws of the city, state and nation and further provided that any person aggrieved by any such rule or regulation shall have the right to appeal to the council as provided in section 102-146 herein.

## ARTICLE VI. HORSE-DRAWN CARRIAGES

### DIVISION 1. GENERALLY

Sec. 102-171. Horse-drawn carriage permit required.

(a) It shall be unlawful and no horse-drawn carriage shall be used or operated for hire by any person on the streets of the city without an owner or operator first having obtained an identification card and a permit issued by the Chief of Police or, and without having complied with all of the requirements of this chapter, and all other laws of the city and state governing such operation, and without complying with other laws of the city and state governing such operation and service.

(b) A holder commits an offense if he employs or otherwise allows a person to operate for hire a horse-drawn carriage owned, controlled, or operated by the holder unless the person has a valid permit issued under this article.

Sec. 102-172. Application.

(a) Upon application on a form devised by the Chief of Police and the payment of a nonrefundable fee of \$50.00, a person may be issued a license to operate a horse-drawn carriage trade in a preapproved route assigned by the chief administrative officer.

(b) Upon application on a form devised by the Chief of Police and the payment of a fee of \$50.00, an owner, operator, or custodian may be issued an identification card for each horse used in the operation of a horse-drawn carriage trade in the city.

(c) All applications for a horse-drawn carriage permit within the city shall set forth:

(1) Name, residence address and telephone number, date of birth, and social security number of the applicant;

(2) Business name (DBA), business address and telephone number if different from above;

(3) The form of business of the applicant; if the business is a corporation or association, a copy of the documents establishing the business and the name, address, and citizenship of each person with a direct interest in the business;

(4) A description of any past business experience of the applicant, particularly in providing horse-drawn carriage trade services; identification and description of any revocation or suspension of operating authority held by the applicant or business before the date of filing the application;

(5) The number and description of vehicles the applicant proposes to use in the operation of the service, including year, make, model, and manufacturer's rated seating capacity for each vehicle;

(6) The number of horses the applicant proposes to use in the operation of the service with a description and four separate and unobstructed color photographs of the animal (front, two sides and rear), and a statement by a state certified veterinarian documenting that the horse has been examined and is approved as serviceable for its use in a carriage rental business and that there has been formulated and implemented a health maintenance plan for each horse;

(7) A description of the proposed service, including routes, rates or fares to be charged, and schedules, where applicable;

(8) Documentary evidence from an insurance company indicating a willingness to provide liability insurance as required by this chapter;

(9) The financial ability and responsibility of the applicant as reflected by a complete financial statement or, if an association, a full and complete statement of the amounts to be contributed monthly or annually by each member, insurance coverage to be provided, and other pertinent facts which may be required by the Chief of Police;

(10) Whether or not the applicant or anyone employed in any capacity has been convicted anywhere under the laws of this state, or other applicable laws, of the offense of murder, aggravated battery, aggravated rape, simple rape, aggravated burglary, simple burglary, aggravated kidnapping, armed robbery, simple robbery, pandering, prostitution, soliciting for prostitutes, fraud, tampering with a governmental record, public indecency, the transfer, carrying, or possession of a weapon in violation of any state, federal, or local law, a

violation of any dangerous or controlled substances law of any local governing authority, state, or federal government, contributing to the delinquency of a juvenile, indecent behavior with a juvenile or as a Convicted Sex Offender as defined by Louisiana Revised Statute;

(11) Documentary evidence of payment of ad valorem taxes owed on the real and personal property to be used in connection with the operation of the proposed service if the business establishment is located in the city;

(12) Such additional information as the applicant desires to include to aid in the determination of whether the requested operating authority should be granted;

(13) Carriage-horse for hire license from the Caddo Parish Animal Control Agency;

(14) Such additional information as the Chief of Police considers necessary to assist or promote the implementation or enforcement of this chapter or the protection of the public safety.

#### Sec. 102-173. Qualification.

(a) It is the responsibility of the applicant, to the extent possible, to secure and provide to Chief of Police the evidence required to determine present fitness under subsection (b)(1) below.

(b) No person shall drive or otherwise operate a carriage engaged in the horse-drawn carriage trade unless he or she has a Vehicle for Hire driver's license as outlined in Article III, Sections 102-61 through Sections 102-67, and an applicant must:

(1) Be at least 18 years of age and have a valid driver's license issued by the state;

(2) Be currently authorized to work full-time in the United States;

(3) Be able to communicate in the English language;

(4) Present a statement from a licensed physician that certifies that he or she is in good physical condition and is free of defective vision not corrected by eyeglasses or contact lenses, epilepsy, vertigo, or other medical disabilities which may substantially impair his or her ability to operate a horse-drawn carriage or to control a horse;

(5) Have completed a written examination devised by the chief of police which shall include, but not be limited to:

a. Knowledge of the traffic laws and regulations, including passage of the written portion of the driver's license test for the state;

b. Proper equine grooming, care, equipment, nutrition, and first aid; and

c. Operation of a horse-drawn carriage.

(6) Not have been convicted of more than four moving traffic violations arising out of separate transactions, nor involved in more than two vehicle accidents in which it could be ~~reasonable~~ reasonably determined that the applicant was at fault, within any 12-month period during the preceding 36 months;

(7) Not have been convicted of a crime referred to in subsection 102-172(c)(9) of this chapter.

(8) An applicant who has been convicted of any offenses listed in subsection 102-172(c)(9) of this chapter, for which the required time period has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, may qualify for operating authority only if the Chief of Police determines that the applicant is presently fit to provide a passenger transportation service. In determining present fitness under this section, the Chief of Police shall consider the following:

a. The extent and nature of the applicant's past criminal activity;

b. The age of the applicant at the time of the commission of the crime;

c. The amount of time that has elapsed since the applicant's last criminal activity;

d. The conduct and work activity of the applicant prior to and following the criminal activity;

e. Evidence of the applicant's rehabilitation or rehabilitative effort while incarcerated or following release; and

f. Other evidence of the applicant's present fitness, including letters of recommendation from prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for the applicant; the sheriff and chief of police in the community where the applicant resides; and any other persons in contact with the applicant.

(9) Not have been convicted of, or discharged by probation or deferred adjudication for, driving while intoxicated:

a. Within the preceding 12 months; or

b. More than one time within the preceding five years;

(10) Not be addicted to the use of alcohol or narcotics;

- (11) Be subject to no outstanding warrants of arrest;
- (12) Be sanitary and well-groomed in dress and person;
- (13) Be employed by the holder;
- (14) Successfully completed an examination devised by the chief of police which shall include, but not be limited to certifying that the applicant has thoroughly mastered the proper care, hitching, handling and driving of a horse drawn carriage; and
- (15) Unless exempted by the Chief of Police have successfully completed within the preceding 12 months a defensive driving course approved by the state public safety and corrections department and be able to present proof of completion.

Sec. 102-174. Fees.

(a) The annual fees for a horse-drawn carriage license issued by the city shall be as follows, and shall not include charges required by any other agency:

- (1) Horse carriage company--\$50.00;
- (2) Horse carriage--\$25.00 per vehicle;
- (3) Vehicle For Hire drivers license - \$20.00 and Fingerprint fee of \$20.00;

(b) All fees shall be payable to the city through the Shreveport Police Department. All licenses shall expire on December 31 of each year and must be renewed by the city in order to remain in force. No proration of the fee shall be permitted.

(c) The fee for a temporary amendment to the license authorizing supplemental vehicles during peak demand periods under section 102-177 is \$25.00 for each vehicle or horse.

(d) If a license or an identification card is lost or destroyed, the Chief of Police shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$10.00.

(e) No refund of a fee required by this section may be made.

Sec. 102-175. Issuance and denial.

(a) Upon receipt of an application for a permit, the Chief of Police shall issue such permit if he finds that the applicant meets all requirements of this article.

(b) In determining whether or not a permit should be issued, the Chief of Police shall give weight and due regard, among other things, to:

- (1) The probable permanence and quality of the service offered by the applicant or association.
  - (2) The experience that the applicant or association has had in rendering such service in the city, and the past experience of the applicant in prompt adjustment of claims and in payment of judgments, if any, to claimants as a result of injuries received from the negligent operation of vehicles for hire.
  - (3) The financial ability of the applicant or association to respond in damages.
  - (4) The stability of the business organization of the applicant or association, and the ability of its central office to provide continuous, satisfactory and responsible service on the business-like basis, and to meet other organizational requirements set forth by the chief administrative officer.
  - (5) The character and condition of the vehicles to be used, which shall be determined by an inspection of each vehicle by the Chief of Police or his designee as provided in this chapter.
- (c) If the Chief of Police finds that a permit and licenses should be issued to an applicant or association for the operation of a horse-drawn carriage trade, he shall issue to the applicant or association a permit, a windshield sticker for each vehicle authorized to so operate, and an identification card for each carriage horse, and for each carriage driver having met the requirements of this article.
- (1) The windshield sticker shall be displayed in a conspicuous place in the carriage at all times.
  - (2) The owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade shall have available for immediate inspection by the Chief of Police or his or her designee, a police officer, or an animal control officer at all times when a horse is on any street or public byway in the city, an identification card as defined in section 102-1.
  - (3) In an instance where the owner rents, hires, or places the horse in the care or custody of another person, he or she shall provide that person with the identification card required by subsection (b) of this section.
  - (4) The Chief of Police shall certify the identification card following an examination of the horse by a licensed veterinarian.
- (d) If the Chief of Police determines that the requirements of this chapter have not been met, and/or that an applicant should be denied operating authority, he shall notify the applicant in writing that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.

Sec. 102-176. Limitations and amendments.

(a) A permit when issued must state on its face that it is for the exclusive purpose of operating a horse-drawn carriage trade service. It may also contain other conditions and limitations determined necessary by the chief of police, including, but not limited to:

- (1) Number and description of vehicles authorized;
- (2) Number and description of horses to be used;
- (3) Number of passengers that may be safely transported in each vehicle, based on the size of the vehicle and the type of horse pulling the vehicle;
- (4) Customers to be served;
- (5) Places for loading or unloading passengers;
- (6) Hours of operation;
- (7) Schedules and routes to be followed;
- (8) Maximum rates to be charged, including any hourly minimum and gratuities;
- (9) Operating procedures;
- (10) The use of special safety equipment;
- (11) The use of special sanitary devices and special care procedures;
- (12) Special conditions or limitations.

(b) A holder commits an offense if he or she fails to comply with the conditions or limitations placed on the operating authority under which he is operating the horse-drawn carriage trade.

(c) Approval of temporary changes in authorized routes and hours of operation of a horse-drawn carriage must be requested from the Chief of Police at least three business days before being implemented.

(d) Minor amendments to a permit may be made by the Chief of Police upon written request by a holder. Amendments that substantially change the scope of the original permit must be applied for in the same manner as the original permit.

(e) If a horse-drawn carriage trade service experiences peak demand periods requiring more vehicles than are designated in its permit, the holder may request supplemental

vehicles by submitting a written application for a temporary permit to the Chief of Police. The application shall state the reason why supplemental vehicles are needed and identify the vehicles and horses to be used. Supplemental vehicles authorized by a temporary permit amendment under this section:

- (1) May not be used for more than ten consecutive days;
- (2) Must comply with the vehicle requirements of this chapter;
- (3) Must comply with the insurance requirements of this chapter; and
- (4) Are subject to inspection by the Chief of Police, who may at any time order unsafe vehicles or abused or tired horses to be removed from service.

Sec. 102-177. Revocation.

- (a) The Chief of Police may revoke a permit if he determines that the holder has:
  - (1) Made a false statement as to a material matter in the application;
  - (2) Failed to comply with applicable provisions of this chapter;
  - (3) Operated a service not authorized by the permit;
  - (4) Failed to comply with the conditions and limitations of the permit;
  - (5) Been finally convicted for violation of another city, state, or federal law, that indicates a lack of fitness of the permittee to perform a passenger transportation service;
  - (6) Is under indictment for or has been convicted of any felony offense while holding the permit;
  - (7) Does not qualify for a permit under any section of this chapter;
  - (8) Failed to pay a fee for a permit at the time it was due;
  - (9) Engaged in conduct that could reasonably be determined to be detrimental to the public safety; or
  - (10) Has charges pending for any offense involving driving while intoxicated.
- (b) Any person or permittee convicted of a violation of chapter 14 of this Code or any other state law concerning the treatment of animals shall be denied a permit under this chapter, or such conviction shall form the basis for the revocation of any permit granted under this chapter.

(c) The Chief of Police shall notify the permittee and the holder in writing of a revocation and include in the notice the reason for the revocation, the date the Chief of Police orders the revocation, and a statement informing the permittee of the right of appeal.

Sec. 102-178. Operation of horse-drawn carriage after suspension.

(a) After receipt of notice of suspension, revocation, or denial of permit renewal, the permittee shall, on the date specified in the notice, discontinue driving a horse-drawn carriage for hire inside the city and shall surrender the written permit to the Chief of Police.

(b) If the permittee appeals the suspension or revocation under this section, the permittee may continue to operate the horse-drawn carriage trade pending the appeal unless:

(1) The permit of the permittee is suspended pursuant to subsection 102-177(a)(6) or (a)(10); or

(2) The Chief of Police determines that continued operation by the permittee would impose an immediate threat to public safety.

Sec. 102-179. Appeals.

(a) Any person whose application for a permit or renewal of a permit is denied by the Chief of Police, or a holder whose permit has been revoked or suspended by the Chief of Police, may file an appeal with the city council within ten days. If an appeal is not made to the city council from the decision of the Chief of Police within ten days, his decision shall be final. Such appeal shall be perfected by a letter addressed to the city council and delivered to the clerk of council stating that an appeal from the decision of the Chief of Police is desired. The council, as soon as practicable after receiving such notice of appeal, shall notify the applicant or permit holder of the date and time of the hearing which shall be not less than five days after the mailing of such notice. After the hearing of the appeal, the council shall sustain, modify or reverse the findings of the Chief of Police, and shall notify the Chief of Police and the applicant or permit holder of its findings. The findings of the city council shall be final, subject to any applicable legal processes.

(b) An applicant or association who has been denied a permit or license by the Chief of Police, and such denial has been upheld by the city council or not appealed to them, shall not be permitted to make another application for one year from the date of his filing for a permit or license.

Sec. 102-180. Nontransferability.

A horse-drawn carriage permit, windshield sticker, carriage driver's license, or an identification card assigned to one person or company is not transferable to another.

Sec. 102-181. Insurance required.

(a) Before any permit shall be issued by the Chief of Police, or before the renewal of such permit shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the Chief of Police evidencing insurance coverage as required in this section.

(b) Insurance coverage as provided in subsection (a) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the state and naming the city as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than six months, and for any horse-drawn carriage insured thereunder shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any horse-drawn carriage, with the minimum amount of insurance to be \$100,000.00, known as combined single limit insurance coverage. Such policy shall expressly provide that it may not be canceled, except after 30 days' written notice to the Chief of Police.

(c) Such certificate will certify that the policy provides for a minimum of \$100,000.00 per carriage for liability imposed by law for damages on account of bodily injuries, death or personal damages, other than injuries, death or property damages of the company or driver, in any one accident resulting from the ownership, maintenance or use of such carriage. The certificate of insurance shall also list the serial number of each carriage that is insured.

(d) The operation of any horse-drawn carriage within the city without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this article, subjecting the owner and/or permittee to all applicable penalties provided in this article and this chapter.

#### Sec. 102-182. Change of ownership or address.

(a) If there is a change of address or telephone number of the service, the permittee shall notify the Chief of Police.

(b) If there is a change of ownership or title to any carriage for the operation of which a permit has been issued under this article, the permittee shall have the right to substitute within 30 days after sale, destruction or elimination of the carriage, another carriage of the same or similar type and construction and receive a new carriage identification sticker if all other requirements of this article are complied with.

(c) A change of ownership or the elimination of an owner from an association as defined in this article shall automatically revoke such permit and the permit shall be destroyed.

(d) Before any change of licensed carriages shall be approved, the applicant or association shall file an amended certificate of insurance with the Chief of Police indicating that the coverage required by section 102-181 is in force.

#### Secs. 102-183--102-192. Reserved.

## DIVISION 2. HORSE-DRAWN CARRIAGE DRIVER'S LICENSE

### Sec. 102-193. Required.

- (a) A person commits an offense if he operates a horse-drawn carriage in the city without a valid horse-drawn carriage driver's license issued by the police department.
- (b) A business commits an offense if it employs or otherwise allows a person to operate a horse-drawn carriage owned, controlled, or operated by the permittee unless the person has a valid horse-drawn carriage driver's license issued by the police department.

### Sec. 102-194. Qualifications.

No person shall drive or otherwise operate a carriage engaged in the horse-drawn carriage trade unless he or she has a horse-drawn carriage driver's license. To qualify for a license, an applicant must comply with all of the requirements and stipulations of section 102-173.

### Sec. 102-195. Fee.

- (a) To obtain an annual vehicle for hire driver's license, or renewal of the license, a person must file with the Chief of Police a completed written application on a form provided for the purpose and a nonrefundable application fee of \$20.00 in addition to any fingerprint research fees charged by the state. The Chief of Police shall require each application to state such information as he considers necessary to determine whether an applicant is qualified.
- (b) All licenses shall expire on December 31 of the year in which they are issued, unless otherwise revoked, canceled or suspended.

### Sec. 102-196. Investigation of applicant.

- (a) The police department shall conduct an investigation of each applicant for a vehicle for hire driver's license, and each applicant shall submit himself or herself to be photographed and fingerprinted.
- (b) The Chief of Police may conduct such other investigation as he considers necessary to determine whether an applicant for a vehicle for hire driver's license is qualified.

### Sec. 102-197. Issuance; license to be posted.

- (a) Upon approval of an application for a vehicle for hire driver's license, the chief of police shall issue a license to the applicant, which shall bear the name, address, age, signature and photograph of the applicant.

(b) Every driver shall at all times conspicuously display his license on the clothing of the driver's upper body. A driver shall allow the Chief of Police or a police officer to examine the license upon request.

Sec. 102-198. Denial; suspension; revocation.

(a) The chief of police may deny any applicant's license whenever in the exercise of his reasonable and sound discretion, and after notice and affording the applicant a hearing thereon, he shall determine that the applicant is not a fit and proper person to have such a license. If a license is denied by the chief of police, the applicant may appeal within ten days of such denial to the City Council for a hearing to determine if such denial is justified. The decision of the City Council shall be final, subject to any appropriate judicial review.

(b) The chief of police is hereby given authority to suspend any vehicle for hire driver's license issued under this article for a driver's failure or refusal to comply with the provisions of this article, such suspensions to last for a period of not more than 30 days. The chief of police is also given authority to revoke any license for failure to comply with the provisions of this article; provided that the license may not be revoked unless the driver has received notice of the charges against him and has had the opportunity to present evidence on his behalf.

(c) Whenever a person who shall have been issued a vehicle for hire driver's license under this article shall be charged in any court with the misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this article, the chief of police is hereby given authority to suspend the driver's license pending final disposition of the charges against him or her, and to revoke such license upon conviction thereof.

(d) The Chief of Police may revoke a vehicle for hire driver's license if he determines that the permittee has engaged in conduct that could reasonably be determined to be detrimental to the public safety.

Sec. 102-199. Unlicensed drivers.

(a) If any person not licensed under this article is found operating any horse-drawn carriage, the Chief of Police may immediately take action to suspend or revoke the license held by the owner and operator of the horse-drawn carriage service.

(b) A person whose vehicle for hire driver's license is suspended shall not drive a horse-drawn carriage inside the city during the period of suspension.

Sec. 102-200. Nontransferability.

A vehicle for hire driver's license, badge, sticker, or emblem assigned to one person is not transferable to another.

Sec. 102-201. Information to be supplied upon request.

Upon request of the chief of police, a horse-drawn carriage trade business shall submit the following information about the service:

- (1) A current consolidated list of all carriages and horses used;
- (2) A current financial statement that includes a balance sheet and income statement;
- (3) Names of current officers, owners, and managers; and
- (4) A list of current drivers employed by the business, with their horse-drawn carriage driver's licenses indicated.

Sec. 102-202. Licensee's records and reports.

(a) Each licensee shall maintain at a single location business records of its horse-drawn carriage trade business. The records must be maintained in a manner approved by the Chief of Police and contain the following information:

- (1) An identification of the carriage used for each trip;
- (2) The number of trips a day made by each carriage;
- (3) An identification of the horse used for each trip and a statement of the periods of work and rest for each horse; and
- (4) Any other information the chief administrative officer determines necessary for monitoring the activities, operations, service, and safety record of the licensee.

(b) A licensee shall make its records available for inspection by the chief administrative officer, the clerk of council, the chief of police, and the internal auditor.

(c) Every licensee shall submit reports of receipts, expenses and statistics of operation to the Chief of Police semiannually, with copies to the clerk of council and internal auditor, in accordance with requirements established by the Chief of Police. These reports are due on February 1 and August 1 of each year, covering the six-month periods ending December 31 and June 30, respectively.

Secs. 102-203--102-212. Reserved.

### DIVISION 3. REGULATIONS

Sec. 102-213. Solicitation.

(a) A person commits an offense if he or she, by word or gesture, solicits a passenger for hire.

(b) It is a defense to prosecution under subsection (a) that the person was soliciting:

(1) From a location and in a manner authorized by written contract executed by an authorized property manager of the location and the holder of the horse-drawn carriage permit; or

(2) At a time and from a location complying with a schedule of loading and drop-off points on file with and approved by the Chief of Police.

Sec. 102-214. Payment for preferential placement of passengers.

(a) An employee of a business establishment, other than a horse-drawn carriage trade, who acts as an agent in obtaining transport service for prospective passengers shall not solicit or accept payment from a driver in return for giving preferential treatment in directing passengers to the horse-drawn carriage.

(b) A driver commits an offense if he or she pays an employee of another business to solicit passengers or to give preferential treatment in directing passengers to the horse-drawn carriage.

(c) This section does not prohibit the holder of the horse-drawn carriage permit from entering into a contractual agreement or other prior arrangement with the management of the other business for the directing of passengers to their horse-drawn carriages.

Sec. 102-215. Apparel to be worn by drivers.

(a) A licensee shall specify and require an item of apparel or an item placed on the apparel to be worn by drivers employed by the licensee, which item must be of such distinctive and uniform design as to readily identify the licensee's service and must bear the name of the licensee's service. The item specified by each licensee must be approved by the Chief of Police to insure that drivers of one licensee may be easily distinguished from drivers of another and to insure the neat appearance of drivers.

(b) While on duty, a driver shall wear the item specified by the licensee who employs the driver and shall comply with such other identification regulations prescribed by the licensee's permit.

Sec. 102-216. Conduct of drivers.

(a) A driver shall at all times:

(1) Act in a reasonable, prudent, and courteous manner;

- (2) Maintain a sanitary and well-groomed appearance;
  - (3) Not consume edibles (including soft drinks), drink any alcoholic beverage or be intoxicated as defined by law, or use any drug, or other substance that could adversely affect the driver's ability to operate a horse-drawn carriage;
  - (4) Not permit a person other than another employee of the horse-drawn carriage service to operate the carriage under the driver's control;
  - (5) Not permit a person on the back of a horse when under the driver's control;
  - (6) Not leave a horse untethered and unattended except when confined to a stable or other enclosure;
  - (7) Not permit a horse to drop excrement from its diaper;
  - (8) Keep all carriage stands clean and free of animal excrement;
  - (9) Never permit the seating capacity rated for his or her carriage to be exceeded;
  - (10) Travel only those boundaries as designated for horse-drawn carriage travel, including special occasion travel routes as approved by the Chief of Police or his designee;
  - (11) Not allow any passenger to carry, possess, or have any alcoholic beverage while being transported by horse-drawn carriage, except in the original package with the seal unbroken, in the city;
  - (12) Not operate a carriage while under the influence of intoxicating beverages or drugs;
  - (13) Observe and obey all traffic laws and regulations of the city and state;
  - (14) Not permit a passenger to stand or ride on any part of the carriage while in motion and to advise the passengers that they must be seated except when loading or unloading;
  - (15) Not smoke while carrying passengers for optimum safety and control of the horse-drawn carriage and the safety of its occupants;
  - (16) Not permit the speed at which any horse-drawn carriage is driven to exceed a slow trot; and
  - (17) Be responsible for the proper and humane care and treatment of each horse under their direct care and supervision;
- (b) To protect the health and safety of the animal and the public, upon a finding that an animal is sick, injured, lame, malnourished, or in any other condition that renders it unfit

for drawing a carriage, any animal control officer or police officer may issue an order that a horse is deemed unfit for work and order it removed from the vehicle and the city streets;

(c) Persons who violate any provision of this section shall be subject to a fine of \$100.00 for the first offense, with the fine for each subsequent offense of this section increasing by an increment of \$100.00. In the event the person has no additional violations of this section for a period of 12 consecutive months, the fine for any violation of this section after that period shall be \$100.00 for the first offense, with the fine for each subsequent offense increasing by an increment of \$100.00.

Sec. 102-217. Alcohol in horse-drawn carriage.

(a) A licensee or driver commits an offense if he or she provides an alcoholic beverage to a passenger for a fee or as part of the passenger transport service.

(b) A licensee or driver commits an offense if he or she purchases or stocks a vehicle with an alcoholic beverage. A nonalcoholic beverage may be purchased and provided by the licensee or driver.

Sec. 102-218. Return of passengers' property.

A driver of a horse-drawn carriage shall immediately attempt to return to a passenger any property left by the passenger in the carriage. If unable to locate the passenger, the driver shall notify the licensee of the service, who shall notify the Chief of Police within 24 hours of a description of the property and the location where the property is being stored.

Sec. 102-219. Rates of fare.

(a) A driver or permittee shall not charge a fare for operating a horse-drawn carriage that is inconsistent with the rates authorized by the city.

(b) A permittee desiring to change the authorized rates of fare must submit a written request to Chief of Police.

(c) The rates listed in the permittee permit must be strictly adhered to, and no change in rates may be implemented without written approval of the Chief of Police.

(d) The Chief of Police may require a permittee to display rates on or within a carriage in a manner prescribed by the chief administrative officer.

(e) The use of any type of meter or measuring device to calculate rates of fare for a horse-drawn carriage is prohibited.

Secs. 102-220--102-229. Reserved.

## DIVISION 4. HORSES, CARRIAGES AND EQUIPMENT

### Sec. 102-230. Requirements for horses in service.

(a) Before any horse may be used in a horse-drawn carriage trade business, the licensee must furnish the Chief of Police with:

(1) A state certificate of veterinarian inspection identifying the horse by description and photograph and showing that the horse has been examined at least once within the preceding six months by a veterinarian licensed by the state who specializes in equine medicine;

(2) Proof that the horse has had tetanus, rabies, Influenza, Rhinopneumonitis, and Eastern-Western encephalitis vaccinations; and

(3) Photographs showing identifying markings of the horse.

(b) A certificate issued by the chief of police or his designee stating that the horse has passed a horse-drawn carriage examination whereby the horse was tested to its suitability and temperament for working in a city environment.

(c) A horse used in a horse-drawn carriage trade must:

(1) Be appropriately shod and trimmed, and shall utilize rubber-coated pad or boots or open steel barium tip shoes, or other shoes approved by a veterinarian;

(2) Shod and trimmed by a farrier at least every six weeks, or more if necessary, records must be kept by the owner of the dates and the name of the blacksmith who shod the animal;

(3) If a horse loses a shoe while working, an "easy" type boot may be used to finish the scheduled work day;

(4) Not have any open wound, oozing sore, cut below skin level, or bleeding wound;

(5) Not have evidence of lameness, such as but not limited to head bobbing or irregular rhythm;

(6) Be offered not less than five gallons of drinking water at least every two hours and provided water at the loading site and on routes at all times they are working;

(7) Have at least a ten-minute rest period after every 50 minutes worked;

(8) Not work longer than eight hours in a 24-hour period with a minimum of 12 hours rest;

- (9) Have all harnesses properly fitted and in good repair with no deficiencies that could reasonably be deemed a safety hazard;
- (10) Be properly cleaned with no offensive odors or caked dirt or mud;
- (11) Wear a special sanitary device for containing animal excrement;
- (12) Horses shall not be worked for commercial purposes in temperatures below 25 degrees Fahrenheit under calm conditions or a wind chill equivalent of 22 degrees Fahrenheit, nor shall a horse be worked for commercial purposes in temperatures above 95 degrees Fahrenheit as measured by the National Weather Service. All horses must immediately cease working, be offered shade when available, be rested and cooled off, and then walked to their stable. All horses so ordered to return to their stable must be unbridled and remain at the stable for at least one hour and until both the temperature and heat index cool down to the appropriate levels;
- (13) Be provided with daily food and water, free from contamination. Such food shall be wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal;
- (14) Flies and other insects must be controlled through general sanitation and necessary means;
- (15) All animals used for carriage horse tours must weigh at least 800 pounds and be considered in general good health;
- (16) Not have obvious signs of emaciation, malnutrition, or exhaustion;
- (17) Shall not be overridden or driven to result in overheating or exhaustion or driven exceeding a slow trot;
- (18) All saddles, blankets, harnesses, bridles and bits and any other equipment shall be properly fitted and kept in good repair. Blankets, bridles and bits shall not be used by another horse unless it is first disinfected and disinfected. Harnesses and bridles shall be kept well oiled and cleaned and in good repair;
- (19) Carriages must be kept properly lubricated, and wheels must spin freely;
- (20) Animals requiring veterinary care shall not be moved, ridden or driven, except for the purpose of humane keeping, pasturing or obtaining medical care;
- (21) "Free choice" salt shall be available to all horses in the stabling and/or assembly/transfer sites;

(22) Carriages shall not be pulled by stallions, nor shall stallions be brought into any of the stables, assembly/transfer sites or assembly/holding sites;

(23) Provisions shall be made to catch or immediately pick up any manure deposited by the carriage horses away from the stable or assembly/transfer sites. The manure shall be returned to the stable or transfer sites for appropriate disposal;

(24) Horses shall wear properly attached and fitted blinders while pulling carriages;

(25) Owner and handlers shall take measures to prevent shivering of horses for more than five minutes at a time;

(26) It is the responsibility of owners, drivers, and riders to protect the horse and, when under their control, to ensure that the horse is not left to roam freely and possibly cause harm to the public or itself; and

(27) Owners shall not allow a horse to be worked on a public highway, path or street during adverse weather or other conditions which are a threat to the health or safety of the horse and public.

(c) The Chief of Police or a designated representative may require the permittee or driver of a horse-drawn carriage to remove from service any horse that appears to be ill, overtired, undernourished, overloaded, injured, or lame or whose health or life in the opinion of a veterinarian or qualified equine animal control officer is in imminent danger. To reinstate a horse removed from service, the horse must be re-examined and a new state certificate of veterinarian inspection issued for the horse by a veterinarian licensed by the state and specializing in equine medicine, which certificate must be submitted to the chief administrative officer.

(d) A person commits an offense if he or she harasses or startles, or attempts to harass or startle, any horse while the horse is pulling a carriage or at rest or otherwise treats a horse inhumanely while it is working in a horse-drawn carriage trade.

(e) A permittee and driver shall use a trailer to transport a horse to a job location in the city that is more than three miles from the location where the horse is stabled.

(f) For purposes of this section, a horse is considered to be working any time it is on a public street or sidewalk, or other public right-of-way, during any hour of operation of the horse-drawn carriage service that is authorized by and on file with the chief administrative officer.

(g) The Caddo Parish Animal Control may order a quarantine on the entire premises where the animals are being stabled or any part thereof or on any particular animal for any of the following reasons:

- (1) Excessive parasitism, diagnosed by a veterinarian, which would cause the animal to be unfit to be ridden or driven;
- (2) General malnutrition, as diagnosed by a veterinarian;
- (3) Presence of suspicion of contagious or transmittable disease, as diagnosed by a veterinarian;
- (4) Owners and operators of horse-drawn carriages shall not permit unsanitary conditions to be present on any city route, animal rest area or any area where the animals are kept. All such areas shall be kept clean and free of conditions which might harbor, or be conducive to, the breeding of insects or rodents.
- (h) No animal shall be made to perform by means of any prod, stick, electrical shock, physical force, or by causing pain or discomfort. Any whip or riding crop must be used so as not to cause injury to the animal.
- (i) For any carriage horse which dies, the chief administrative officer shall be notified and the licensee shall be responsible for removing the body of the horse within 24 hours to an appropriate facility. At the request of the Chief of Police, a necropsy shall be performed by a board certified veterinary pathologist at the expense of the licensee. A record of the death and/or necropsy finding shall be filed with the Chief of Police.
- (j) When the temperature is below 30 degrees Fahrenheit and a horse is not in use for more than ten minutes, it shall be covered by a blanket from the back of the neck to the tail, extending to the hocks and knees. The blanket shall be removed before the horse is back in use.
- (k) The chief administrative officer may, at any time, request the Caddo Parish Animal Control Agency or its designee, to examine any carriage horse. The cost of examination of a horse shall be the responsibility of the company.

Sec. 102-231. Examination of horses.

- (a) Each horse shall be thoroughly examined within 30 days prior to use and licensing.
  - (1) A certificate of well-being shall be issued by a veterinarian and shall be kept, at all times, with the horse and shall be available for inspection by any inspection agency. A copy of such certificate shall be on file with the Chief of Police.
  - (2) A certificate of well-being shall identify the horse by breed, color, sex, and markings and show the state and type of carriage the horse can be expected to draw safely, without causing injury to the horse;
  - (3) The certificate of well-being shall be valid for a period not to exceed six months;

(b) No stallions, unmanageable or unruly horses or pregnant mares shall be licensed, used or stabled at any time.

(c) A license that has been issued for a mare that becomes pregnant during the license period, shall be returned to the Chief of Police by the business until such time as the mare has foaled and is recertified by a veterinarian.

(d) After the initial issuance of the certificate of well-being is issued:

(1) The horse must be examined at least once every six months by a veterinarian licensed by the state who specializes in equine medicine and receive a state certificate of veterinarian inspection, which must be submitted to the Chief of Police;

(2) Written medical records should be kept on each horse and available for inspection at reasonable times upon request by the Chief of Police;

(3) The examination shall encompass that which is consistent with maintaining the health and well being of the animal as determined by the usual and customary recommended treatment of animals working under such conditions by the veterinarian association. Such examinations should include, but not be limited to, leg and hoof exams, dental exams, eyes, internal parasite lab report, cardiovascular exam, drug analysis at intervals sufficient to detect inhumane treatment of the animal at the discretion of the licensed veterinarian if drug abuse is suspected.

Sec. 102-232. Housing of horses.

(a) Stalls in stables shall be a minimum of 12 feet wide, 12 feet long, with a ceiling clearance of at least nine feet. Bedding shall be changed at least once daily, and shall be at least four inches deep.

(b) Adequate ventilation shall be maintained in the stables, but horses shall not be unnecessarily exposed to drafts in stables during cold weather.

(c) Clean, fresh drinking water must be in the stalls and available to the horse at all times.

(d) A pest control program should be utilized to control flies and other insects. All facilities shall be free of unsanitary conditions where animals are kept so as to be free and clean of conditions which might harbor or be excessively conducive to breeding of insects, rodents, or disease.

(e) Stable premises:

(1) Walls and ceilings shall be covered with a smooth, nonabsorbent light-colored finish and shall be maintained clean at all times.

- (2) Floors shall be level, free of holes and openings and graded for proper drainage to trapped sewer connections.
  - (3) Doors to the exterior shall be properly rodent-proofed.
  - (4) A sufficient number of toilets and sinks with running water, soap and individual clean towels or mechanical drying devices shall be provided for the use of the employees.
  - (5) Storage areas shall be of adequate size, and shall be inspected and rodent-proofed so as to provide no harborage and remain vermin free.
  - (6) Premises shall be kept free of fire hazards.
  - (7) All interior areas of a stable, and all exterior areas surrounding a stable shall be kept clean, properly drained and free of nuisances including, but not limited to, odors and accumulation of refuse or excrement. Each stable where horses are kept shall have implements and materials such as brooms, hoses, hose connections, covered metal receptacles, brushes, disinfectants and detergents as may be required to maintain sanitary conditions.
  - (8) A pest control program acceptable to the Caddo Parish Animal Control Agency shall be maintained.
  - (9) All parts of premises shall be adequately lighted by natural or artificial means so as to permit the activity for which the premises are used to be carried on safely and to permit effective inspection and the cleaning of the premises.
- (f) The full name, current business address, and business and home telephone numbers of the owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade, and the owner or operator of the stable, shall be legibly stenciled and conspicuously displayed, in at least two inch letters, on the exterior of the stable entrance for emergency purposes.

Sec. 102-233. Carriage and equipment.

- (a) An owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade shall:
- (1) Provide that the carriage used is in good operating condition, the axles are well-greased, and that all operating mechanisms are in good working order;
  - (2) Provide that the carriage is equipped with hydraulic brakes in good working condition and set in a locked position when the carriage is not in motion;
  - (3) Provide that the saddle, harness, shoes, bridle, and any other equipment for the horse fits properly, is in good working condition, and shall not cause injury or pain to the horse;

(4) Not use curb bits, twisted wire, twisted wire snaffles, spurs, bucking straps, flank straps, or similar devices;

(5) Inspect daily all horses and all equipment at the time of departure from and return to the stable; and

(6) Provide that all horses are equipped with a diaper that is constructed of a sturdy material and is properly fitted to the horse to ensure comfort.

(b) No carriage engaged in the horse-drawn carriage trade shall be driven or operated on a public street or byway of the city unless the owner or operator of the carriage has obtained a valid identification card issued by the chief of police pursuant to a procedure and fees established by this chapter.

(c) A carriage used in the horse-drawn carriage trade shall:

(1) Have conspicuously displayed on the rear of the carriage at all times a valid identification card;

(2) Be equipped with a slow-moving vehicle emblem to be attached to the rear of the carriage;

(3) Be maintained in a safe and sanitary condition;

(4) Not drive or transport more than six passengers at one time, excluding the driver or operator of the carriage for each horse; or ten passengers at one time, including the driver or operator per mule;

(5) Not drive or transport any person when a person other than a licensed-driver is seated in the driver's seat of the carriage; and

(6) Not have any legend, slogan, logo, or other exterior sign on the carriage, other than its legal identification card and the name and telephone number of the horse-drawn carriage in letters not to exceed three inches in height;

(7) Must be equipped with a chemical to be poured over horse urine by drivers so as to breakdown and eliminate accumulated agents and odors;

(8) Sufficient reflective material must be placed along the shafts of the carriage, or other parts thereof, which normally parallel the body, head or legs of the horse pulling such carriage;

(9) A fully charged backup battery must be carried on each carriage during travel away from the base operation to meet emergency situations due to failure of the primary battery.

If there is no room on the carriage for a backup batter, one must be readily available by the carriage stands;

(10) An optional rear view mirror on each side of the carriage, if requested by the Chief of Police;

(11) Be equipped with at least one lamp displaying a white light visible from a distance of not less than 1,000 feet to the rear of the carriage, and shall also be equipped with two lamps displaying red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible from a distance of 100 to 600 feet to the rear when illuminated by lawful lower beams of head lamps;

(12) Electrified, directional signals on the front and rear of the carriage;

(13) Two suitable card holders shall be conspicuously affixed to the carriage visible to passengers. One card holder shall hold the identification card of the carriage driver and one shall hold the identification card of the horse which is in use at the time, as well as the certificate of well being for such horse;

(14) An operable fire extinguisher;

(15) Consecutive daily records in a bound volume, in ink, must be kept of the movements of each horse drawn carriage and horse by the licensee, as follows:

- a. City license number;
- b. Time of departure from and arrival at stable;
- c. Driver's name and badge number;
- d. Driver's permit expiration date;
- e. Horse's name and identification number

In addition, the following information is required for each specific trip:

- f. Carriage identification number;
- g. Number of passengers;
- h. Exact time of departure of trip;
- i. Exact time of return of trip;
- j. Amount of fare collected.

(d) If, upon any inspection, a carriage is found to be unsafe, unclean or unsightly, the Chief of Police or law enforcement officer, may remove the inspection decal and direct that the carriage be taken out of service until such condition is corrected. Such carriage shall be reinspected and approved by a license officer before returning to service, at which time a new decal shall be issued and a \$25.00 service fee shall be collected.

(e) The Chief of Police may, by rule, establish additional inspection requirements for a carriage and other equipment used in the horse-drawn carriage trade.

#### Sec. 102-234. Accidents.

(a) The driver of a horse carriage shall report any accident involving such carriage to the police department. The company shall notify the Chief of Police of such accident by 9:00 a.m. on the next business day.

(b) No horse or carriage involved in an accident where structural damage to the carriage or injury to the horse has occurred, shall be operated again until the carriage has been inspected by the police and the horse has been certified for service by a veterinarian. Written notice of certification shall be presented by the company to the Chief of Police.

#### Sec. 102-235. Routes.

(a) A horse-drawn carriage trade shall operate horse drawn carriages only upon streets according to routes and restrictions authorized by the Chief of Police.

(b) Horse-drawn carriage trades are barred from using streets which:

(1) Have a speed limit exceeding 35 mph, unless prior approval is obtained from the chief administrative officer;

(2) Involve major arterial during the hours of 6:30 a.m. to 6:30 p.m., except Saturday, Sunday and holidays as determined by the Chief of Police. Exceptions may be made with the express consent of the Chief of Police.

(c) The authorized routes and tether locations shall be subject to amendment as needed by the traffic engineer and/or the police department in order to ensure safe and efficient movement of traffic.

(d) Advance charter tours may deviate from the route provided the company operates on streets approved for routes.

(e) A company shall receive prior approval of the Chief of Police to deviate from streets which have not been approved for routes or destinations which require use or crossing of streets designate as arterial or collector streets on the city's major street plan and official map.

Sec. 102-236. Animal working conditions.

(a) No animal shall be worked under any of the following conditions, and any owner allowed to let the conditions exist will be found in violation of this article:

- (1) The carriage the animal is pulling is holding more than nine people, including the driver;
- (2) The animal works more than seven hours in any 24-hour period without 15 minute rest periods between each trip;
- (3) The animal pulling a carriage is moved at a speed faster than a slow trot;
- (4) The animal is worked with equipment causing an impairment of vision other than normal blinders;
- (5) The animal is subject to any condition or treatment which will impair the good health and physical condition of the animal.

Sec. 102-237. Hours of operation.

(a) Carriages shall not operate during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday, except on legal holidays, and on other dates and times of restriction by the Chief of Police.

(b) Between the dates of June 1 and August 31, only mules may be used in the daytime before 5:00 p.m., and total hours worked shall not exceed six hours in a 24-hour period with 30 minute rest periods between each trip.

(c) Should the chief of police determine that special circumstances exist which would jeopardize the safety of the animal, such as bad weather or other environmental problems, he or she may order the temporary suspension of the operation of all horse-drawn vehicles until such time as the special circumstances abate.

Sec. 102-238. Enforcement by police department.

Officers of the police department shall assist in the enforcement of this chapter. A police officer upon observing a violation of this chapter, or the regulations established by the director, shall take necessary enforcement action to insure effective regulation of horse-drawn carriage.

Sec. 102-239. Penalties.

(a) Whoever violates any part of this article shall be guilty of a misdemeanor and shall be fined not less than \$100.00. Upon subsequent conviction, such person shall be fined not

more than \$500.00 or imprisoned for not more than 60 days or both. Any violation shall constitute a separate offense for each successive day continued.

(b) Notwithstanding any provision contained herein, the city shall have the authority to enforce the provisions of R.S. 14:102 through 14:102.4.

Secs. 102-240--102-260. Reserved.

## ARTICLE VII. CASINO TRANSPORTATION SERVICES

Sec. 102-261. License requirements.

(a) *Issuance.* Notwithstanding anything in this chapter to the contrary, the Chief of Police is hereby authorized to issue a license to any person applying for such license and meeting the eligibility requirements to operate a casino transportation service as defined in section 102-1.

(b) *Form of application.* Such application shall be made on a form provided by the Chief of Police.

(c) *Minimum requirements.* All applications for a casino transportation services license shall set forth:

(1) The name and address of the applicant who shall be the owner of such vehicles;

(2) The trade name under which the applicant does or proposes to do business;

(3) The class, type, seating capacity, make, manufacturer, license number, vehicle identification number, design and color scheme of each and every vehicle proposed to be operated for hire within the city, and any lettering and marks to be used thereon, with the intention that all vehicles licensed under a particular applicant shall have similar color schemes and lettering design and that such color and design shall be different from those used by previously approved applicants;

(4) Whether or not the applicant or any of its employees has been convicted of the violation of any national, state or municipal laws;

(5) Whether or not the applicant, or any persons with whom he has been legally associated or employed has claims or judgments against him or it for damages alleged to have resulted from the negligent operation of a vehicle for hire;

(6) The financial ability and responsibility of the applicant as reflected by a complete financial statement, insurance coverage to be provided, and other pertinent facts which may be required by the Chief of Police;

- (7) If the applicant is a firm or corporation, the application shall state the names and addresses of the officers, director or members;
- (8) All applications must contain a statement of the facts showing the experience of the applicant, or, if such applicant is a firm or corporation, the experience of each operator in rendering such services and the period of time that he has rendered it in the city;
- (9) Payment of the proper license fee as required by section 102-262;
- (10) Evidence that the applicant has in force the insurance required in section 102-265;
- (11) A schedule of the operating hours of the service;
- (12) Any other information which may be required by the Chief of Police, provided that any applicant may appeal any such information requirement which it believes to be unnecessary in the manner provided for in section 102-267.

Sec. 102-262. Term; annual renewal; fees.

The fee for a casino transportation services license shall be ~~\$200.00~~ \$150.00 per vehicle, per year. All fees shall be payable to the city through the ~~director of finance~~ Police Department. All licenses shall expire on January 1 of each year and must be renewed by the city in order to remain in force. No proration of the fee shall be permitted.

Sec. 102-263. Permitted uses.

Use of a vehicle licensed under this article as a taxicab is not permitted. Casino transportation services vehicles shall transport passengers for hire only from one or more casinos to one or more other casinos or between hotels and casinos along a fixed route of travel.

Sec. 102-264. Applicability to hotel, airport shuttle buses, etc.

Nothing in this article shall be construed to prohibit any entity, such as a lodging establishment, from operating a vehicle as a shuttle between, for example, the Shreveport Regional Airport terminal and the lodging establishment, provided that the vehicle is available solely to the patrons of that establishment without charge or consideration and is operated solely by an employee or agent of such establishment. The use of such vehicles as casino transportation services is hereby prohibited. A statement shall be displayed in each vehicle clearly indicating that patrons are transported at no charge, exclusive of voluntary tipping.

Sec. 102-265. Issuance.

- (a) Upon receipt of an application, the Chief of Police shall issue such license if he finds that the applicant meets all requirements of this article.
- (b) In determining whether or not a license should be issued, the Chief of Police shall give weight and due regard, among other things, to:
- (1) The probable permanence and quality of the service offered by the applicant;
  - (2) The experience that the applicant has had in rendering such service in the city, and the past experience of the applicant in prompt adjustment of claims and in payment of judgments, if any, to claimants as a result of injuries received from the negligent operation of vehicles for hire;
  - (3) The financial ability of the applicant to respond in damages;
  - (4) The stability of the business organization of the applicant and its ability to provide continuous, satisfactory and responsible service on a business-like basis, and to meet other organizational requirements set forth by the Chief of Police;
  - (5) The character and condition of the vehicles to be used, which shall be determined by an inspection of each vehicle by the Chief of Police or his designee as provided in section 102-272.
- (c) If the Chief of Police finds that the applicant meets the requirements of this article, he shall issue the license and a windshield sticker for each vehicle authorized to so operate. This sticker shall be displayed in a conspicuous place in such vehicles at all times.
- (d) The licenses shall be effective only as to the exact number and kind of vehicles named in the application. Such license shall not be transferable.

Sec. 102-266. Denial.

If the Chief of Police finds that the license should not be issued, he shall notify the applicant in writing, within 15 days, that such application has been denied.

Sec. 102-267. Appeal from findings of Chief of Police.

- (a) After the Chief of Police has made his findings and declares such findings to the applicant, he or the opponent of the application shall have the right to appeal to the city council within ten days therefrom. If an appeal is not made to the city council from the decision of the Chief of Police within ten days, his decision shall be final. Such appeal shall be perfected by a letter addressed to the city council and delivered to the clerk of council stating that an appeal from the decision of the Chief of Police is desired. The council, as soon as practicable after receiving such notice of appeal, shall grant or deny a request for a hearing on the appeal and, after the hearing of the appeal, shall sustain, modify or reverse

the findings of the Chief of Police, and shall notify the Chief of Police of its findings. The findings of the city council shall be final, subject to any applicable legal processes.

(b) An applicant who has been denied a license by the Chief of Police, and such denial has been upheld by the city council or not appealed to them, shall not be permitted to make another application for one year from the date of his application, unless the denial was only for a portion of the vehicles proposed to be licensed.

Sec. 102-268. Insurance required.

(a) Before any license shall be issued by the Chief of Police, or before the renewal of such license shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the Chief of Police evidencing insurance coverage as required in this section.

(b) Insurance coverage as provided in subsection (a), above, means a policy of public liability insurance issued by an insurance company qualified to do business in the state and naming the city as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than six months, and shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any vehicle for hire with the minimum amount of insurance to be \$25,000.00 for bodily injury for any one person in any accident, \$50,000.00 for bodily injury in any one accident and \$25,000.00 for property liability. Such policy shall expressly provide that it may not be canceled, except after 30 days' written notice to the Chief of Police.

(c) The operation of casino transportation services within the city without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this article, subjecting the licensee to all applicable penalties provided in this article and this chapter.

Sec. 102-269. Revocation or suspension.

(a) Except as provided in this section, licenses may be revoked, suspended, altered or amended by the Chief of Police only after a hearing is held, with the applicant having had at least ten days' written notice of the hearing date, together with the nature of the charges against it. Should such hearing reveal a violation of any of the terms of this article or reflect derelict or incompetent performance of the ordinances or laws of the city, state, or nation, the Chief of Police or his designee may revoke, suspend, cancel or amend the licenses of the applicant as the offense may direct. The requirement for ten days' written notice shall be waived if, in the opinion of the Chief of Police, there is a danger to the public safety, health or welfare posed by failing to suspend or revoke the license of an applicant immediately. In this instance, the Chief of Police or his designee shall provide the applicant with written notice of the charges against it and shall hold a hearing on the charges within three days from the date of the written notice.

(b) All persons licensed under this article shall promptly pay all state, city and parish taxes as they shall come due including, but not by way of limitation, occupational license taxes and driver's license fees. The failure to pay such taxes or fees as they become due shall be cause for suspension or revocation of the license.

(c) If the decision of the Chief of Police or his designee is adverse to the interests of the applicant he may appeal to the city council, with such appeal to be handled as set forth in section 102-267.

Sec. 102-270. Change of ownership.

(a) If there is a change of ownership or title to any vehicle for the operation of which a license has been issued under this article, the licensee shall have the right to substitute within 30 days after sale, destruction or elimination of the vehicle, another vehicle of the same or similar type and construction and receive a new vehicle identification sticker if all other requirements of this article are complied with.

(b) A change of ownership as defined in this article shall automatically revoke such license and the license shall be destroyed.

(c) Before any change of licensed vehicles shall be approved, the applicant or association shall file an amended certificate of insurance with the Chief of Police indicating that the coverage required by section 102-268 is in force.

Sec. 102-271. Driver's license.

Each individual driving or operating a casino transportation service vehicle shall obtain a Vehicle for Hire drivers license and comply with the provisions of sections 102-61 through 102-67 in the same manner as required for an individual driving a taxicab.

Sec. 102-272. Vehicle requirements.

All casino transportation services vehicles shall comply with the following:

(1) *Name of license holder.* Every such vehicle shall have painted or permanently affixed on the vehicle, in proportionate letters not less than three inches in height, the name of the license holder who owns and/or controls the operation of the vehicle, and the number of the vehicle's certificate.

(2) *Class of service to be displayed.* Every such vehicle shall carry permanently attached thereto, as part thereof, a sign, in plain view by day and lighted by night, indicating the vehicle offers casino transportation services.

(3) *Signs obscuring view.* No signs, devices or emblems of any kind shall be placed on the windshield of the vehicle or on any part of the vehicle that shall in any way obscure or interfere with the vision of the driver of the vehicle.

(4) *Inspection of vehicles.* All vehicles used in such service shall display a current Louisiana Motor Vehicle Inspection sticker (MVI) issued by the state.

(5) *Rates of fares to be posted.* There shall be fixed on the inside of each vehicle a card upon which shall be printed in plain, legible type the rate of fare which will be charged for the service offered. This card shall be placed in such a manner that it can be easily and conveniently read by any passenger riding therein.

(6) *Inspections.* All vehicles licensed under this article must be inspected, annually and before they are initially being placed into service by a licensee.

(7) *Required equipment.* All taxicabs licensed under this article shall be fully equipped with properly operating heating and air conditioning systems. Vehicles shall at all times be maintained to accepted standards of interior and exterior cleanliness.

Sec. 102-273. Operating requirements.

The following rules and regulations shall govern the business of operating a casino transportation service as provided for in this article:

(1) No person shall park any vehicle licensed under the provisions of this article at any place, location or area designated by the property owner thereof for use as a taxi station or taxi stand.

(2) It shall be unlawful for any driver of a casino transportation services vehicle to solicit passengers by accosting any person at any place in the city, except on private property by virtue of a contract made with the owner thereof.

(3) The driving of casino transportation services vehicles along, upon or across streets on which there are operated buses, for the purpose of picking up passengers awaiting buses, or the admittance into such vehicles of such passengers so awaiting buses on such streets, or within 100 feet thereof, is hereby declared to be cruising and is strictly prohibited.

(4) No casino transportation services vehicle shall be equipped with a scanning device capable of intercepting radio communications.”

BE IT FURTHER ORDAINED that if any provisions 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 resolutions or parts thereof in conflict herewith are hereby repealed.

**Amendment No. 1 to Ordinance No. 154 of 2010**

To Revise, Amend, and enact Sections 102-1 and 102-40 through 273 of the City of Shreveport Code of Ordinances relative to vehicles for hire and to otherwise provide with respect thereto.

Amend Section 102-164(c)(1) and (2) to read as follows:

(c) No storage facility shall charge an insurer or any other person a storage fee greater than:

(1) \$14.00 per vehicle per day for outdoor storage.

(2) \$17.00 per vehicle per day for covered storage, if such storage is necessary.

**ORDINANCE NO. 155 OF 2010**

**AN ORDINANCE AMENDING THE 2010 GRANTS SPECIAL REVENUE FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it desirable to amend the 2010 budget for the Grants Special Revenue Fund, to adjust revenues and for other purposes.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Ordinance No. 135 of 2009, the 2010 budget for the Grants Special Revenue Fund, be amended and re-enacted as follows:

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

**Police 2009 and Prior-Years Receipts:**

**Police Fiscal Year 2010 Revenues:**

Insert Predictive Policing Demonstration and Evaluation Phase II, \$160,000.

**In Section 2, (Appropriations)**

**From Police 2009 and Prior-Years Receipts:**

From Prior Year Violence against Women VAWA Recovery, decrease to Personal Services \$400, decrease to Materials and Supplies \$300 and increase to Contractual Services \$700.

**From Police FY 2010 Revenues:**

From Prior Year Predictive Policing Demonstration and Evaluation, decrease \$1,000 to Personal Services and increase \$1,000 to Improvements and Equipment.

From Predictive Policing Demonstration and Evaluation Phase II, appropriate \$25,000 to Personal Services, \$43,000 to Contractual Services and \$92,000 to Improvements and Equipment.

From DARE Grant 2010, increase to Other Charges \$100 and decrease to Improvements and Equipment \$100.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 135 of 2009 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. 156 OF 2010**

**AN ORDINANCE AMENDING THE 2010 GENERAL FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2010 budget for the General Fund.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 126 of 2009, the General Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations):

In Operational Services, decrease Personal Services by \$250,000 and increase Materials and Supplies by \$250,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 126 of 2009 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.

**AMENDMENT 1 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In General Government, Increase Taxes and Assessments by \$56,000

In Section 2 (Appropriations):

In General Government, Increase Contractual Services by \$56,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment adds \$56,000 related to the City of Shreveport Film Industry Incentive Policy. This policy was established by Resolution 86 of 2009.

**AMENDMENT 2 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In SPAR, decrease Personal Services by \$572,000, increase Contractual Services by \$550,000 and increase Improvements and Equipment by \$22,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment adjusts funding in SPAR between characters. This amendment does not impact Operating Reserves.

**AMENDMENT 3 TO ORDINANCE 156 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In Finance, increase Taxes and Assessments by \$820,000

In Section 2 (Appropriations):

In Operational Services, decrease Personal Services by \$200,000, increase Materials and Supplies by \$300,000, increase Contractual Services by \$700,000 and increase Improvements and Equipment by \$20,000.

Adjust totals and subtotals accordingly.

EXPLANATION OF AMENDMENT:

This amendment recognized increased collection of sales tax for 2010 in the amount of \$820,000. The budget for Sales Tax for 2010 was \$109.6 million. Estimate (made in July 2010) used to prepare the 2011 budget was \$111 million. Current estimate is \$112 million. It is expected that actual collections for 2010 will still exceed budget and estimate, even with this \$820k increase.

This amendment decreases Personal Services by \$200,000 (for a total of \$450,000 with original ordinance), primarily achieved by unfilled vacancies.

This amendment appropriates \$300,000 (for a total of \$550,000 with original ordinance) in Materials and Supplies, primarily in Fleet and Solid Waste for increased fuel usage and increased repair costs for old packers.

This amendment appropriates \$700,000 in Contractual Services, primarily in Fleet and Solid Waste.

This amendment appropriates \$20,000 in Improvements and Equipment for a diagnostic computer

**ORDINANCE NO. 157 OF 2010**

**AN ORDINANCE AMENDING THE 2010 WATER AND SEWERAGE ENTERPRISE FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2010 budget for the Water and Sewage Enterprise Fund.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 130 of 2009, the Water and Sewerage Enterprise Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Personal Services by \$100,000

Decrease Contractual Services by \$250,000

Increase Water and Sewer Main Improvements by \$350,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 130 of 2009 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. 158 OF 2010**

#### **AN ORDINANCE AMENDING THE 2010 RIVERFRONT DEVELOPMENT SPECIAL REVENUE FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2010 budget for the Riverfront Development Special Revenue Fund.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 125 of 2009, the Riverfront Development Special Revenue Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Operating Reserves by \$10,000 and increase Contractual Services by \$10,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 125 of 2009 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. 159 OF 2010**

#### **AN ORDINANCE AMENDING THE 2010 CAPITAL IMPROVEMENTS BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2010 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. 124 of 2009, the Capital Improvements Budget, is hereby amended as follows:

#### **In Program B – Recreation Improvements:**

Establish the capital project **Greenspace at Spring and Texas (10B005)** with the appropriation of \$175,000. Funding source is Downtown Entertainment Economic Development Special Revenue Fund. The scope of the project is to develop a green space at the East corner of Spring and Texas.

#### **In Program C - Streets Improvements:**

Decrease the appropriation for project **CNG Fill Station at Solid Waste (10C001)** by \$650,000 to \$615,740. Funding source of \$615,740 is State Grant.

#### **In Program E – Water Improvements:**

Increase the Appropriation for **SCADA System Upgrade (09-E001)** by \$600,000. Funding source is 2007 URB.

Decrease the appropriation for **SE Shreveport Water Distribution System Improvements (05-E009)** by \$600,000. Funding source is 2007 URB.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 124 of 2009 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. 160 OF 2010**

#### **AN ORDINANCE AMENDING THE 2010 DOWNTOWN ENTERTAINMENT ECONOMIC DEVELOPMENT SPECIAL REVENUE FUND BUDGET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City Council finds it necessary to amend the 2010 budget for the Downtown Entertainment Economic Development Special Revenue Fund.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 139 of 2009, the Riverfront Development Special Revenue Fund Budget, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Operating Reserves by \$175,000 and increase Transfer to Capital Projects by \$175,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 139 of 2009 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. 161 OF 2010**

**AN ORDINANCE TO AMEND AND REENACT PORTIONS OF CHAPTERS 74 AND 94 OF THE CODE OF ORDINANCES RELATIVE TO A SOLID WASTE COLLECTION FEE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

By: Councilmen Walford

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Sections 74-29(a)-(d) and 94-167(a) of the Code of Ordinances of the City of Shreveport are hereby amended and reenacted and Section 94-162.1 is hereby enacted to read as follows:

Sec. 74-29. Curbside collection.

- (a) Except for back door collection customers authorized in section 74-28, all commercial customers and residential customers shall set their properly contained waste at the curbside or street side not to exceed ten feet from the edge of the curb or street.
- (b) Containers of household waste may be set out up to 24 hours in advance of the day of collection and must be set out prior to 7:00 a.m. on the day of collection. All curbside containers for household waste shall be removed from the curbside, off of the right-of-way, no later than 10:00 p.m. on the day of collection.
- (c) All property owners, and/or their tenants and agents, shall be held responsible for violations of this section.
- (d) The service fee for curbside collection shall be \$2.50 per month. Said fee shall be added to the customer's water and sewer bill.

\* \* \*

Sec. 94-162.1. Solid waste curbside collection fee.

The solid waste curbside collection fee established in Section 74-29(d) shall be added to the customer's water and sewer bill.

\* \* \*

Sec. 94-167. Discontinuance of services; adjustments.

- (a) If a bill for water, sewerage and/or garbage service is not paid in full by the delinquent date, the city shall have the right to turn off or disconnect the water service or sewerage service after notice given in accordance with the rules established under section 94-168.

The service shall not be restored or turned on until such time as all of the following amounts are paid:

- (1) The required deposit;
- (2) The full amount of money due and owing the city for water, sewerage and garbage service, except for any current nondelinquent charges incurred in compliance with this chapter; and
- (3) All fees for the cost of disconnecting and restoring such service as provided in section 94-166.

\* \* \*

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

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

#### **ORDINANCE NO. 162 OF 2010**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NW CORNER OF NORTH ALLEN AVENUE AND ALSTON, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-3, URBAN, MULTI-FAMILY RESIDENCE DISTRICT TO R-3-E, URBAN, MULTI-FAMILY RESIDENCE/EXTENDED USE DISTRICT, LIMITED TO THE “FULLER CENTER OFFICE, COMMUNITY GROCERY AND DELI ONLY”, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the NW corner of North Allen Avenue and Alston, Shreveport, Caddo Parish, Louisiana, legally described as Lots 57, 58, 59, and 60, Campisi Subdivision, be and the same is hereby changed from **R-3, Urban, Multi-Family Residence District to R-3-E, Urban, Multi-Family Residence/Extended Use District limited to the “Fuller Center Office, community grocery, and deli 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 a revised site plan to be submitted to and approved by the Planning Director showing the required 6' high solid wood screening fence on the west property line, with any significant changes or additions to the approved site plan 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. 163 OF 2010**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SE CORNER OF JONES AND MARKET STREETS, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM I-2, HEAVY INDUSTRY DISTRICT TO R-4, HIGH-RISE, MULTIFAMILY 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, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the SE corner of Jones and Market Streets, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed **from I-2, Heavy Industry District to R-4, High Rise Multi-Family Residence District**.

**Tract 1:** Sect. 31, T18N,R13W, Shreveport, Caddo Parish, LA, more fully described as: From the NE corner of Lot 16, Block H, Roland Jones Subdivision, run S40°1'0"E 64 feet to a concrete monument and the POB. From said POB continue S40°1'0"E 255.99 feet; thence run S49°59'0"W 166.03 feet; thence run N40°1'0"W 300 feet to a concrete monument; thence run N64°49'51"E 171.77 feet to the POB of the tract herein described; containing 1.42 acres M/L. **Tract 2:** Sect. 31, T18N, R13W, Shreveport, Caddo Parish, LA, more fully described as: From the NE corner of Lot 16, Block H, Roland Jones Subdivision, Block 67, run S40°1'0"E 319.99 feet; thence run S49°59'0"W 145 feet to the POB; from said POB, run S75°28'20"E along the west line of Battle Street 81.02 feet to the most W'ly corner of Block J of said subdivision; thence run N49°59'0"E along the south line of Battle Street 98 feet to the most N'ly corner of Block J on the west line of Spring Street; thence run S40°1'0"E along said west line 110.50 feet; thence run S81°32'0"E 4.53 feet to a point on the west line of Spring Street extension (viaduct); thence run S40°1'0"E 158.23 feet along said west line of a point on the north line of KCS RR R/W; thence run around a curve in a clockwise direction, said curve having a Radius of 481.55 feet, a Chord

of S68°31'14"W 328.69 feet for a distance of 335.43 feet to a point on the east line of Market Street; thence run N39°24'11"W along east line 125.90 feet; thence run N34°56'5"W along east line 108.51 feet; thence run N49°59'0"E 152.71 feet to the POB of the tract herein described; said tract containing 1.98 acres M/L.

**Tract 3:** Sect. 31, T18N, R13W, Shreveport, Caddo Parish, LA, more fully described as: From the NE corner of Lot 16, Block H, Roland Jones Subdivision, Block 67, run S49°59'0"W 166.03 feet; thence run S40°1'0"E 20 feet to a concrete monument and the POB. From said POB continue S40°1'0"E 300 feet; thence run S49°59'0"W 131.68 feet to a found iron pipe; thence run N40°1'0"W 218 feet to a concrete monument; thence run N28°58'34"W 83.55 feet to a found iron pipe; thence run N49°59'0"E 115.68 feet to the POB of the tract herein described.

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. 164 OF 2010**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NE AND SE CORNERS OF COX AND ROSARY AND THE SW CORNER OF CORBITT AND ROSARY, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, R-1H, URBAN, ONE-FAMILY RESIDENCE DISTRICT AND R-1H-E, URBAN, ONE-FAMILY RESIDENCE/EXTENDED USE DISTRICT TO R-1D-E, URBAN, ONE-FAMILY RESIDENCE/EXTENDED USE DISTRICT LIMITED TO "CADDO COMMUNITY ACTION AGENCY FACILITIES/HEADSTART CENTER" ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the NE and SE corners of Cox and Rosary and the SW corner of

Corbitt and Rosary, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from R-1D, Urban, One-Family Residence District, R-1H, Urban, One-Family Residence District, and R-1H-E, Urban, One-Family Residence/Extended Use District to R-1D-E, Urban, One-Family Residence/Extended Use District limited to “Caddo Community Action Agency Facilities/Headstart Center” only.

**Tract 1:** Lot 15, Amanda Collins Subdivision; **Tract 2:** Lots 1, 2, 3, 4, 5, and 6, Louis N. Ferris Subdivision; **Tract 3:** Lots 1 and 3, Ann Hutchinson Lands; **Tract 4:** Lots 1, 2, 3, and 16-22 inclusive, Roy Watson Subdivision; **Tract 5:** The west 425 feet of the east 460 feet of the north 66 feet of the south 2322.08 feet of Sect. 14, T17N, R14W; and **Tract 6:** The east 170 feet of the west 200 feet of the east 660 feet of the north 66 feet of the south 2322.08 feet of the SE/4, Sect. 14, T17N, R14W, 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 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. 165 OF 2010**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTH SIDE OF HOLLYWOOD AVENUE 310 FEET SOUTH OF HOLLYWOOD AVENUE AND 255 FEET WEST OF MANSFIELD ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the south side of Hollywood Avenue 310 feet south of Hollywood Avenue and 255 feet west of Mansfield Road, Shreveport, Caddo Parish, Louisiana, legally described as Lots 3 and 4, South City Plaza Unit 2, Shreveport, Caddo, LA be and the same

is hereby changed **from B-2, Neighborhood Business District to B-3, Community Business District**

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

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

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

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

#### **ORDINANCE NO. 166 OF 2010**

#### **AN ORDINANCE TO AMEND CHAPTER 18 OF THE CODE OF ORDINANCES RELATIVE TO MUNICIPAL AIRPORTS AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, the Shreveport Airport Authority (the "Authority") has jurisdiction over and administrative control of the Shreveport Regional and Downtown Airports; and

WHEREAS, the Authority has determined certain provisions in Chapter 18, Aviation of the City of Shreveport Code of Ordinances are outdated and need to be repealed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the Code of Ordinances of the City of Shreveport is hereby amended as follows:

Section 18-104; 18-108 through 18-114 are repealed.

Section 18-117 is hereby amended and reenacted to read as follows:

Section 18-117 Witnesses and participants in accidents to report to administration office.

Witnesses of and participants in any accident on or near any airport shall report to the administration office, *Director of Airports* or *Director of Airports designee*, as soon after the accident as possible, leaving their names and addresses and rendering such reports as may be required.

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 provision, items or applications of this ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

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

**UNFINISHED BUSINESS:**

Mr. Thompson: Madam Chair, we're now under Unfinished Business. I'm not aware of anything based on the earlier vote that will come off the table until we get to No. 14, which are the 2011 Budget Ordinances. If that is correct, then we will need a motion today to move the 2011 Budget ordinances off the table.

**Motion by Councilman Lester, seconded by Councilman Bowman to remove the 2011 Budget Ordinances from the table. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**14. 2011 BUDGET ORDINANCES** *(To be adopted no later than Dec 15, 2010)*  
*(Introduced and Tabled October 12, 2010) The Clerk read the following:*

1. **Ordinance No. 137 of 2010**: An ordinance adopting the 2011 Capital Improvements Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Shyne. The Clerk read the following:**

**AMENDMENT NO. 1 TO ORDINANCE 137 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Program B (Recreation Improvements):

Delete "Increase the appropriation for **Independence Stadium Capital Repairs & Improvements (02B001)** by \$28,500 to \$756,500. Funding source for increase is Other Funds and increases by \$28,500 to \$400,700. Other funding sources remain at \$115,900 from 1999 Stadium Bonds and \$28,900 from Riverfront Development Fund and \$211,000 from Private Donations."

Insert “Increase the appropriation for **Independence Stadium Capital Repairs & Improvements (02B001)** by \$28,500 to \$1,172,500. Funding source for increase is Other Funds and increases by \$28,500 to \$400,700. Other funding sources remain at \$115,900 from 1999 Stadium Bonds and \$28,900 from Riverfront Development Fund, \$416,000 from General Fund and \$211,000 from Private Donations.

Insert “Maintain the appropriation for **Greenspace at Spring and Texas (10B005)** with at \$175,000. Funding source is Downtown Entertainment Economic Development Special Revenue Fund. The scope of the project is to develop a green space at the East corner of Spring and Texas.

In Program C (Streets Improvements):

Delete “Maintain the appropriation for **CNG Fill Station at Solid Waste (10C001)** at \$1,265,740. Funding sources remain at \$650,000 from Riverfront Fund and \$615,740 from State Grant.”

And Insert “Increase the appropriation for **CNG Fill Station at Solid Waste (10C001)** by \$650,000 to \$1,265,740. Funding source for increase is \$650,000 from Riverfront Fund. Other funding source is \$615,740 from State Grant. The scope of this project is to construct a CNG fill station that would serve both city vehicles and general public.”

In Program E (Water Improvements):

Delete “Maintain the appropriation for **Amiss WTP Plants I and II Filter Improvements (98E006)** at \$32,183,518. Funding sources remain at \$2,845,289 from 1994A URB, \$9,570,229 from 2000A URB, \$19,540,000 from 2001 State Revolving Loan, \$175,000 from 2005 URB, and \$53,000 from 2007 URB.”

Insert “Maintain the appropriation for **Amiss WTP Plants I and II Filter Improvements (98E006)** at \$32,189,318. Funding sources remain at \$2,845,289 from 1994A URB, \$9,570,229 from 2000A URB, \$19,540,000 from 2001 State Revolving Loan, \$175,000 from 2005 URB, \$53,000 from 2007 URB and \$5,800 from State Grant.”

Delete “Maintain the appropriation for **SE Shreveport Water Distribution System Improvements (05E009)** at \$24,127,000. Funding sources remain \$18,927,000 from 2007 URB and \$5,200,000 from Water and Sewer Revenues.”

Insert “Maintain the appropriation for **SE Shreveport Water Distribution System Improvements (05E009)** at \$23,527,000. Funding sources remain \$18,327,000 from 2007 URB and \$5,200,000 from Water and Sewer Revenues.”

Delete “Maintain the appropriation for **Amiss WTP Improvements – 2005 Bonds (05E012)** at \$21,600,000. Funding source is 2005 URB.”

Insert “Maintain the appropriation for **Amiss WTP Improvements – 2005 Bonds (05E012)** at \$21,659,905. Funding sources remain \$21,600,000 from 2005 URB and \$59,905 from State Grant.”

Delete “Maintain the appropriation for **SCADA System Upgrade at (09E001)** at \$150,000. Funding source is 2007 URB.”

Insert “Maintain the appropriation for **SCADA System Upgrade at (09E001)** at \$750,000. Funding source is 2007 URB.”

**EXPLANATION OF AMENDMENT:**

This amendment makes changes in the 2011 Capital Improvements Fund budget to reflect ordinance changes made by Council in the 2010 budget after the 2011 budget was first presented.

**Motion by Councilman Bowman, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 137 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**Motion by Councilman Lester, seconded by Councilman Bowman to adopt Ordinance No. 137 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**2. Ordinance No. 138 of 2010:** An ordinance adopting the 2011 Budget for the Riverfront Development Special Revenue Fund, appropriating the funds authorized therein and otherwise provide with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Shyne for adoption.**

**AMENDMENT NO 1 TO ORDINANCE 138 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

Increase “Other Charges” by \$14,800.

Decreases “Operating Reserves” by \$14,800.

Adjust Totals and Sub-totals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment is intended to increase the funding for the Caddo Council on Aging non profit from \$15,200 to \$30,000.

**Motion by Councilman Bowman, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 138 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Webb, Shyne, and Bowman. 4. Nays: Councilmen Walford, Long, and Wooley. 3.**

*The Clerk read the following:*

**AMENDMENT NO. 2 TO ORDINANCE 138 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

Increase "Other Charges" by \$10,000.

Decreases "Operating Reserves" by \$10,000.

Adjust Totals and Sub-totals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment is intended to fund the Martin Luther King celebration in the amount of \$10,000.

**Motion by Councilman Lester, seconded by Councilman Shyne to adopt Amendment No. 2 to Ordinance No. 138 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Webb, Shyne, and Bowman. 5. Nays: Councilmen Walford and Wooley. 2.**

**Motion by Councilman Lester, seconded by Councilman Long to adopt Ordinance No 138 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Walford. 1.**

3. **Ordinance No. 139 2010**: An ordinance apting the 2011 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Shyne for adoption.**

*The Clerk read the following:*

**AMENDMENT NO 1 TO ORDINANCE 139 OF 2010**

Amendment Number 1 by Councilwoman Joyce Bowman to Ordinance Number 139 of 2010, An Ordinance Adopting the 2011 General Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Police Department increase Personal Services by \$10,000.

In General Government, decrease Operating Reserves by \$10,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment funds are needed for certifications and uniforms for the Pastor on Patrol as requested by Pastor Kimble.

**Motion by Councilman Bowman, seconded by Councilman Walford to adopt Amendment No. 1 to Ordinance No. 139 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

*The Clerk read the following:*

**AMENDMENT NO. 2 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In City Courts increase Personal Services by \$46,300, establish Materials and Supplies in the amount of \$31,000, and establish Contractual Services in the amount of \$15,700.

In General Government, decrease Operating Reserves by \$93,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

The allocation of the \$93,000 amendment specific breakdown of subobject accounts is as follows:

1004 Training \$ 7,000

1007 Memberships \$ 2,200

1906 Performance Reserves \$37,100

2101 Postage \$10,800

2140 Books & Publications \$10,000

2150 Office Supplies \$10,000

2210 Gas & Diesel Fuel \$ 200

3120 Telephone \$10,000

3235 Publishing & Printing \$ 5,000

3236 Copies \$ 700

**Motion by Councilman Bowman, seconded by Councilman Shyne to adopt Amendment No. 2 to Ordinance No. 139 of 2010.**

Councilwoman Bowman: In our budget meeting, we had gone over the Court's budget and Judge Irwin and Judge Kelly requested that we keep the \$93 (thousand) in the budget. Several of the Council Members kinda looked at it and didn't particularly want to leave it as that, so I of course amended it to the \$37,000 which would have covered the 2% salary increase for the employees. Then shortly thereafter, Judge Irwin called, well no - - - he called you didn't he Art? But he emailed and he said that the Council hoodwinked him. And that we basically - - - he thought he had a 'gentleman's agreement', and that in that meeting, he listened to - - - I mean we listened to him and he said that we should stand by our word. So, that's why it has been put back in at the \$93 (thousand).

Councilman Walford: Madam Chair, I would gladly support the \$37 (thousand), but only that. But how do we do that? Do we need another amendment?

Mr. Seaton: I can have one ready for you in a few minutes Mr. Walford.

Councilwoman Bowman: You can go back and get that old one. Councilman Wooley?

Councilman Wooley: Thank you Madam Chair. Just for clarification for Judge Irwin, I can't speak for my colleagues that were there that day, but I never conceded to agree to that

amount. So I don't want him to think that we all agreed to do that at that particular time since that was his comment like it was stated.

Councilwoman Bowman: He definitely stated that used the term 'hoodwinked'.

Councilman Wooley: Well I personally never agreed to it. I don't have a problem with the \$37.1(thousand), but I do want make that clarification for the record that I never agreed to that amount.

Councilwoman Bowman: Well we were of course - - - I don't know were you? Ron, you were there in the budget meeting, Joe, you were there, you were there as well, Oliver you were there. So I mean - - - Sam, you came for that one as well with the courts?

Councilman-Elect Sam Jenkins: Immediately thereafter.

Councilwoman Bowman: Okay, Councilman Jenkins said immediately thereafter. But of course we were there, and we heard this - - - the presentation that they made and like I said, not my - - - I'm not going to fight him over that Councilman.

Councilman Walford: I think I'm going to say the same thing you are, go ahead.

Mr. Thompson: We were going to recommend that you either vote this one up or down and - - -

Councilwoman Bowman: Right and that's the reason that it's sitting here. And the message was sent back to the Courts that it's going back on the agenda at the \$93,000 and the Council has the option of voting it up or voting it down.

Mr. Thompson: If it's voted down, then the \$37,100 will be offered by Mr. (inaudible).

Councilwoman Bowman: So what if I don't want to do that? My vote is just that and it'll pass right?

Mr. Thompson: Well I think that if anyone would want to offer another amendment, he or she could do it and then everybody could vote up or down on that one.

Councilwoman Bowman: Well then I feel like a hypocrite, because that was the first one I did. \$37(thousand). Well I did the \$93 (thousand), then I did the \$37(thousand), now I'm back to the \$93(thousand).

Mr. Thompson: And if that fails then if any other member would want to offer the \$37(thousand) they could do it.

Councilwoman Bowman: Okay. Well let's vote.

Councilman Shyne: So what are we voting on?

Councilwoman Bowman: You're going to either vote up or down the \$93,000.

Councilman Walford: If we want to vote for the \$37(thousand), it will be Amendment 7. So you'd vote this down and - - -

Mr. Thompson: Madam Chair, it will be Amendment No. 8, we have another Amendment 7 that we're fixin to hand out too.

Councilman Walford: Well you'll get another shot at the \$37(thousand)

**Motion approved by the following vote: Ayes: Councilmen Lester, Webb, Shyne, and Bowman. 4. Nays: Councilmen Walford, Long, and Wooley. 3.**

Councilman Long: What did we just do?

Councilwoman Bowman: We just voted to give them the \$93,000. Next.

Councilman Walford: Michael, what?

Councilman Long: I thought we (inaudible).

Councilwoman Bowman: What did you say Joe?

Councilman Long: I voted 'No'.

Councilman Walford: I did too.

Councilman Shyne: I voted 'Yes'.

Ms. Johnson: The record shows B, C, and D voted 'No'.

Councilman Lester: I voted 'Yes'.

Councilwoman Bowman: Thank you. That's what I'm talking about.

Councilman Lester: And Madam Chair?

Councilwoman Bowman: Bea, are they trying to say that your records are incorrect?

Ms. Johnson: I'm not sure Madam Chairman.

Councilwoman Bowman: That's what it sounds like.

Ms. Johnson: Shall I put it back up?

Councilwoman Bowman: Put it back up there.

Councilman Shyne: It passed with Lester, Webb, Bowman and Shyne.

Councilwoman Bowman: It passed.

Councilman Lester: Contrary to popular Joe, I'm going back to the Court. Now.

Councilman Shyne: That's right. That's exactly right.

Councilman Lester: Put that in the record.

Councilwoman Bowman: It actually passed. Let's move on.

Councilman Shyne: Cause Joyce, Calvin and I say we haven't seen a judge yet that we didn't like.

Councilwoman Bowman: Joe said he's never seen a judge he didn't like. Put that in the record too. Next.

*The Clerk read the following:*

**AMENDMENT NO. 3 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Human Resources Department decrease Personal Services by \$15,000.

In General Government, increase Operating Reserves by \$15,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

The budget for the Personnel Director salary is \$25,000 more than the actual salary. This amendment budgets that \$25,000 as follows: training is increased by for General Fund employees by \$10,000 and the General Fund operating reserves is increased by \$15,000.

**Motion by Councilman Bowman, seconded by Councilman Walford to adopt Amendment No. 3 to Ordinance No. 139 of 2010.**

Councilman Wooley: Why is the \$25,000 more than the actual salary?

Councilwoman Bowman: Well I think what happened when we got the budget book, that particular day, that's where the original 83% increase was and then they went and made that correction. So the amount the \$25,000 that was left there has now been taken away and put for employee training.

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

*The Clerk read the following:*

**AMENDMENT NO 4 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In Police, increase Contractual Services by \$45,000.

In General Government, decrease Operating Reserves by \$45,000.

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment funds Comcast service for Cameras Against Crime program.

**Motion by Councilman Bowman, seconded by Councilman Walford to adopt Amendment No. 4 to Ordinance No. 139 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

*The Clerk read the following:*

**AMENDMENT NO 5 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2 (Appropriations):

In General Government, decrease Operating Reserves by \$100,000.

In Transfer, increase Community Development by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for the Business Retention Program and Housing and Business Analysis

The goal of the Business Retention Program is to create an environment for businesses to succeed and the community to prosper. The fundamental elements of a Business Retention Program are consulting services, marketing, and outreach and in-person interviews with business owners, analysis of business needs, referrals, resource development, and development

**Motion by Councilman Lester, seconded by Councilman Bowman to adopt Amendment No. 5 to Ordinance No. 139 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Shyne, and Bowman. 4. Nays: Councilmen Walford, Wooley, and Webb. 3.**

*The Clerk read the following:*

**AMENDMENT 6 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In Finance, increase External Service Charges by \$200,000.

In Section 2 (Appropriations):

In Finance, increase Contractual Services by \$200,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment recognizes fees to be collected from delinquent ad valorem tax collections and paid to a third-party collector, as provided by Louisiana State Statute.

**Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 6 to Ordinance No. 139 of 2010.**

Councilman Walford: They're just collecting, that's what we've been wanting to hear. They wouldn't be paying the fee unless somebody collected the money.

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

*The Clerk read the following:*

**AMENDMENT 7 TO ORDINANCE 139 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

In Operational Services, increase External Service Charges by \$1,950,000.

In Section 2 (Appropriations):

In General Government, increase Operating Reserves by \$1,950,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

This amendment recognizes the \$2.50 fee for Garbage Collection for approximately 65,000 users.

**Motion by Councilman Walford, seconded by Councilman Lester to adopt Amendment No. 7 to Ordinance No. 139 of 2010.**

Ms. Pilkinton: And if we put this in Operating Reserves, the new Council can move it to buy trucks or whatever at that time.

Councilman Walford: And that comes out to 12 packers a year with money left over. It's recognizing the money that's going to come in from that - - -

Councilwoman Bowman: What was just voted on for them with the \$2.50.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, and Shyne. 4. Nays: Councilmen Wooley, Webb, and Bowman. 3.**

**Motion by Councilman Lester, seconded by Councilman Bowman to adopt Ordinance No. 139 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Shyne and Bowman. 6. Nays: Councilman Webb. 1.**

4. **Ordinance No. 140 of 2010**: An ordinance adopting the 2011 Budget for the Golf Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Walford for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

5. **Ordinance No. 141 of 2010**: An ordinance adopting the 2011 Budget for the Airports Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Long for adoption.**

Councilman Walford: Any surprises that we should know about?

Councilman Wooley: Give it time.

Councilman Walford: I like that Mr. Wooley. Thank you.

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

6. **Ordinance No. 142 of 2010**: An ordinance adopting the 2011 Budget for the Water and Sewerage Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Long for adoption.**

Councilman Walford: As bad as the water leak has been at my house the last two days, you probably need an amendment for considerably more revenue.

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

7. **Ordinance No. 143 of 2010**: An ordinance adopting the 2011 Budget for the Metropolitan Planning Commission Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

8. **Ordinance No. 144 of 2010**: An ordinance adopting the 2011 Budget for the Community Development Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Shyne for adoption.**

*The Clerk read the following:*

**AMENDMENT NO 1 TO ORDINANCE 144 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts)

Fiscal Year 2011 Funds:

Increase Transfer from General Fund by \$100,000

In Section 2 (Appropriations):

Housing and Business Development:

Establish Other Charges by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for the Business Retention Program and Housing and Business Analysis

The goal of the Business Retention Program is to create an environment for businesses to succeed and the community to prosper. The fundamental elements of a Business Retention Program are consulting services, marketing, and outreach and in-person interviews with business owners, analysis of business needs, referrals, resource development, and development of recommendations for policies and programs to retain and expand businesses.

**Motion by Councilman Lester, seconded by Councilman Shyne to adopt Amendment No. 1 to Ordinance No. 144 of 2010.**

Councilwoman Bowman: Councilman Lester, I have a question about this.

Councilman Lester: Yes Ma'am.

Councilwoman Bowman: Where is this money coming from?

Councilman Lester: It's the money that we voted for earlier, is putting it into Community Development Fund.

Councilman Long: For Business Development, right?

Councilman Lester: Right.

Councilman Shyne: And Calvin, I know how you feel, I'm tired of driving down on Youree Drive.

Councilwoman Bowman: I think it's the other amendment that you have on here that I have a question about.

Councilman Shyne: When you get tired of driving down on Youree Drive, drive down Hollywood to Cat Daddy's Restaurant.

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

*The Clerk read the following:*

**AMENDMENT NO. 2 TO ORDINANCE 144 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts)

Fiscal Year 2011 Funds:

Increase Transfer from Shreveport Redevelopment by \$100,000

In Section 2 (Appropriations):

Administration:

Establish Other Charges by \$100,000

Adjust totals and subtotals accordingly.

**EXPLANATION OF AMENDMENT:**

\$100,000 for Land Cost Studies for Allendale

The city has acquired over 100 vacant, abandoned, and tax delinquent properties in the Allendale neighborhood for housing and business development. The funding for this project will match a Neighborhood Stabilization Grant to construct housing, rehabilitate or demolish the dilapidated structures and stabilize the neighborhood. The land can also engage in strategic transfers to non profit or for-profit organizations for specified public purposes such as the development of affordable housing.

**Motion by Councilman Lester, seconded by Councilman Long to adopt Ordinance No. 144 of 2010 as amended.**

Councilwoman Bowman: Councilman Lester, I'm not going to move the SRA money to just a certain district. That's just me, I'm not going to do that. And we discussed it yesterday. If you remember we came up with something a while back, but we were going to try to use the SRA money that would have affected mostly all of the districts and there was opposition to it. Well anyway, I'm just not going to do it.

Councilman Lester: And Madam Chair, that's fine. And I respect that. Just for the record, what we have, we've got two pretty major projects in the Allendale area that can make a tremendous benefit to those areas, and one is the Northwest Louisiana Community Development Corporation by Bishop Brandon. They're looking, they've got an application in to the Housing - - - HUD to take the old Pierre Avenue School, George P. Hendricks and actually turn that into an elderly 202. There's going to be some money needed to do a land analysis and a study, if they're successful, that's possibly a \$1,000,000 type program that will be transformed into the area. So, you know I can respect your position, but that's pretty much what that is doing. There is also another part in the western part of the district that could have a similar impact, and true it is in District A, but it is in the western part of District A, and it could have also a positive benefit. That's what the request is for. Certainly if the Council is of its mind to vote for it, if this council does not support it, maybe the new council can work to get those done. But basically what we would be doing is allocating some money for some studies that will then go and get some federal dollars and leverage those federal dollars in a major, major way. So I respect that - - - your position, and that's where - - - that's what that's all about. Thank you Madam Chair and Councilmen.

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

**Motion by Councilman Lester, seconded by Councilman Long to adopt Ordinance No. 144 of 2010 as amended. Motion approved by the following vote: Ayes:**

**Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

9. **Ordinance No. 145 of 2010**: And ordinance adopting the 2011 Budget for the Retained Risk Internal Service Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

10. **Ordinance No. 146 of 2010**: An ordinance adopting the 2011 Budget funding contractual services provided to SPORTRAN by Metro Management Associates, Inc. and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

11. **Ordinance No. 147 of 2010**: An ordinance adopting the 2011 Budget for the Grants Special Revenue Fund appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Walford for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

12. **Ordinance No. 148 of 2010**: An ordinance adopting the 2011 Budget for the Downtown Entertainment Economic Development Special Revenue Fund, appropriating the funds therein and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Shyne for adoption.**

*The Clerk read the following:*

**AMENDMENT NO 1 TO ORDINANCE 148 OF 2010**

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1 (Estimated Receipts):

Decrease Estimated Fund Balance as of 1/1/2011 by \$175,000

Increase Sales Taxes from the TIF District by \$50,000.

In Section 2 (Appropriations):

Decrease Operating Reserves by \$125,000.

EXPLANATION OF AMENDMENT:

This amendment recognizes that the impact of Ordinance 160 of 2010 that appropriates \$175,000 for green space at the East corner of Spring and Texas. This amendment also recognizes a higher level of sales tax revenue based on actual amounts from 2010.

**Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 1 to Ordinance No. 148 of 2010. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

**Motion by Councilman Walford, seconded by Councilman Long to adopt Ordinance No. 148 of 2010 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

13. **Ordinance No. 149 of 2010**: An ordinance adopting the 2011 Budget for the Downtown Parking Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

14. **Ordinance No. 150 of 2010**: An ordinance adopting the 2011 Budget for the Convention Center Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long for adoption.**

Councilman Lester: I'm voting 'Yes'. It says a Public Hearing must be held, but we held the Public Hearing on all the budget amendments so, that's cool. Okay, thank you. I didn't know if that were something extra special separate and apart from this.

**Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.**

15. **Ordinance No. 151 of 2010**: An ordinance adopting the 2011 Budget for the Convention Center Hotel Enterprise Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 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 Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.**

16. **Ordinance No. 152 of 2010**: An ordinance adopting the 2011 Budget for the Shreveport Redevelopment Agency Special Revenue Fund, appropriating the funds therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Long for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

17. **Ordinance No. 153 of 2010**: An ordinance adopting the 2011 Debt Service Fund Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.

**Having passed first reading on October 12, 2010 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Wooley for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.**

Councilwoman Bowman: Mr. Thompson, what do you think?

Mr. Thompson: Congratulations.

Councilwoman Bowman: Alright. Next, where are we?

*No other matters were considered under Unfinished Business except Item No. 14, the 2011 BUDGET ORDINANCES*

**NEW BUSINESS:**

Mr. Thompson: I believe we're under New Business, we're now on the Zoning Appeals.

***The Clerk read the following:***

1. ZONING APPEAL C-62-10: Property located on the NE corner of Patrick Lane & Woolworth Road, Shreveport, LA (G/Bowman) (***No Ordinance required***)

Councilwoman Bowman: Okay. Are the people still here for that? In yesterday's meeting, Roy, you came up and you basically explained what was going on with this, I'd like for you to come back. However, I do want the record to show, prior to this coming up on this agenda, I received several emails from citizens who live in Sagewood and that community who were in opposition of this happening, and naturally, I'm going to support the citizens over there.

Mr. Jambor: Like I said, it's a very awkward situation that probably never should have occurred. Kinda like 'how do you put the Jeanie back in the bottle'? You know I guess that's why they pay you guys the big bucks. It's - - - I did hear a couple of statements today that I'm not sure were accurate. What was presented to us was that the new building was speculative, that there wasn't a tenant. We were concerned that it might end up with an oil spill related industry that would have a tendency to maybe get a little messy on the outside of the building.

Councilwoman Bowman: But it's too close to that neighborhood, isn't it?

Mr. Jambor: No, what we have shows it's 70 something feet from the neighborhood. So, and the site plan should be in your package. And it shows a row of trees that they intend to plant, canopy trees, 25 feet on center on that property line in addition to the fence. So those are the two things that I heard today that were very much different from what we heard in our hearing and what is in your package. I don't know what they're basing their information on. It's certainly information that we weren't privy to.

Councilwoman Bowman: But, lets get this straight. You all had questions as far as this was concerned. And in addition - - - well let's not consider what this young man has said.

Mr. Jambor: We are very sensitive to the fact that this situation was brought up. In fact, one of our members was there when they approved the subdivision. He admitted regretting it and it was a bad decision. He was one of the people that voted for it when it came about. Now at the time, the property was not nearly as attractive to be utilized as it is today. You'll see that we expanded it I think a year ago. Now you have a proposal to expand it again. And you know once again, those are site plan approvals. But the industrial zoning,

the base zoning was in fact in place before the subdivision was. So once again, the idea that you can't take away their base industrial rights. You can certainly limit the expansions to a reasonable degree.

Councilwoman Bowman: And that's my intent. I want to limit their expansions. If these people in that community are having problems with - - - even with the noise levels, that's a concern, because they were there before these folks got started with this other.

Mr. Jambor: With this expansion, the more recent expansion.

Councilwoman Bowman: With this more recent expansion. That's where my problem is. Yes they're there with the other, but - - -

Mr. Jambor: I wish I could describe the property the way it was the day the subdivision was approved, but I can't. You know I'd be - - - there's no way I could honestly portray that accurately. I just don't know. There's all kinds of industrial property that exist within the City of Shreveport that we've got to be careful about, because it's been lying there dormant, and the development pattern has changed around it, and it's out in the middle of what you and I might call 'nowhere' and it hadn't caused any harm for 30 years, and now all of a sudden that the oil and gas industry starts getting active, you're going to hear situations like this come up. So you know cross your fingers and hopefully none of our awkward decisions will come back and haunt us.

Councilwoman Bowman: And I know you all deferred this several times, right? That's what I was told.

Mr. Jambor: I don't think so. I think what we had was simply - - - you know one of the members gave us the history of the case. Like I said, it may have been deferred when it was previously approved. But like I said the industrial zoning was there. It was basically an expansion. What we were told, it's speculative. It's a building they're going to rent and try to lease it out. That maybe that they already have a tenant, you know. But when we heard the case, there was no specific tenant that was identified.

**Motion by Councilman Bowman, seconded by Councilman Shyne to overturn the decision of the Zoning Board and deny the application for a site plan approval. Motion approved by the following vote: Ayes: Councilmen Lester, Webb, Shyne, and Bowman. 4. Nays: None. Out of the Chamber: Councilmen Walford, Long and Wooley. 3.**

2. ZONING APPEAL BAC-88-10: Property located on the South side of East 70<sup>th</sup> Street, 150' west of Thornhill Avenue, Shreveport, LA (C/Long) (*No Ordinance required*)

Councilman Long: At this point - - -

Councilman Lester: Can I ask a question?

Councilman Long: Well do I need to make a motion?

Councilman Lester: Yeah, yeah, yeah.

Mr. Jambor: I got some warnings ahead too.

Councilman Long: I may actually remand this back to the MPC, I mean the ZBA right now.

Mr. Jambor: That's probably the most prudent thing to do.

**Motion by Councilman Long, seconded by Councilman Walford to remand to ZBA.**

Councilman Long: Roy, start and I'll follow.

Mr. Jambor: Well a couple of things. 1) The ordinance is very specific about meeting the requirements for off-site parking agreements, and I'll give you the typical example. What you have in front of you is a letter. Well you can approve this thing and tomorrow that guy can revoke. You know, it's his use of the property. I don't even know where it is. It may be two blocks away. You know obviously, that's going to create a hazard, if you've got kids walking to the pediatrician's office all up and down 70<sup>th</sup> Street.

Councilman Long: Well, she didn't mention that that off street - - - the parking would be for the employees, and not for the patients.

Mr. Jambor: I understand and once again, regardless there's a requirement. It needs to be something that's not easily revoked or termed - - - consideration.

Councilman Long: Like a lease?

Mr. Jambor: In fact specifically, it mentions that the City Attorney's office has to approve the form of the thing, and I wish I could quote it to you, the exact language off the top of my head, but I can assure you, it's something we just don't accept lightly. Second of all, you know once you give her credit, and once you determine that she's entitled to credit, that parking lease now you've got a situation that she may not even need a variance at all. Here's where the crux of the problem is. She is so far short on her parking that she was showing conditions in order to meet the parking requirement which are inherently unsafe and violate DOTD regulations. Okay, those two driveways - - - here's what I'm getting at.

Councilman Long: We're on a state highway guys.

Mr. Jambor: Right, and the radiuses of the turns, getting in and out of the property, you know visibility, all of these are real issues, but once you get that number down where she doesn't need quite so much parking on this site, she might be able to address it - - - you

know access it from the alley, where DOTD doesn't have a dog in that yard. And now the radiuses can be less, she can block those two spaces on the sides of the building.

Councilman Long: And the adjacent neighborhood may be able to work something out.

Mr. Jambor: And here's the point, and she may not need - - - this may go away under those conditions. But my point being if that's the case you don't need to be overturning the ZBA to get this resolved in a safe manner. You just need to let us work it with these new circumstances in place.

Councilman Long: Yeah, because there is an adjacent neighbor that I just talked to who might be willing to work out a lease authority.

Mr. Jambor: We think so, we think it's a great use. But you can't ignore the safety issues, you know it's not - - - this isn't a nice sleepy little neighborhood street we're talking about.

Councilman Long: Right, I got you.

Councilman Shyne: I just saw the City Attorney, seemed like she has some information. You don't?

Mr. Jambor: I think she was agreeing with me that she had to look at the lease.

Councilwoman Bowman: No, she said she wasn't agreeing with you.

Councilman Shyne: Right. Did you see the same thing?

Councilman Lester: Madam Chair? Roy, I really would - - - if we're going to remand, and I think Michael, that - - - Councilman Long, that's a very prudent scenario. I was prepared to overturn the ZBA, and let me tell you why. This is in my neighborhood, where I grew up. This idea about turning radiuses? I mean there's a liquor store right across the street from this guys. It's a liquor store. No one has a problem getting in and out of the liquor store. There is no positive type development in this whole part of the neighborhood. This Dr. Togun, and I apologize for mangling your name.

Councilwoman Bowman: I do too.

Councilman Lester: Is putting in a medical clinic in a building that's been vacant for many, many, many years, and I'm just disappointed that it seems, and I'm not type-casting the folks next door but they came up with all these objections - - - "I'm objecting to this". You have a lot, that has been a lot - - - I'm 39, I'll be 40 at the end of this month, it's been a lot since I can remember. 20 years and they want to put something that's going to be some total benefit, and again, let me remind you, across the street from there, was a liquor store.

Mr. Jambor: I understand.

Councilman Lester: Just adjacent to that is another liquor store. Nobody has a problem with the turning radiuses - - - matter of fact, the liquor store across the street from it was a drive-thru liquor store. Okay? And we're talking about turning radiuses on a state highway? Come on, give me a break. If this was something that was going to be a bad deal where you know that was going to take the neighborhood down, I could see that, but it seems to me - - - it would seem to me from the outside looking in, that the people around her are trying to maneuver her and her business into a bad spot. And I'm encouraged that Councilman Long as talked to the folks, the adjacent neighbor. And I'm encouraged that you guys are going to look at it, but - - -

Mr. Jambor: We offered that as the area, we said, look, we think that there are solutions available to you, but if you're asking us to vote on this parking solution, and this variance depicted in your packet, they turned it down and justifiably so.

Councilman Lester: I'm going to take umbrage with the 'justifiably so' part, but that's - - -

Mr. Jambor: Well, let me get back - - - let me put it this way. There's probably literally, you now thousands of curb cuts and design flaws historically in the City of Shreveport, that if they came in front of you today, would not be approved.

Councilman Lester: And we've approved some bad ones since then too.

Mr. Jambor: Well not knowingly, and not to us anyway. You know that's - - - as you may have heard, that may be one of my pet peeves.

Councilman Lester: Yeah well, potato – potato, but I guess what my concern is I have seen us put the full weight of the city auspices behind other individuals to find ways to help them. What I'm hoping and it's clear what I'm hearing from Councilman Long is that we're going to look at this to try to help them.

Mr. Jambor: Well this is the exact situation we said, look if you can get closer by coming up with an off site parking agreement, that was advised, recommended by staff they day she showed up. Okay? And it never materialized as of the day of the Public Hearing. You know once this has materialized, like I said, you've got a problem that I'd be surprised if it has to has a variance. Because there are safe solutions utilizing - - - okay? The alley and avoiding the highway altogether, that would in fact save her money.

Councilman Lester: Well I'm encouraged that you guys are going to help her, and thank you Councilman Long - -

Mr. Jambor: Well I understand but we can't - - - you know there's a limit on what we can do.

Councilman Lester: I understand, I understand - - - I just

Mr. Jambor: Sounds like we're there today.

Councilman Lester: Well, like I say, I was just disappointed when I'm hearing adjacent landowners talking about I have an opposition. And I've got three lots that nothing's on, and I'm opposing a lady putting a medical clinic for poor kids in the neighborhood, but there was a liquor store right across the street from it. I, I, I just - -I mean you know I file that under 'give me a break.'

Mr. Jambor: The question and the story that was told to the ZBA is we don't need but a handful of parking places, because people aren't going to drive here. Okay? That's a lot different than the story you heard here today. Is that there is other parking available to make the on site requirements much smaller.

Councilman Lester: Well I appreciate y'all working with her.

Mr. Jambor: Two very, very different stories.

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

Mr. Thompson: Madam Chairman, this will be off our agenda.

Councilwoman Bowman: Alright. What's next Arthur?

*The Clerk read the following:*

3. ZONING APPEAL C-85-10: Property located on the north side of Arthur at its intersection with Roma. (C/Long)

**Motion by Councilman Long, seconded by Councilman Webb to uphold the appeal and overturn the decision of the ZBA.**

Councilman Long: I went by and looked at this location, and let see - - - the appeal is by the fellow next door who doesn't want it to happen. The problem I've got is this garage structure that they're talking about is definitely going to be an anomaly for this neighborhood. There is no other garage structure like this anywhere up and down that block, and to me, there is the option to as they showed, Attorney Hayter put out there, they have a path to drive to the rear and they've got a big backyard. If they want to put a garage back there, so be it. If they were coming to us with a side property line variance to put that garage structure in, I'd say go for it, it'd probably be fine. But what they're proposing to do in front of the house is not acceptable.

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

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:** None.

**CLERK'S REPORT:** None.

**THE COMMITTEE RISES AND REPORTS:** (*Reconvenes Regular Council Meeting*)

**ADJOURNMENT:** There being nor further business to come before the Council, the meeting adjourned at approximately 6:54 p.m.

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*//s// Joyce Bowman, Chairman*

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