

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA
MARCH 23, 2004

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Thomas Carmody at 3:00 p.m., Tuesday, March 23, 2004, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Jackson.

On Roll Call, the following members were Present: Councilmen Lester (3:26), Walford, Carmody, Gibson (3:15), Hogan, Green and Jackson. 7. Absent: None.

Approve Minutes. Motion by Councilman Green, seconded by Councilman Walford to approve the Administrative Conference Summary Minutes of March 8, 2004 and the Council Meeting Minutes of March 9, 2004. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Hogan, Green and Jackson. 5. Nays: None. Absent: Councilman Lester and Gibson. 2.

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

Distinguished Guest: Res. No. 56 of 2004. To recognize Ms. Ollie S. Tyler. (F/Green) [See Resolutions on Second Reading and Final Passage]

Distinguished Guest: Res. No. 57 of 2004. To recognize Mr. Arthur Young. (G/Jackson) [See Resolutions on Second Reading and Final Passage]

Distinguished Guest: Twilight Meadows Neighborhood Association.

Councilman Jackson: Finally, I wanted to also recognize Mr. Brooks, are there others with you Mr. Brooks.

Mr. Brooks: Arthur Anderson wasn't able to make it, but I'm here.

Councilman Jackson: Come forward if you will, Mr. Brooks. I want to gentlemen recognize Mr. Lewis Brooks who is here but he represents the Twilight Meadows Neighborhood Association and I certainly wanted to give commendation to them as well, and publicly thank for the work you are doing and the kind of neighborhood association that not only that they already have but they are continuing to build.

So, I just wanted to, if you would Mr. Brooks, allow us to recognize not only you but the Neighborhood Association for the work that you are doing and ask that you would continue to do the work that you are doing and keep up the good work and please give our commendation as well as to the rest of the Neighborhood Association.

Mr. Brooks: Thank Mr. Jackson, Mayor Hightower and the entire Councilmen. I want to thank you for this opportunity and thank Mrs. Tyler for coming and sharing her input on this Caddo Parish School Board. And, I thank ya'll, keep up the good work and I thank you very much.

Distinguished Guest: Chief Brian Hollins.

Councilman Green: Chief Brian Hollins, would you come forward, please. I was hoping that he made it. I don't know if you got the message, but I had sent out to get you. But you have a very important event coming up and last Council meeting I made mention of it, but I was unable to give justice to the impact that it will be to the City of Shreveport and not just to the City of Shreveport but to the Mooretown community and other adjacent communities. I just want you to just have an opportunity to tell us what you are doing.

Chief Hollins: I appreciate that, Councilman Green. I am Chief Training Officer with the Shreveport Fire Department, but my other hat is, I serve as Pastor of Emmanuel Church of God in Christ on Carver and Kennedy in the Mooretown area.

We've been working for the last few months on a Revitalization Program for Mooretown and we are really excited about the plan that we've developed. We met with a number of different officials, actually met with Superintendent Ollie Tyler on yesterday, just about some interventions that we want to do from a community standpoint.

We've got on the 31st of March, we've got Martin Luther King III, the son of Dr. King coming in as our keynote speaker for our Revitalization Dinner We are hosting at the Convention Center and everyone is invited and the proceeds that are raised are going to be used for the Mooretown Revitalization Project and we are excited about it. We believe we've developed a model community program/project that is going to, we believe, just change some of the things that is happening in our community.

Councilman Green: Thank you and thanks for coming and thank you again, Mr. Chairman. How much are the tickets.

Chief Hollins: Tickets are \$35.00. The table seats 8 per table, we are doing it for \$260.

Councilman Green: Ya'll take credit cards?

Chief Hollins: We do not take credit cards.

Convention Center and Convention Center Hotel Project Report:

Councilman Carmody: Council received the reports from the Convention Center and Convention Center Hotel Project and the Property Standards Program.

Councilman Lester: I asked on yesterday if we could get a break down as it relates to the Convention Center Report in terms of payment that were actually made to Fairshare Clients. Where are we at in getting that?

Mr. Dark: I believe we promised that we would bring you that, it won't be at this meeting. It will probably be at the next one and we definitely promised that we would provide that on a monthly basis.

Councilman Carmody: Mr. LaFitte, I am just trying to check on the request for the City Attorney's Opinion regarding the recommendation from the Legislative Auditor's Report to whether or not to seek the repayment of the funds on the dirt hauling.

Mr. LaFitte: Yes. I did receive a letter from the Auditor's Office on last week, John Frazier, of course has been working in connection with this matter. I tried to contact Mr. Frazier on this morning as well as again this afternoon to see if he could be here this afternoon, he was unavailable of course due to other commitments. But I did receive a written response from the auditors and I would prefer that Mr. Frazier, of course, update you as to his work in this matter.

Councilman Carmody: Alright, Sir. And I just for clarification, I guess what we were looking for though, was an opinion from your office?

Mr. LaFitte: Right and that will be coming of course, under my signature and Mr. Frazier, together.

Councilman Carmody: Do know when we might anticipate seeing it?

Mr. LaFitte: You will definitely have that before the next meeting in time for each Councilman to review it. At the next meeting, I guess we can address any question any Council member would have but you will definitely have it well in advance of the next meeting.

Councilman Carmody: Very good and if we could make it a part of our Convention Center Report, I think that would be the appropriate place for it.

Property Standards Program.

Public Hearing: None.

Confirmations and/or Appointments, Adding Legislation to the Agenda and Public Comments.

Confirmations and/or Appointments: Motion by Councilman Green, seconded by Councilman Lester for confirmation Shreve Memorial Library Board: Sharon Brock (re-appointment) and Electrical Board: Charles Broussard, Jr. (re-appointment). Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None. Motion by Councilman Green, seconded by Councilman Walford to suspend the Rules to add the confirmation of Sheryl D. Schumpert as an Executive Appointment. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Councilman Gibson: I had a chance to review the resume of the person that you have. Did we lose somebody?

Mr. LaFitte: Yes, one of our Prosecutors resigned I guess about two weeks ago to go into private practice and we are filling that vacancy.

Councilman Gibson: How many Prosecutors do we have right now in Shreveport?

Mr. LaFitte: We presently have two.

Motion by Councilman Lester, seconded by Councilman Green to add the confirmation of Sheryl D. Schumpert as an Executive Appointment to the agenda.

Councilman Gibson: The experience, I didn't see prosecuting experience on the resume?

Mr. LaFitte: And of course, both of the prosecutors, actually all of them that we've hired, has not in the past had prosecuting experience. This is a pretty much, entry level position for young lawyers who can gain, I guess knowledge as well as trial experience for future references.

Councilman Gibson: Thank you Mr. Chairman, I was just getting points of clarification.

Councilman Lester: And as I appreciate it Mr. LaFitte, one of the reasons why there is such a high turnover in positions like this, particular in this position is because, the low rate of pay versus the actual experience and a high volume of work that that individual actually has to put in. It almost pre-supposes that you are getting someone fresh out of law school with the more vigor and enthusiasm than actual experience and to that extent not asking for a lot of money?

Mr. LaFitte: That is absolutely correct, not a high-paying position.

Councilman Lester: Because as I appreciate it and the Council may or may not be aware of, there are several people in the City Attorney's Office by virtue of their experience and tenure that are non-lawyers that are paid at a higher rate of salary than this individual in this position pays, so there is a higher rate of turnover.

Motion to add the confirmation to the agenda approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Councilman Carmody: And that will lay over, if I'm not mistaken, Councilman Green for two weeks.

Mr. Thompson: I believe that, the City Attorney can speak to this, but I believe the person needs to be working because there nobody there and I think it is his intent that if possible, the Council would confirm this person today.

Councilman Gibson: If I understood Councilman Green's motion, it was to approve the Executive Appointment, not to add it to the agenda.

Councilman Green: Yes, it was to approve.

Councilman Carmody: Thank you very much then we have taken care of that bit of business.

Councilman Walford: We are voting to allow her to be hired?

Councilman Carmody: Correct, yes and the Council has voted unanimously to do so.

Councilman Jackson: Technically, it is just on the agenda.

Motion by Councilman Jackson, seconded by Councilman Lester to confirm Sheryl D. Schumpert as an Assistant City Attorney/City Prosecutor. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Adding Legislation to the Agenda.

1. Resolution by Councilman Walford entitled: A resolution to support Senate Bill No. 356 filed in the 2004 Regular Session of the Louisiana Legislature, by Senator Cheek which amends RS 33:2711.15 and to otherwise provide with respect thereto.

Councilman Walford: That was my resolution and I would not like to put that on the agenda at this time. I believe that there will be some changes in the bill itself and so I would prefer to wait until we know the exact wording of the legislation. So, I will not be introducing that at this time.

Motion by Councilman Green, seconded by Councilman Walford to add the following to the agenda:

2. Ordinance No. 34 of 2004: Twenty Second Supplemental Ordinance : A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$13,00,000 principal amount of Water and Sewer Revenue Bonds, 2004 Refunding Series B, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and system and sewer plant and system (the "System") of the City; making application to the State Bond Commission; and providing for other matters in connection therewith.
3. Ordinance No. 35 of 2004: Twenty Third Supplemental Ordinance: A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$12,000,000 principal amount of Water and Sewer Revenue Bonds, 2004 Refunding Series C, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and system and sewer plant and system (the "System") of the

City; making application to the State Bond Commission; and providing for other matters in connection therewith.

4. Ordinance No. 36 of 2004: An ordinance authorizing the Mayor to execute an agreement with Wiley College and to otherwise provide with respect thereto.

Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

5. Zoning Board of Appeals Appointment: Reginald Johnson.

Councilman Lester: There is also an appointment to the Zoning Board of Appeals that I would like to have introduced at the time for introduction to lay over for two weeks for consideration by the Council.

Mr. Thompson: Is the motion to suspend the rules to add it because. . . .

Councilman Lester: That would be a motion to suspend, yes. I am sorry I just came from court.

Motion by Councilman Lester, seconded by Councilman Green to suspend the Rules to add the confirmation of Reginald Johnson to the Zoning Board of Appeals. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Motion by Councilman Lester, seconded by Councilman Green to add the confirmation of Reginald Johnson to the Zoning Board of Appeals to the agenda. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Councilman Carmody: This appointment will lay over for 2 weeks for consideration.

Public Comments (Agenda Items to be Adopted).

Jeff Wellborn (589 Oneonta): I am the Citizens' Representative for the Steering Committee for C. Bickham Dickson Park and what I had come to speak on that was on the agenda was an item to grant servitude to SWEPCO on a part of C. Bickham Dickson Park.

It is a little disconcerting for me to have to stand up here and discuss this, allowing, I guess a servitude or talking about permitting a servitude of right-of-way on resources valuable as Bickham Dickson.

The Steering committee and LSU-S probably could have done a better job in setting up some infrastructure work prior to this to address an issue like this, but we are who we are at this point. What we have been presented and what we have got to this point, there seems to be nothing in writing that shows that this is absolutely necessary and I think that this should be the threshold for this discussion.

I also think the main point that I would like to bring to ya'll is I think it would be helpful and I want to ask the City Council to request written responses from all the agencies as to their opinions and recommendations. How did SWEPCO chose this option? What was the Public Service Commission's opinion on the granting of the servitude? Does the State think that this is the highest and best use and is this absolutely and the only option regardless of the cost?

I do think that it is imperative that we get to the point where this community should not have to rely on outside agencies to make critical decisions on how we manage our unique and irreplaceable natural resources.

Mark Roberts (10204 Ellerbe Road): I am the owner of the property that adjoins Bickham Dickson to the south and have exhausted all means that I had available to me to bring power in from other opportunities.

There is an existing easement across Bickham Dickson currently that comes relatively close to my property line. And I've asked the City to continue that easement onto my property line down an abandoned line, approximately 15 foot wide for an underground service there which would not disturb anything above ground and it wouldn't remove or disturb any property or trees on the park. It is currently an abandoned road that crosses the park from the existing power line that crosses into my property and the road continues on into my property.

As far back as early 2001, we have had discussions with the developer that joins my property about tying into the service and have not any success there to grant that. All that he has granted by numerous letter agreements which I have copies of here, if ya'll like to look at, is for sewer and water. We had requested electrical, natural gas, sewer and water and we were unable to get that.

I'd appreciate the--we are currently under construction of our home. They are the point now of shutting down construction. The interior work has to have electrical service for them to do sheetrock, taping and floating the mudwork; so, I would appreciate any help that City Council might be willing to give.

Councilman Green: I would just like to recognize Commissioner Stephanie Lynch and Attorney Tom Arceneaux.

CONSENT AGENDA LEGISLATION.

TO INTRODUCE RESOLUTIONS AND ORDINANCES:

Motion by Councilman Green, seconded by Councilman Hogan to introduce Ordinance No. 28 of 2004. Motion approved by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

INTRODUCTION OF RESOLUTIONS: None.

INTRODUCTION OF ORDINANCES:

1. Ordinance No. 28 of 2004: An ordinance to repeal a portion of Ordinance No. 17 of 1976 which created a two-way stop at the intersection of Manor Place And Midvale Street, Item Number 2, and to create and establish the intersection of Manor Place and Midvale Street as a two-way stop intersection and to otherwise provide with respect thereto.

TO ADOPT RESOLUTIONS AND ORDINANCES:

Motion by Councilman Gibson, seconded by Councilman Walford to adopt Resolution Nos. 58 and 59 of 2004. Motion approved by the following vote: Ayes: Councilman Walford,

Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

RESOLUTIONS:

RESOLUTION NO. 58 OF 2004

A RESOLUTION AUTHORIZING L. DAVID MYATT & MARGARET TENNY MYATT, LOCATED AT 11958 ELLERBE RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that L. David Myatt & Margaret Tenny Myatt, be authorized to connect the building located at 11958 Ellerbe Rd., to the water system of the City of Shreveport.

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

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

RESOLUTION NO. 59 OF 2004

A RESOLUTION AUTHORIZING L. DAVID MYATT & MARGARET TENNY MYATT, LOCATED AT 1311 LEONARD RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that L. David Myatt & Margaret Tenny Myatt, be authorized to connect the building located at 1311 Leonard Rd., to the water system of the City of Shreveport.

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

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

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

RESOLUTIONS:

RESOLUTION NO. 49 OF 2004

A RESOLUTION AUTHORIZING THE DONATION OF A FIRE DEPARTMENT AIR SUPPLY TRUCK TO CADDO PARISH FIRE DISTRICT NUMBER 5 AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City of Shreveport Fire Department desires to donate an air supply truck, listed in Appendix "A" to Caddo Parish Fire District Number 5, which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Caddo Parish Fire District Number 5 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the air supply truck listed in Appendix "A" is no longer needed by the Shreveport Fire Department due to purchase of a new air supply trailer and is deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property, and will aid Caddo Parish Fire District Number 5 in firefighting operations performed by them,

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 Caddo Parish Fire District Number 5 for the donation of the air supply truck listed in Appendix "A" effective March 9, 2004, substantially the same as the document filed in the Office of the Clerk of Council on March 23, 2004.

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 Walford, seconded by Councilman Gibson passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

RESOLUTION NO. 50 OF 2004

A RESOLUTION AUTHORIZING THE DONATION OF A FIRE DEPARTMENT AIR SUPPLY TRUCK TO CADDO PARISH FIRE DISTRICT NUMBER 6 AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City of Shreveport Fire Department desires to donate an air compressor and cascade system, listed in Appendix "A" to Caddo Parish Fire District Number 6, which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Caddo Parish Fire District Number 6 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the equipment listed in Appendix "A" is no longer needed by the Shreveport Fire Department due to an upgrade in equipment and is deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property, and will aid Caddo Parish Fire District Number 6 in firefighting operations performed by them,

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 Caddo Parish Fire District Number 6 for the donation of the air supply truck listed in Appendix "A" effective March 9, 2004, substantially the same as the document filed in the Office of the Clerk of Council on March 23, 2004.

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 Walford, seconded by Councilman Gibson passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

Councilman Jackson: Do you know where District 5 and District 6, geographically, where they are physically?

Mayor Hightower: I think 5 is Ellerbe Road and I'm not sure. . . .

Chief Bryant: 5 is Ellerbe Road area and 6 is (inaudible) toward Mansfield Road.

Councilman Carmody: To the west.

Councilman Jackson: Wanted to make sure we weren't donating out towards Greenwood.

RESOLUTION NO. 53 OF 2004

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT ON BEHALF OF U.S. SUPPORT COMPANY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, U.S. Support Company operates call centers and is locating such a center in Shreveport, Louisiana; and

WHEREAS, U.S. Support Company made application to the Louisiana Economic Development Award Program which resulted in an award of a one million three hundred

thousand dollar (\$1,300,000.00) grant; and WHEREAS, the Louisiana Economic Development Award Program requires a local political subdivision of the state to serve as a Sponsoring Entity and execute the contract accepting the grants awarded to U.S. Support Company; and

WHEREAS, the City of Shreveport will serve as the Sponsoring Entity for U.S. Support Company.

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 the contract to accept as Sponsoring Entity the grant awarded by the Louisiana Economic Development Award Program to U.S. Support Company effective March 23, 2004, substantially the same as the document filed in the Office of the Clerk of Council on March 9, 2004.

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 Hogan, seconded by Councilman Jackson passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

RESOLUTION NO. 54 OF 2004

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS NECESSARY TO PURCHASE IMMOVABLE PROPERTY PURSUANT TO THE LOUISIANA ECONOMIC DEVELOPMENT GRANT PROGRAM AWARD TO U. S. SUPPORT COMPANY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, U. S. Support Company applied for and received Louisiana Economic Development Award Program funds in the amount of one million three hundred thousand dollars (\$1,300,000.00); and

WHEREAS, The City of Shreveport agreed to serve as Sponsoring Entity to accept the grant funds on behalf of U. S. Support Company; and

WHEREAS, an agreement was entered into between the Louisiana Department of Economic Development through the Louisiana Economic Development Corporation, the City of Shreveport and U. S. Support Company; and

WHEREAS, the agreement requires the City of Shreveport as Sponsoring Entity to purchase and retain ownership of any property and improvements purchased with grant funds for the term of the agreement; and

WHEREAS, the funds (\$1.3 million) will be used to acquire an interest in property an improvements located at 2820 Summer Grove Drive, Shreveport, Louisiana 71118 (total purchase price approximately \$1.9 million) which will house the call center operations to be located in Shreveport, Louisiana by U. S. Support Company; and

WHEREAS, it is necessary for the Mayor to execute certain documents in order for the City of Shreveport to comply with the terms of the agreement and obtain and retain an ownership interest in the property and improvements located at 2820 Summer Grove Drive, Shreveport, Louisiana.

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 all necessary documents related to the purchase of property and improvements described above by the City of Shreveport, effective March 23, 2004

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 Hogan, seconded by Councilman Jackson for passage.

Councilman Gibson: When this document is executed, if something were to happen to U. S. Support companies, I guess we then as a City then have an extra building or an extra asset; is that correct?

Mayor Hightower: That is correct. We would have a 70% ownership in the building.

Councilman Gibson: And the other 30% goes to the State?

Mayor Hightower: Actually, it would still belong to U. S. Support Company, assuming that they are going to put their 30% up.

Councilman Gibson: So if they were no longer around, they would probably turn that over to us?

Mayor Hightower: We'll have an asset, right.

Councilman Gibson: We will have an asset out of this deal.

Mayor Hightower; Exactly. We have no dollar contribution to this particular program, but if things went totally south, we would have an asset. We obviously hope that doesn't happen. We hope U. S. Support fulfills their agreement and obligation, supplies the jobs, for the length of time that they have indicated that they would and then that building would revert direct to them and we would be out of the loop.

Councilman Gibson: Well, I do want to, again, commend the Administration and the State Delegation for working as a team to bring those monies to the table. And obviously if something were to happen somewhere down the line, we've got an extra asset to work with out there in Southwest Shreveport. And again, Mayor thank you for your leadership on that.

Councilman Carmody: And I agree with you. I would like to also lend my support to the Administration for the development in that area of a building that has not seen much use, at least, from a retail or, I guess, economic standpoint. And the only question that I had goes to the same matter, and that would be any potential liability that the city might have in actually having a 70% interest in a building. But, I guess we won't know that until hopefully U. S. Support Company success and they are awarded the building based upon their performance.

Councilman Hogan: Mr. Mayor you mentioned yesterday in the Administrative Conference, you would try to find out on whether or not we are going to be responsible for 30% of the assessed value in taxes. Is that the case?

Mayor Hightower: I have not done that yet, but I will find out but I do believe that to be the case.

Councilman Carmody: Do we know whether or not there was an appraisal made on the property?

Mayor Hightower: I don't know that. Councilman, do you know that? That would have been the State's obligation to have done that, not the City, I am not positive if that happened.

If I could back up one second. It may be that they pay 100% of the property tax initially because we are essentially turning the building over to them, so it is not actually public property for private use. I mean, it is essentially, the grant is for private use; so, I am not so sure we won't tax them 100%, the more I think about that.

Councilman Hogan: And I am not aware of an appraisal.

Resolution passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

The Deputy Clerk read the resolution by title: **Resolution No. 55 of 2004:** A resolution authorizing the Mayor to execute a lease agreement with U.S. Support Company and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Gibson, seconded by Councilman Green to postpone the resolution until the April 13, 2004 meeting.

Councilman Hogan: What's the reason for the postponement?

Councilman Carmody: It is just a matter it can not be adopted until April 13.

Councilman Hogan: And that is the only reason?

Councilman Carmody: Yes, sir.

Motion passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

RESOLUTION NO. 56 OF 2004

A RESOLUTION TO RECOGNIZE MRS. OLLIE S. TYLER FOR HER DEDICATION TO THE CITY OF SHREVEPORT, THIS COMMUNITY AND ITS CHILDREN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: COUNCILMAN GREEN

WHEREAS, Mrs. Ollie S. Tyler received a Bachelor of Science degree from Grambling State University, a Master's Degree from Louisiana State University -Baton Rouge and has over forty hours of post-graduate work from several universities within the state; and

WHEREAS, Mrs. Tyler started her teaching career in 1969 as a mathematics teacher with the Caddo Parish School System. While she was an employee of the Caddo Parish School System, Mrs. Tyler was promoted to the positions of: Coordinate of Math and Science, Curriculum Specialist, Principal, Director of Middle Schools, and Deputy Superintendent of Caddo Parish Schools;

WHEREAS, Mrs. Tyler left the Caddo Parish School System in 2000 to become Deputy Superintendent/Chief Academic Officer for Orleans Parish Schools, and in 2002 she was appointed Interim Superintendent - Orleans Parish Schools; and

WHEREAS, Mrs. Tyler, because of her love and dedication to the children of this city and parish, moved back to Shreveport to become on July 1, 2003, the first woman and the first African-American to hold the position of Superintendent of the Caddo Parish Public School System; and

WHEREAS, Mrs. Tyler is very active in many professional and civic organizations including : BellSouth/Center for Leadership in School Reform, Louisiana Association of School Superintendents, State Superintendents Advisory Council, Louisiana Association of School Executives, American Association of School Administrators, and she has been awarded the Honorary Lifetime Membership in the National PTA; and

WHEREAS, Mrs. Tyler has received numerous awards and recognitions including the following: Mrs. Tyler was selected in 2004 as one of "10 Community Most Influential Women in Northwest Louisiana;" she was cited as a "Profile of Success" in the *City Business African American Success Guide* in 2004; she has been recognized in national publications such as *Education Week*, *The Administrator* and the Newsletter of the *National School Boards Association*; she was presented one of "100 Women of Distinction Leadership Award of the Century in North Louisiana," in September of 2000; she was presented the "Women Who Make a Difference" Award, in March of 2000; and she was selected to serve on the Governor's Transition Team in 2004.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport and all its citizens publicly recognize and thank Mrs. Ollie S. Tyler for her dedication to the City of Shreveport, this community, and its children, and for her tireless efforts and the leadership roles she has assumed to provide the best educational opportunities possible for the public school students in Shreveport and Caddo Parish.

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals with one original presented to Mrs. Ollie S. Tyler and the other filed in perpetuity in the office of the Clerk of Council for the City of Shreveport.

Read by title and as read motion by Councilman Green, seconded by Councilman Carmody passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

Mrs. Tyler: It is with heartfelt thanks that I accept this recognition. Also, to Councilman James Green, we appreciate your efforts in recommending this award.

The Caddo Parish School Board, the employees, the students, and this entire community have worked untiringly over the past seven and half months to overcome some hurdles that we were facing as we entered the 2003-2004 school year. It has been a real team effort and I feel especially blessed to live in a city and in a community where education is truly a priority. Again, I want to thank you from the very bottom of my heart for this recognition today.

We've also placed at your stations a semi-annual report of the progress that our district has made for six months of this school year. We'd like to continue to give this community an update of the progress that is being made. Thank you so much for your support of the 45,000 young people in Caddo public schools; thank you so much.

Councilman Jackson: Mrs. Tyler, please accept this commentary as additional accommodation for not only the work that you've done, but I also would like to say, for the model that I believe that you set in so many different ways. Obviously one of the things that was important to me being one of I'm sure several of the members who have

children in the Caddo Public Schools. Obviously some, we have choices and you know, I chose to not only be a part of it but to support our School District and I want to say thank you for a few things.

But one of the very small things that may not mean a lot to many people but to me it means a lot, what you call things is important. How we name things is important. And one of the things that I saw that seems like our State was moving on a slippery slope when we begin to label schools. And I don't believe that schools fail, I believe people fail and I don't believe children fail, I believe people fail children.

So, I want to thank you for changing the mentality and the mind set of those who, within our system would perhaps even be perhaps tempted to call a school a *failing school* and to change that to these schools and I forget the correct terminology, but they are not-high priority schools. I think that it makes a world of a difference because some one is said, it is not what you call me, it is what I answer to and I believe if our children begin to answer to high priority as opposed to failures then I think we go a long way in making a difference.

So, I want to thank you for, maybe that may seem like a small thing to some people, but it is important in our system and I wanted to not only wish you Godspeed and the best, but certainly there is anything that I can do as an individual and I can't commit this Council, but as an individual, I'm certainly committed to trying to do whatever we can to continue to make our schools the best that they can be because the best laid plans of economic development and municipal planning and all of our metropolitan planning come unraveled by a poor education system. And, I would suggest that if we are going to continue to be competitive that we have to continue to support our human resources and the seat of our human resources is our school district and so thank you so much for taking on this challenge first and coming home and for doing a great job thus far and I'm sure that the best is yet to come.

Mrs. Tyler: Thanks to you.

Councilman Green: Also, Mrs. Tyler, we'd like to say, congratulations and certainly for doing an outstanding job and keep up the good work.

On another note, I would do whatever, that is in my power, to help you to and your staff system to get this bond issue passed because it is very important for our children. And again, I would just like to say congratulations and keep up the good work.

Councilman Gibson: Mrs. Tyler, it is always a pleasure seeing you. Obviously. Councilman Jackson and I had the pleasure of working with you in 1997 on the School Bond Issue.

One key word I heard you say a minute ago was team work. I don't know if this has been said too many times, but I've noticed since I've known you, well first there is no 'i' in team but anytime Superintendent Ollie Tyler talks about what goes on in this community it is always a 'we.' This young lady talks about 'we' all the time and I do appreciate that because it is a team effort and I don't think you know what 'i' is, but today I think and I thank my colleague for bringing this resolution before this body because we as a body want to recognize you, the individual, today for those accomplishments for this school board and also staying the course in a team approach to solve the big pictures for the school system which is obviously not only important to our community but for our region because a lot of your peers out there, turn to the School Board, the Caddo Parish School Board for some guidance because of the size and the

complexity of the issues that you address on a regular basis so again, thank you very much, I really appreciate the leadership.

Councilman Walford: Let me please, echo those thoughts. I was indeed happy to hear that you were coming back to Caddo Parish. I'm glad you are here and I'm glad you have taken on the job with such gusto. I'm really pleased. You are entrusted—I can't say that my children attend Caddo Parish School—those of us with graybeards have our grandchildren attending Caddo Parish School—but, we entrust you with an awful lot. It is more than a lot of kids filling seats, those are our future. They are our leaders, they are going to be our doctors, our lawyers and that is a tremendous trust and I like the way you approach your job, and so I too congratulate you.

Councilman Hogan: Mrs. Tyler, I also share the same thoughts as the other Councilmen and I want to appreciate, tell you that I appreciate all that you've done so far. I've heard nothing but good things about you and you are indeed receiving high marks from everyone in the community and I admire you for that.

I also like what Councilman Gibson pointed out, the team work and on the inside page of your report and I do read that, together, you say we will release the genius in every child. I like that. And, it is definitely a team effort but you have proven that you are the one that is going to lead us to maintain and keep that goal.

And so thank you again for all that you've done. And if I can do anything to help you, please don't hesitate to call me on schools in District E or throughout the City; so, thank you for coming.

Councilman Carmody: Mrs. Tyler, thank you for joining us today.

RESOLUTION NO. 57 OF 2004

A RESOLUTION TO RECOGNIZE MR. ARTHUR YOUNG FOR HIS DEDICATION TO AND LOVE FOR SPORTRAN AND THE CITIZENS OF THE CITY OF SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

By: Councilman Theron Jackson

WHEREAS, for 25 years Mr. Arthur Young showed up for work at SporTran ready to put in a full day, do his best and make a positive difference. Because of his dependability and dedication, Mr. Young won the respect of his co-workers and passengers many times over. Mr. Arthur Young was more than respected, he was well-liked; and

WHEREAS, Mr. Arthur Young had an excellent safe driving record, skillfully navigating Shreveport's sometimes tricky roads, tight corners, distracted motorists, construction and repairs. He was given awards for attendance and was recognized by both his co-workers and his supervisors as an outstanding example. He was also selected to train other SporTran drivers; and

WHEREAS, Mr. Young was once selected by his supervisors as Driver of the Month, but declined the award because he did not want to call attention to himself; and

WHEREAS, Mr. Young had a medical condition which led to an accident on September 22, 2003, that left him with grave injuries; and

WHEREAS, Mr. Arthur Young's co-workers showed their love and concern for him by holding garage sales, selling chicken dinners, and soliciting donations. The community responded to this with their own outpouring support, with donations and purchases amounting to more than \$10,000.00 for the Young family; and

WHEREAS, After five months of medical treatment, Mr. Young passed away. He is survived by his wife of 35 years, Gloria; his children, Kameka Young, Reginald Young, and Tangela Bristo; and his grandchildren, Kreshawna Bristo, Tony Bristo, and La Torah Mayweather.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that it publicly recognizes Mr. Arthur Young for his service to SporTran and his dedication to and love for the Citizens of the City of Shreveport.

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals with one original presented to Mrs. Gloria Young and the Arthur Young family and the other filed in perpetuity in the office of the Clerk of Council for the City of Shreveport.

Read by title and as read motion by Councilman Jackson, seconded by Councilman Gibson passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

Councilman Jackson: I understand today that not only is Mrs. Gloria Young, who is the widow of Arthur Young is here, but also his mother, Mrs. Northel Wardell, his daughters: Kameka, Tangela and his brother, J. L. also here and there is some relatives, family and friends who are here as well. I would like to ask them if they would if Mrs. Gloria Young would come forward and Mrs. Wardell would come forward and the rest of the family if you would stand, we certainly want to recognize you and recognize this service.

Very often, (I'll say this as you come) we recognize and rightfully and justifiable so, the police and the firemen who are injured and/or even die in the line of duty. But I want to also note that Mr. Young was dedicated in my estimation, as much a hero as well, just not only for what he has done but for the kind of life and example that he leaves us; so, please accept this on our behalf.

Mrs. Gloria Young: I am not a public speaker, but on behalf of my husband, Arthur Young, to family and myself, we thank you for taking out the time to remember him. There is an old song that we sing in the Baptist Church that says, *may the work I've done, speak for me*. Arthur loved his job. He loved seeing after his passengers, especially the older one. He wanted them to be respected. He tried to take care of them as much as he could and how I know these things, is because, we talked about it. I am not going to take up too much of your time. This day will always be remembered. We thank you all, all so much and may God forever bless each and everyone of you.

Mrs. Wardell: I just want to say to the Council this afternoon, to Mayor Hightower and to all the rest of you, we appreciate what everyone has done and whatever it was showing your affection to my oldest son. He was a dedicated, out of five children, I can say that he was the only one and he showed that not only to the family, but he showed it to individuals. If you ever come in contact with him and Mr. Eddy, can I think witness this, that he was an humble man and we just want to say, thank you all, thank you, thank you.

Mr. J. L. Young: First of all I want to give praises to God and Jesus, our Lord and Savior and I also would like to thank the Mayor, Mr. Hightower, and the Councilmen as well as another very close dear friend of my, Mr. Maurice Austin, which is my mother's neighbor.

I want to share a few things with you all about my brother. I didn't have anything on paper but I have three ministers at my church, Central Free Methodist, Reverend James Jackson, Sister Rose Thompson, and Sister Doris Lynch.

During these times, my brother and I came real close unto the Lord and one of the ministers was speaking that day, teaching, I like to say because they teach at our church, and she was teaching a sermon about getting deeper into the water of faith to get over on the other side. So, that is what me and my brother was praying about a lot, getting deeper into the water because if you don't get deep in the water of faith, you will run in and out, quick but if you get in the water over your head, you have got to trust in the Lord to get you on the other side. So, my and my brother done that or at least I hope he got on the other side, as a matter of fact, I certainly feel like he did.

And another one of my ministers preached about, I don't know exactly about the scripture or the verse or whatever, but one of them was saying like, God so loved the world that he gave his only begotten son so whosoever believe in him shall not perish but have everlasting life. And it goes on I think to say, God sent his son into the world not to condemn the world but through him the world might be saved.

And there was another sermon that stuck in my mind about it was three people where, I don't know if it was St. Peter, Paul or whatever, I might get it a little mixed up but whoever read the Bible can relate to where I'm coming from.

There was three people that was asked to sell their property and bring the money to church. Okay, so one man this wasn't an obligation, this was just something that was, they weren't obligated to do but they just decided to do. So, one man sold his property and he brought all the money to the church and everything was fine. The other two people was husband and wife. So, the husband we do, you know we get dressed quicker than the wife do, so he left going to church before the wife did. But, before they left they said well look we got all of this money here and it is a whole lot of money and we don't—they don't know how much money we got, so lets just hide it, half of it and give them the other half.

So, the husband went on to church and he came in there and he gave the money and like three men sitting at the back door there and he gave them money then and I don't know if St. Paul, Peter or whatever asked him, say, this all the money that you got for your property. He said, yes sir. So, something happened to him right at that time, he end dying. So the three people at the back of the church, they took him on outside, buried him the same day.

So, here come the wife the walking down the street all pranced up and ready to come into the church and she got in there. So, St. Peter or Paul asked her would ya'll give all the money to the church that you collected for your land? She say, oh yes my husband—she didn't look around the congregation to see her husband wasn't there. But anyway she said, yes. Next thing you know, she fell dead. And they went and took her on outside and buried here right next to her husband.

But the moral to this story is, me and my son agreed to cut my brother's hair. So I made a promise to my brother that we was going to cut his hair when he passed. As the week went on, the devil start playing tricks with me trying to get me more or less kind of scared, said man, you know I ain't never cut a dead man hair before.

So, I went to my son and said, well do you feel comfortable with it? He said, naw daddy I don't feel to comfortable with it either so my niece (my brother's daughter) she

said, well, I know a barber so she called him up he was supposed to be down there at 10 o'clock and he didn't some how or another didn't show up. So, it is time for somebody to cut my brother's hair. So me and my son we gathered our clippers up and we went down there and we cut my brother's hair at Heavenly Gates Funeral Home.

So, when you make obligations to certain things, you might need to stick to them because sometimes the Lord answers your prayers in ways that you don't really understand at the time, but you have to really sit down and think about why did he answer it in this way and I feel like you will come up with the right solution if you just think it out.

I want to thank, like I say, everyone, the Mayor, Councilman, the riders that my brother carried and everyone. And I want to say, God bless America and not only America—God so loved the world that he gave his only begotten Son. So, I just want to say, God bless the world because it is big enough for all of us to live in.

RESOLUTION NO. 60 OF 2004

A RESOLUTION ADOPTING THE SYSTEM SURVEY AND COMPLIANCE QUESTIONNAIRE REQUIRED BY THE LEGISLATIVE AUDITORS OFFICE OF THE STATE OF LOUISIANA AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport received a questionnaire from the State Legislative Auditor which is to be completed as a required part of the audit for which we have engaged certified public accountants, KPMG LLP; and

WHEREAS, upon completion of the questionnaire it must be presented to and adopted by the governing body of the City of Shreveport by means of a formal resolution at an open meeting; and

WHEREAS, the completed questionnaire must then be given to the auditor engaged by the municipality who will, during the course of his regular audit, test the accuracy of the answers to the questionnaire and submit to the municipality and the Legislative Auditor a report containing his opinion as to the validity of the answers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that the attached Systems Survey and Compliance Questionnaire for the City of Shreveport be and the same is hereby adopted.

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

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

Councilman Carmody: The substitute page was for clarification of one of the questions that in reviewing it that it appears that we needed a little bit further explanation.

Read by title and as read motion by Councilman Gibson, seconded by Councilman Green for passage.

Councilman Jackson: I was aware that we did have a substitute page. One of the things that I was confused about and maybe someone can help clarify this. This questionnaire covers what period of time are we answering questions with regard to.

Mr. Thompson: I think it is one year.

Councilman Jackson: Fiscal year or is it a calendar year?

Councilman Carmody: I want to say it was 2003.

Councilman Jackson: If it was 2003 and to our knowledge, this whatever we are talking about on this little, it is a hearing, let me say, seems to have been something that has just happened in 2004 and I am guess I'm concerned about why we are adding this page if this is something that has been ongoing a long time and we just finding out about it because, it wasn't something I was aware of in 2003, let me say that. I am not sure that you all were.

Mrs. Washington: The information is for 2003, however, until the point in which the audit is released, anything that happens subsequent to that, you need to disclose. We became aware of it in the newspaper as everyone else did, so that is why we added this information.

Resolution passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

RESOLUTION NUMBER 61 OF 2004

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

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

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

WHEREAS, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

WHEREAS, the purchasing agent has inquired of all city departments regarding the property described herein and has not received any indication that it is needed for city purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the following described properties are hereby declared surplus:

Lot 5, Block 19, Ingleside Subdivision

Geographic Number 171410-140-000500

Municipal Address: 3219 DeSoto Street
Council District "G"

Lot 29, Mooretown Annex, Wing No. 1

Geographic Number 171416-039-002900

Municipal Address: 5513 Carl Terrace
Council District "F"

N. 160 Ft of S. 494.32 Ft of W. 66.63 Ft

Geographic Number 181416-001-024300

of Lot 43, Jones-Mabry Subdivision
Municipal Address: 2025 Ice Cream
Council District "A"

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

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

Read by title and as read motion by Councilman Green, seconded by Councilman Jackson passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

The following resolution was offered by Councilman Walford and seconded by Councilman Gibson:

RESOLUTION NO. 62 OF 2004

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF THE ISSUANCE BY THE CITY OF SHREVEPORT OF NOT TO EXCEED EIGHTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$18,500,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004A IN ONE OR MORE SERIES, FOR THE PURPOSE OF REFUNDING CERTAIN EXISTING INDEBTEDNESS OF THE CITY.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") has previously issued its \$25,000,000 General Obligation Bonds, Series 1997 (the "Prior Bonds") to finance the construction, acquisition and improving works of public improvement of the City including roads, streets, drainage, parks and recreation facilities and public facilities including facilities for the police department and fire department, and other public purposes, and acquiring the necessary land, equipment and furnishings therefore, all as hereinafter provided; and

WHEREAS, in order to realize interest cost savings and in accordance with the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act") and other constitutional and statutory authority, the City of Shreveport, Louisiana (the "Issuer") governed by the City Council (the "Governing Authority") intends to proceed with the issuance of not exceeding \$18,500,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2004A of the City (the "Bonds"), to be issued in one or more series to effectuate the refunding of all or part of the Prior Bonds,

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City, acting as the governing authority of the City, that:

SECTION 1. Preliminary Approval of Bonds. For the purpose of providing funds to refund the Prior Bonds in accordance with the provisions of the Act, the City intends to proceed with the issuance of the Bonds. The details of the Bonds shall be established by subsequent

ordinance adopted by this governing authority. The proceeds of the Bonds will be used to effectuate the refunding of the Prior Bonds and pay costs of issuance. The Bonds shall be general obligations of the City as issuer of the Bonds, payable from and secured by ad valorem taxes levied and collected in the manner provided by Article VI, Section 33 of the Louisiana Constitution of 1974. The Bonds shall be issued in an amount not to exceed \$18,500,000 and shall bear interest at a rate of not to exceed six percent (6%) per annum, maturing no later than fifteen (15) years from the date thereof and shall be issued under the authority previously cited in this section.

SECTION 2. State Bond Commission Application. This governing authority hereby authorizes and directs that application be formally made to the State Bond Commission, Baton Rouge, Louisiana for final approval of the issuance of the Bonds by the City within the parameters set forth above.

SECTION 3. Employment of Bond Counsel. This governing authority finds and determines that a real necessity exists for the employment of special Bond Counsel in connection with the issuance of the Bonds. Casten & Pearce, A Professional Law Corporation, Shreveport, Louisiana is hereby employed as Bond Counsel to perform comprehensive legal and coordinate professional work as Bond Counsel with respect to the issuance and sale of the Bonds. Said Bond Counsel shall prepare and submit to this governing authority for adoption of all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this governing authority as to the issuance and sale thereof and shall furnish its opinion covering the legality of the issuance of the Bonds. The fee of said Bond Counsel shall be fixed at a sum less than the maximum fee allowed by the Attorney General of the State of Louisiana's fee schedule for comprehensive, legal and coordinate professional work in connection with the issuance of general obligation bonds and based on the amount of the Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Bonds. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Administration is hereby empowered and directed to issue vouchers to said Bond Counsel in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 4. Investment Banker. Morgan Keegan & Company, Inc. of New Orleans, Louisiana, is hereby appointed and employed as investment banker/underwriter in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon issuance of the Bonds and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

SECTION 5. Financial Advisor. King, Bossier, Nosacka & Holley of Baton Rouge, Louisiana is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon issuance of the Bonds and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

SECTION 6. Publication. This resolution shall be published in The Shreveport Times, a daily newspaper published in Shreveport, Caddo Parish, Louisiana, and that, as provided by the Act, for a period of thirty (30) days from the date of such publication, any person in interest may

contest the legality of this Resolution and the Bonds to be issued pursuant hereto and the provisions securing the Bonds. After the said thirty days, no person may have any right of action to contest the validity of the Bonds or the provisions of this Resolution, and all of the Bonds shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

SECTION 7. Employment of Counsel to the Issuer. It is found and determined that a real necessity exists for the employment of Counsel to the Issuer in connection with issuance and delivery of the Bonds and, accordingly, Harvetta Colvin, Esquire, Shreveport, Louisiana has been employed as Counsel to the Issuer in connection with the issuance and delivery of the Bonds. The fee to be paid to Counsel shall be an amount less than the Attorney General's then current hourly fee schedule, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with the issuance of the Bonds, said fee to be payable out of the Bond proceeds subject to the Attorney General's written approval of said employment and fee to be paid with Bond proceeds as required by the Act.

The foregoing resolution having been submitted to a vote, the vote resulted as follows:

YEAS: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6.

NAYS: None.

ABSENT: None.

OUT OF CHAMBER: Councilman Lester. 1.

And the resolution was declared adopted on this 23rd day of March, 2004.

/s/Clerk of the Council

/s/Chairman

Read by title and as read motion by Councilman Walford, seconded by Councilman Gibson for passage.

Councilman Jackson: We are, tell me exactly what we are doing right here.

Mr. Dark: We are refinancing some bonds that we issued previously because the interest rates are low enough to justify.

Resolution passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

INTRODUCTION OF RESOLUTION:

1. Resolution No. 63 of 2004: A resolution authorizing the execution of a Three (3) Year Agreement with the ARK-LA-TEX Ambassadors, Inc., and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Gibson, seconded by Councilman Jackson to Introduce Resolution 63 of 2004 to lay over until the April 13, 2004 meeting. Motion passed by

the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson.
6. Nays: None. Out of Chamber: Councilman Lester. 1.

INTRODUCTION OF ORDINANCES:

1. Ordinance No. 29 of 2004: An ordinance to amend and re-enact Section 2-259 of the City of Shreveport Code of Ordinances relative to the Department of Operational Services and to otherwise provide with respect thereto.
2. Ordinance No. 30 of 2004: An ordinance amending Section 34-30 of the Code of Ordinances relative to Areas of Special Flood Hazard, and otherwise providing with respect thereto.
3. Ordinance No. 31 of 2004: An ordinance amending the 2003 Downtown Parking Enterprise Fund Budget and otherwise providing with respect thereto.
4. Ordinance No. 32 of 2004: An ordinance amending the 2004 Budget for the Community Development Special Revenue Fund and otherwise providing with respect thereto.
5. Ordinance No. 33 of 2004: An ordinance to amend Section 3 (i) of Ordinance Number 159 of 2000 relative to Case No. C-56-00, which re-zoned property located on the West Side of Youree Drive, 1,600' South of East 70th Street, from R-A, Residence-Agriculture District to B-2, Neighborhood Business District and B-3, Community Business District with Planned Building Group Approval, and to otherwise provide with respect thereto.
6. Ordinance No. 34 of 2004: Twenty Second Supplemental Ordinance: A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$13,00,000 principal amount of Water and Sewer Revenue Bonds, 2004 Refunding Series B, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and system and sewer plant and system (the "System") of the City; making application to the State Bond Commission; and providing for other matters in connection therewith.
7. Ordinance No. 35 of 2004: Twenty Third Supplemental Ordinance: A Supplemental Ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$12,000,000 principal amount of Water and Sewer Revenue Bonds, 2004 Refunding Series C, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for

the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and system and sewer plant and system (the "System") of the City; making application to the State Bond Commission; and providing for other matters in connection therewith.

Read by title and as read motion by Councilman Green, seconded by Councilman Gibson to Introduce Ordinance Nos. 29 through 35 to lay over until the April 13, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

8. Ordinance No. 36 of 2004: An ordinance authorizing the Mayor to execute an agreement with Wiley College and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Green, seconded by Councilman Gibson to Introduce Ordinance Nos. 36 to lay over until the April 27, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Walford, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Lester. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

1. Ordinance No. 21 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on David Raines Road at its intersection with Round Grove, Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District to R-3, Urban, Multiple-Family Residence District, and to otherwise provide with respect.

Having passed first reading on March 9, 2004 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 Walford adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

2. Ordinance No. 22 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on southwest corner of Dalton and Forbing, Shreveport, Caddo Parish, Louisiana, from R-1, Urban, One-Family Residence District to B-2A, Business Park District, and to otherwise provide with respect.

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Gibson, seconded by Councilman Green adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

3. Ordinance No. 23 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of E. Bert Kouns 150 feet north of Brook Hollow, Shreveport, Caddo

Parish, Louisiana, from B-3, Community Business District to B-3-E, Community Business Extended Use District limited to “an animal hospital with seven indoor/outdoor kennel spaces” only and to otherwise provide with respect.

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Gibson, seconded by Councilman Green adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

4. Ordinance No. 24 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of Kingston Road, 350 feet south of Francais Drive, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-2-E, Neighborhood Business Extended Use District “limited to a plumbing shop” only and to otherwise provide with respect.

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Hogan, seconded by Councilman Green adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

5. Ordinance No. 25 of 2004: An ordinance amending the 2004 Capital Improvements Budget and otherwise providing with respect thereto.

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Gibson for adoption. The Deputy Clerk read the following amendment(s):

Amendment No. 1:

AMEND THE ORDINANCE AS FOLLOWS:

In Program D (Drainage Improvements):

Decrease the appropriation for 2600 Leaf Lane Drainage (01-D008) by \$20,000.
Funding source is 2003 GOB.

Increase the appropriation for 6603 Santa Monica Drainage (01-D011) by \$20,000.
Funding source is 2003 GOB.

Motion by Councilman Gibson, seconded by Councilman Green for adoption of Amendment No. 1. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

Amendment No. 2:

AMEND THE ORDINANCE AS FOLLOWS:

In Program B (Recreation Improvements):

Increase the appropriation for Querbes Park Golf Course Greens Renovation (04-B002) by \$100,000. Funding source is 1999 GOB, Prop. 2 (Parks)

Motion by Councilman Gibson, seconded by Councilman Green for adoption of Amendment No. 2. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

Motion by Councilman Jackson, seconded by Councilman Gibson for adoption of the ordinance as amended. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

6. Ordinance No. 26 of 2004: An ordinance amending the 2004 General Fund Budget and otherwise providing with respect thereto

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Gibson, seconded by Councilman Green adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

7. Ordinance No. 27 of 2004: An ordinance authorizing a servitude and an encroachment on portion of C. Bickham Dickson Park to AEP SWEPCO; authorizing the Mayor to execute all documents relative thereto; and to otherwise provide with respect thereto.

Having passed first reading on March 9, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Jackson for adoption.

Councilman Jackson: I guess I'll ask the Administration, Tom or the Mayor, in light of what was presented today and obviously we had a letter from Mr. Webb on it, obviously this was on the agenda because someone wanted to do it. I just wanted to see in light of what was brought to our attention today, is there a different approach or are we satisfied that the due diligence necessary was satisfactory?

Mayor Hightower: It is my understanding in visiting with Gary Norman, who was handling most of this because it was going to cross through C. Bickham Dickson Park, but my understanding was that Mr. Roberts and you may want to call him back up, had tried to work out an agreement with adjoining property owner to the south, was not able to do that. We all received this letter at 1:30 today, faxed to us. Now, whether Mr. Roberts believes that he can go back and work out something with the adjoining property owner or not, that not something for me to say, the letter indicates that he would like to discuss it.

If it would be alright with the Council, I think it would be appropriate to have Mr. Roberts come back up to see if he has had discussions with the adjoining property owner

or if it is cost prohibitive or what the problem may have been and if he could stand a 2 week delay before the Council would act on this.

Councilman Carmody: Mr. Roberts, the Mayor is referencing this letter from Smith and John, Attorney. Do you have a copy of it, Sir?

Mr. Roberts: I did not receive one. I have received one since I've been here. It was sent at 1:30 today.

Councilman Carmody: You've had a chance then to read it?

Mr. Roberts: Yes, I have and its news to me. And going back as far as 2000, when Mr. Locke in the process of his negotiations and purchase of the adjoining property to me, all discussions I've had as far as back, and this is a letter dated September 4, 2001 he has not granted or allowed me to have electrical service through his subdivision and we have tried that. Ron Carter, the engineer with SWEPCO has been working on it for over 2 years and we've been unsuccessful with that. All he would grant by letter of September 4, 2001 is sewer and water. I have copies of those, if members would like to read that.

This letter that came today was sent at 1:30 today. It is complete news to me. As I stated, there is an easement currently across Bickham Dickson that comes within less than 1,000 feet of my property line. There is an old abandoned road that goes from the easement to my property onto my property and we are requesting and underground service through there which I have 66 acres that I own that join Bickham Dickson Park to the south. So, to their concerns, my plans are to leave it 100% natural, not disturb it and enjoy the beauty and wild life as the park is. I also am a Conservationist and a want to see that maintained; so, I have no intent or intentions of developing, commercializing, subdividing my property. This will be my family residence, for my wife and I and our children, and that will be the extent of is. So, I am asking for less than 1,000 feet that I am going to pay the cost of going underground not to disturb the park and any of the amenities on it.

So, I've exhausted all avenues that I have. Ricky Johns, the Attorney that wrote that letter has been Mattocks' attorney for about 6 months. I've been dealing with Matt on that issue for three or four years, and it's much further than that, there is a lot more involved than just that one issue that has transpired over the last 6 months to a year, but this is just one small piece of it.

Councilman Gibson: Mr. Roberts do we have, the city, my concern is the liability and I don't we have legal counsel here. If work is done to put these utilities underground on this property are you holding the City harmless? I guess, if some damage occurs to the environment in that area, who is responsible for that? You, the City, LSU-S?

Councilman Carmody: As any right-of-way that is granted to AEP for service, there will be permits issued by the Corp of Engineers through the wetlands, if there are any and so it is basically a hold harmless as far as my part as your service is to your house. If something happens to service to your house and your furnished by AEP, you have no recourse against AEP or the City.

Councilman Gibson: I understand. But if something were to occur my concern is obviously you need the power, obviously if there has been some work to try to work this out between two parties (inaudible), but lets follow this through to the next step. Does the City, right now, have anything in writing that indemnifies and holds harmless the City

if something were to occur on this piece of property giving you the ability to have this service out there. Is that going to be AEP's responsibility?

Mr. Roberts: Yes, I think. I am not an attorney. So, please don't hold me to this, but I believe that when the city grants the right of way to AEP to bring power to a consumer or to a resident of the State through the Public Service Commission laws, I believe AEP inherits that burden—now, I don't know that, but that's my belief.

Councilman Gibson: Well I don't know if this Council has had to deal with a situation. I know we give servitude almost on a routine basis up here for a variety of different developments, but I am not familiar with and maybe Mike Strong can add to this, I'm not aware of anything going through some environmentally sensitive areas that we've had to deal with servitudes. Have we? Has this Council had to deal with that, Mr. Strong?

And while you are coming up here, I guess, I would feel more comfortable if AEP could provide this Council or to the City with some letter saying that if we grant the servitude, that we are holding the City, we will indemnify the City on this because I don't want to look up and find some kind of problem because of something that we granted up here as a body because we are not attorneys with the exception of Councilman Lester. I don't know if he is an environmental attorney, but Mr. Strong.

Mr. Strong: Mr. Gibson I don't know of any per se sensitive area that we have been through but I know that the City has a franchise agreement with SWEPCO on everything that they do as far as any kind of right-of-way and a responsibility through the Public Service Commission. I know Mr. Norman has met or spoke with the Corp of Engineers on going through a wetlands area. There are specific things that are going to have to be done as it relates to that and that has got to be followed and I think you've got a couple of more issues that he has got to address but this is one of the steps.

Councilman Gibson: In that franchise agreement would that also hold true in the franchise agreement that we would be held harmless for giving them servitude through this particular property?

Mr. Strong: I have not read the franchise agreement in a long time so I could not say how it is exactly written. I think it is a legal issue but at the same time, I don't see this easement or right-of-way any different than any other easement or right-of-way that we have. I mean we have lines all over the City and different things with easements and I don't see that this would be any different than that.

Councilman Gibson: The only different being we are talking about environmental sensitive area.

Mr. Strong: We are talking about an wetlands area that is in there on that.

Councilman Gibson: And I think that is why we are having a discussion right now.

Mr. Strong: But you are still dealing with the PSC and the SWEPCO under the City Franchise Agreement.

Councilman Walford: Don't either one of you sit down. I am going to throw a question out and look for somebody that will answer it, maybe you know the answer, maybe Mr. Norman knows. Once a service is put underground is it essential invisible? How often do you have any kind of indicators that it is there, at what distance?

Mr. Norman: In this particular case, the only thing that would be visible is that they are going to - because they are going to put it in a raceway or conduit system

underground you are not able to go full length of the service and pull it all in. They are going to have some junction boxes that will be every 500 feet so you know we are talking probably to a maximum of three junction boxes where conduits would turn up and be above the ground which would allow the terminations to be up above the flood area so that we wouldn't have a problems with flooding. But that too could be, its my own personal opinion could be a positive because if we ever decide to develop any of those along the Red River Research Development Center, say a pavilion or something of that nature back in that area where we would need electricity that would give us a location to be able to acquire power too, so it could—it is not just a negative, it could be a positive from that standpoint but the only thing that you would see would be the termination.

We have included in this if we want, as part of our agreement that we want SWEPCO or AEP to notify us of any maintenance, don't want the use of any herbicides. If they want to do maintenance, we want to be in contact with them to make sure whatever is going to be done, if something has to be done that will be done consistent with what we want to (inaudible).

Councilman Walford: But what you are saying it is essentially invisible except maybe we will have. . . .

Mr. Norman: That is correct.

Mr. Roberts: And might I add that we are not going to remove any trees or any underbrush or any growth. We are going down an existing road that is driven on and used, we are going down that right-of-way on the side of it of course, but in an existing path so we are not going to damage or do any cutting of timber or trees that aren't already removed for that road. And the road is still used pretty much, I don't want to say on a daily basis, but certainly three or four days a week. I know personally all Saturdays and Sundays, it is used because I have quite a number of citizens that go through the park and come onto my property via that road on horseback and walking, bicycles, mountain bikes, all of the recreational stuff come onto my property just about on a and during the summer time it is certainly more frequent. But like last weekend, Saturday and Sunday, we had horseback riders and off-road bicycle riders and nature trail walkers and everything that transfers through our property.

Councilman Walford: So from what Gary tells me, it is essentially invisible and what you are telling me it is going to go down an existing road.

Mr. Roberts: Yes, Sir.

Councilman Walford: We are not going to cut down trees?

Mr. Roberts: No, Sir, none whatsoever.

Mr. Dark: I just want to point out in response to Mr. Gibson's question that the ordinance itself contains a paragraph that says that any document that we sign relative to this easement, shall at a minimum contain an indemnity and hold harmless provision and other requirements that is required by the City Attorney. So, they can't actually bring back an agreement for the Mayor to sign on behalf of the City pursuant to this unless it has that in it; so I think that tries to cover what you are saying.

Councilman Lester: Just for purposes of the discussion, I just happen to have a copy of the Franchise Agreement with SWEPCO and Article VII speaks to the underground wire section and Article X speaks specifically to indemnity clause and holding harmless the City of Shreveport., so I think as Mr. Dark said, we are pretty well covered as far as the agreement that is presently in force is going.

Councilman Carmody: I come back to what Mr. Norman had said that application had been made to the Corp of Engineers because it transfers through a wetland. I was wondering what, because the representation in this letter said, that this is to confirm that Locke Properties and the Havens would be willing to work with Mark Roberts to help him obtain electrical service through The Havens. If you will recall a similar offer was made in the March 4, 2004 letter to you regarding the water and sewer line. Mr. Locke we are willing to meet with Mr. Roberts to discuss the access and cost issues concerning such electrical service. If Mr. Roberts would like to discuss the access and cost issues concerning a servitude for electrical service being provided through the Haven, please contact me.

Well, I would feel much more comfortable as a Council member having the Corp tell us that everything is okay with them on the approval of going through that area as opposed to us acting to grant a servitude and them having to come back and say no, this is a problem.

Mr. Roberts: That is quality penmanship on that letter you are reading.

Councilman Carmody: But what my thought would be, and again the Mayor had made a suggestion, if you would entertain a postponement for two weeks this would give you an opportunity to make sure that you could come back to us and say that you have exhausted their offer to work through another point of service and

Mr. Roberts: Then it would just be 4 years and 2 weeks.

Councilman Green: I don't think that we ought to hold him up because somebody at this late hour decides, well give me a call. I just think that we ought to give him what we've given everybody else and maybe somebody else will do whatever they want. I don't think that we should just—he's here. They are not here and he's asking for us to do this and it is not going to kill us. We just heard from Mr. Dark, we just heard from Mr. Norman, we just heard from Mike Strong. I just think that we ought to—I call for the vote.

[Councilman Green Called for the Question, seconded by Councilman Walford. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan and Green. 5. Nays: Councilman Carmody. 1. Out of Chamber: Councilman Jackson. 1.]

Ordinance adopted by the following vote: Ayes: Councilman Lester, Walford, Gibson, Hogan and Green. 5. Nays: Councilman Carmody. 1. Out of Chamber: Councilman Jackson. 1.

The adopted Ordinances, as amended, follow:

ORDINANCE NO. 21 OF 2004

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON DAVID RAINES ROAD AT ITS INTERSECTION WITH ROUND GROVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-3, COMMUNITY BUSINESS DISTRICT, TO R-3, URBAN, MULTIPLE-FAMILY RESIDENCE DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on David Raines Road at its intersection with Round Grove, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from B-3, Community Business District, to R-3, Urban, Multiple-Family Residence District:

Commencing at the NE corner of Section 19 T18N-R14W, thence S0°29'00"W 2672.12 feet; thence W50.00 feet to the W R-O-W line of David Raines Road and the P-O-B; thence S00°29'00"W along the W R-O-W line of David Raines 580.02 feet; thence W 159.79 feet; thence N 200.00 feet; thence W 293.58 feet to the east R-O-W line of Shreveport-Blanchard Road; thence N33°47'00"W along the east R-O-W line of Shreveport-Blanchard Road 216.76 feet; thence N56°13'00"E 217.80 feet; thence N33°47'00"W 94.72 feet; thence E 450.44 feet to the P-O-B, Shreveport, Caddo Parish, Louisiana.

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.

Thomas Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 22 OF 2004

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHWEST CORNER OF DALTON AND FORBING ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO B-2A, BUSINESS PARK 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 Lots 7 & 8, Block 3, Forming Annex Home Sites, Unit #1, located on the southwest corner of

Dalton and Forbing Road, Shreveport, Caddo Parish, Louisiana, be and the same is hereby changed from R-1D, Urban, One-Family Residence District, to B-2A, Business Park 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 a revised site plan to be submitted to and approved by the Planning Director showing landscaping and fencing to Ordinance standards, 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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 23 OF 2004

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE WEST SIDE OF E. BERT KOUNS 150 FEET NORTH OF BROOK HOLLOW, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-3, COMMUNITY BUSINESS DISTRICT, TO B-3-E, COMMUNITY BUSINESS EXTENDED USE DISTRICT, LIMITED TO “AN ANIMAL HOSPITAL WITH SEVEN INDOOR/OUTDOOR KENNEL SPACES,” 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 Lot 2, Brook Hollow Sub., Shreveport, Caddo Parish, Louisiana, located on the west side of E. Bert Kouns 150 feet N of Brook Hollow, be the same is hereby changed from B-3, Community Business District, to B-3-E, Community Business Extended Use District, limited to “an animal hospital with seven indoor/outdoor kennel spaces,” only.

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

1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday-Friday, and from 8:00 a.m. to 12:00 noon on Saturday.

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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 24 OF 2004

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE WEST SIDE OF KINGSTON ROAD, 350 FEET SOUTH OF FRANCAIS DRIVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT, TO B-2-E NEIGHBORHOOD BUSINESS EXTENDED USE DISTRICT, “LIMITED TO A PLUMBING SHOP,” 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 S 90 feet of the N 190 feet of Lot 17, Block B, Lambert Park, located on the W side of Kingston Road, 350 feet S of Francais Drive, Shreveport, Caddo Parish, Louisiana, be the same is hereby changed from B-2, Neighborhood Business District, to B-2-E, Neighborhood Business/Extended Use District, “limited to a plumbing shop” only.

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

1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. Development shall be within the first 250 feet from the front property line, and a wooded buffer of 175 feet to the residentially zoned area in the rear.

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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 25 OF 2004

AN ORDINANCE AMENDING THE 2004 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Charter provides for the amendment of any previously-adopted budget; and

WHEREAS, the City Council finds it necessary to amend the 2004 Capital Improvements Budget to provide additional project funding, to create new projects and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 159 of 2003, the 2004 Capital Improvements Budget, be further amended and re-enacted as follows:

In Program B (Recreation Improvements):

Increase the appropriation for Querbes Park Golf Course Greens Renovation (04-B002) by \$100,000. Funding source is 1999 GOB, Prop. 2 (Parks)

In Program C (Street Improvements):

Increase the appropriation for East 84th Street Paving (00C001) by \$200,000. Funding source is 1999 GOB, Prop. 4 (Streets).

Decrease the appropriation for Fant Parkway North Extension, Phase II (01C008) by \$200,000. Funding source is 1999 GOB, Prop. 4 (Streets).

In Program D (Drainage Improvements):

Decrease the appropriation for 2600 Leaf Lane Drainage (01-D008) by \$20,000. Funding source is 2003 GOB.

Increase the appropriation for 6603 Santa Monica Drainage (01-D011) by \$20,000. Funding source is 2003 GOB.

In Program H (Airports Improvements):

Increase the appropriation for Improvements to Continental Air Lines Facility (01H008) by \$1,500,000. Funding source is State Grant.

Establish a project entitled Airport Layout Plan (04H005) at \$117,800. Funding sources are Federal Aviation Administration \$96,400, State Grant \$10,700 and Shreveport Airport Authority \$10,700.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 159 of 2003, as amended, shall remain in full force and effect.

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 26 OF 2004

AN ORDINANCE AMENDING THE 2004 GENERAL FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Charter provides for the amendment of any previously adopted budget; and

WHEREAS, the City Council finds it necessary to amend the 2004 General Fund budget, to appropriate funds from an economic development grant and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 158 of 2003, the 2004 General Fund budget, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Miscellaneous by \$1,300,000.

In Section 2 (Appropriations):

In General Government, appropriate \$1,300,000 to Improvements and Equipment.

Adjust all totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 158 of 2003 shall remain unchanged and in full force and effect.

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 27 OF 2004

AN ORDINANCE AUTHORIZING A SERVITUDE AND AN ENCROACHMENT ON A PORTION OF C. BICKHAM DICKSON PARK TO AEP SWEPCO; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATIVE THERETO; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the State of Louisiana (the "State") is the owner of an undivided 5/8 interest in C. Bickham Dickson Park (the "Park"); and

WHEREAS, the City of Shreveport ("City") is the owner of the remaining undivided 3/5 interest in the Park, and, by virtue of a Cooperative Endeavor Agreement executed between the City and the State, manages on behalf of the State, its interest in the Park; and

WHEREAS, the City has received a request from AEP SWEPCO ("SWEPCO") to place and maintain a servitude across C. Bickham Dickson Park (the "Park") for the purpose of providing electric services to its customers; and

WHEREAS, City has a Cooperative Endeavor Agreement with Louisiana State University-Shreveport ("LSU-S") for the management of a research and development center in the Park; and

WHEREAS, City and LSU-S desire certain areas of the Park remain in its natural state; and

WHEREAS, City desires to grant SWEPCO's request subject to specific terms and conditions to be contained in an agreement to be executed between the parties.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Shreveport, in due, legal, and regular session convened, that AEP SWEPCO is hereby authorized and granted a servitude and an encroachment on a portion of C. Bickham Dickson Park, as described on the attached Exhibit "A" for the purpose of providing electric services to its customers subject to the following conditions:

All electric lines shall be placed underground and all poles, wires, conduits and other equipment and appurtenances placed, located or installed on Park property shall be installed, located, erected and placed in accordance with appropriate standards and specifications of the City of Shreveport and in such places and in such manner as will be consistent with necessity and least interference with use of C. Bickham Dickson Park.

City and/or SWEPCO shall obtain approval from the State of Louisiana to place and maintain the servitude in, on, or through the Park as well as obtain any or all other approvals or permits required by law, including but not limited to, approvals or permits from the United States Corps of Engineers.

SWEPCO shall notify City in advance of any routine maintenance of the servitude and shall consult and cooperate with City concerning maintenance practices of same in order to minimize the impact on the natural character of the Park and the surrounding area.

SWEPCO shall refrain from the use of herbicides in the maintenance of the servitude.

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport is hereby authorized to execute and deliver, for and on behalf of the City of Shreveport any and all contracts and other documents relative to the authorization granted herein after review and approval of such document(s) by the Office of the City Attorney. Such document(s) shall at a minimum contain an indemnity and hold harmless provision and other requirements or provisions as determined by the Office of the City Attorney.

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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

UNFINISHED BUSINESS:

Resolution No. 88 of 2003: Amending Sections 1.8 and 1.11 of the Rules of Procedure of the City Council (Public Comments). (A/Lester) (*Tabled on June 24*)

Ordinance No. 152 of 2003: Amending Chapter 26 of the Code of Ordinances of the City of Shreveport by adding Article VIII., Division 1 and Division 2 relative to disposal of public property and disposal of adjudicated property. (A/Lester) (*Tabled on Nov. 11*)

NEW BUSINESS:

1. ABO Card appeal: Kevin Coffin.

Corporal Collins: Mr. Chairman, I think the Police Department has shown sufficient evidence to show that Mr. Coffin does not qualify for the SOB Card. I pretty much showed you that yesterday through that data base, the copy of that data base read out, the conclusion of all the evidence we have.

Councilman Lester: Mr. Chairman, I would ask before we make any vote on this, I think Councilman Jackson has some questions in as much as he was a part of that was actually asking for the delay so that we could - - - (inaudible) the Chamber?

Councilman Carmody: Councilman Jackson?

Councilman Green: I don't think he brought his key, he might be locked out.

Councilman Carmody: We hope not, I think that they gave him a special key, if I'm not mistaken. Here's Councilman Jackson.

Councilman Lester: Wow, as if it was planned.

Councilman Carmody: Yes, how are you sir? We're actually to the point - - -

Councilman Jackson: (inaudible) waiting for my introduction.

Councilman Carmody: Well, your timing was impeccable.

Councilman Green: You got your key with you?

Councilman Carmody: Councilman Jackson, Councilman Lester had asked that we postpone any further progress on the part of the agenda which we are at the consideration of Mr. Coffin's appeal for the ABO and the SOB Card appeal. And I would ask that the Corporal would reiterate his position one more time for the benefit of Mr. Jackson.

Corporal Collins: Basically from the information I provided yesterday, the Police Department had showed sufficient evidence that he does not qualify for the SOB Card due to the misdemeanor conviction for marijuana.

Mr. Coffin: Is there anyway that I would be able to re-qualify or like reapply for SOB or I'm just not going to be able to get one?

Councilman Carmody: I believe it's a two year period if I'm not mistaken. Is that correct? It is a two year period. Yes sir.

Mr. Coffin: Well, what about the ABO?

Councilman Carmody: Corporal, I would ask you for some assistance.

Corporal Collins: On the ABO Card, if you wanted to work another establishment that was not an SOB, if you got a letter from the manager stating that he was aware that he was on - - - that he had that conviction, then the Police Department would offer a Site Specific for the ABO Card and that way, we would be able to work with the permission of the manager.

Councilman Carmody: Mr. Coffin, do you understand what the Corporal has related?

Mr. Coffin: Well, I mean, I wouldn't be able to work there anyway, because I don't have the SOB.

Councilman Lester: Right.

Councilman Carmody: Right, but you could work at another establishment with an ABO as long as you brought to them an acknowledgment from the manager, in writing, that he was aware of the conviction and I guess whatever your probation is.

Mr. Coffin: Yes sir.

Councilman Carmody: Okay.

Councilman Lester: If the Council was in the mind to grant the ABO Card appeal and to uphold the SOB appeal by the Police, procedurally, what would we do? Is this a bifurcated voted? Would we vote first on the ABO Card appeal and then the next vote would actually be on the SOB Employee Card? I understand as it relates to his employment right now and as I appreciate the current state of the law, we are not, we

aren't in a position to overturn the SOB Employee Card based upon the discussion that we had on yesterday.

So, if the Council wants to grant Mr. Coffin an ABO Card, so that he could work in another establishment, would we have to say that it would be a Site Specific or would we be in the mind set of Corporal Collins said and put the stipulation on that, he could get an ABO Card pending a letter from that particular employer knowing that he, (the employer) was aware of his conviction for the marijuana?

Councilman Carmody: Mr. Lester, I mean, I can tell you that from my position, as a single vote out of the seven, I would be hesitant to issue the ABO Card in that the Corporal has just indicated to us that the department would grant him a Site Specific for a location, as opposed to, as I appreciate, an ABO, you basically can go to any business which sells alcohol and then that gives you the ability to be an employee there. And I think that it would be improper for us to circumvent the opportunity that he has kinda go around that process and that's just my opinion, I'm just one vote.

Councilman Lester: Well, my question would be, if we denied his ABO Card appeal, would he be in a situation where he would have to wait two years before he applied to another one? Could Corporal Collins maybe speak to that?

Councilman Carmody: For the SOB?

Councilman Lester: No, for the ABO Card. I'm only speaking to the ABO Card.

Corporal Collins: An easy way around this, if you did deny it, it'd be six months. If you wanted to remand that ABO Card appeal back to the Police Department, if it's just ABO Card, we could handle that within the Police Department with a Site Specific Card. It would take responsibility off the City Council and put back in the Police Department which we basically do the same thing, we just wouldn't tie to the City Council.

Councilman Lester: And to accomplish that, how ---what would be, Ms. Glass, the proper motion to make if we wanted to remand this back to the Police Department for a Site Specific Card.

Ms. Glass: That would be a good way to state your motion.

Councilman Lester: Okay.

Ms. Glass: And you would remand it to the Police Department.

Councilman Lester: Okay.

Councilman Walford: And I would second it.

Councilman Lester: That would be my motion.

Motion by Councilman Lester, seconded by Councilman Walford to remand the matter back to the Police Department on the ABO Card.

Councilman Jackson: I was just listening to the conversation. Obviously, this gentleman was interested in working in a place where it was necessary to have both cards. Right? Now what is it about the conviction or otherwise that would cause the Police Department to make the ABO decision a Site Specific decision rather than just a decision where anywhere alcohol was sold, he could still work. It's still not a Sexually Oriented Business. There are some cases where the conviction would matter, some cases where it would not matter. What is the reason for restricting it to a Site Specific ABO Card?

Corporal Collins: Because of the conviction within the last two years, he does not actually qualify for an ABO Card, but one thing the Police Department can do as given by the ordinance, we can offer a Site Specific ABO Card with the permission from the manager. Basically, we receive a letter from the manager. We verify that letter and it gives us the

authority, even though it does not meet the qualifications, we actually have the authority through the ordinance to issue a Site Specific Card for that single location.

Councilman Jackson: Okay, so he still is obviously free to go and find a job anywhere and then once he communicates what his situation is, then they can write him a letter, then you'll issue an ABO Card that is Site Specific. And so, if he's either terminated or leaves that job, he just can't go anywhere again, he'll have to come back again and get another Site Specific Card each time?

Corporal Collins: Exactly.

Motion to remand the card approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

2. SOB Employee Card appeal: Kevin Coffin.

Motion by Councilman Walford, seconded by Councilman Jackson to uphold the denial of the Shreveport Police Department to issue a SOB Card.

Councilman Lester: My vote is going to reflect, I'm going to agree with what I believe is going to be a majority as it relates to the SOB Employee Card based upon the grounds that right now, we are without, we don't have the power to deal with this outside of a resolution which quite obviously throws this whole situation into a conundrum because of the Council wanted to in fact to give someone a break for lack of a better term. We could not do that because we would have to do a resolution two weeks before.

So, consequently my vote is going to reflect I'm going to vote for the appeal, but at the same time, at the next meeting, I'm going to offer a resolution to deal with that particular issue and give this board the discretion to look at things on a case by case basis. I've spoken with Corporal Collins, he understands where I'm coming from. The Police Department doesn't necessarily agree and I respect that but I just think from a Council standpoint, we should have the discretion to deal with things on a case by case basis and we should not write any statute that basically ties our hands; so, that would be my comment.

Motion to uphold the denial approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

Councilman Jackson: With this vote, Mr. Lester, are we now or not in a conundrum?

Councilman Lester: I would think so, we are not, we would not be.

Councilman Jackson: Councilman Green was trying to debate.

BAC-7-04, *Melissa Fussell*, 346 Sadie Douglas Lane, Special Exception Use in an R-1D District, expanded home occupation (Creative memories parties, meetings, workshops) to 12 midnight. (D/Gibson) (Postponed on March 9)

Councilman Gibson: Mr. Chairman, I passed out copies of a solution agreement, that actually will be incorporated as stipulations to this particular piece of legislation. Unfortunately, the stipulations will have to be incorporated, so I want to ask for two more weeks, but I'd ask you to read.

We spent - the neighborhood and the appellant and the applicant about four weeks on coming to a resolution that the Neighborhood Association and the two neighbors can live with but we will put this to bed in two weeks.

Motion by Councilman Gibson, seconded by Councilman Lester to postpone this matter until the April 13, 2004 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Carmody, Gibson, Hogan Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Walford. 1.

BAC-20-04, Enterprise Property Grocery, Inc., 7731 Linwood Ave., Special Exception Use and variance in the hours of operation in a B-2 District; packaged liquor store operating until 12 midnight. (F/Green)

Motion by Councilman Carmody, seconded by Councilman Jackson to withdraw the application from the agenda. Motion approved by the following vote: Ayes: Councilman Lester, Carmody, Gibson, Hogan Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Walford. 1.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

CLERK'S REPORT: None.

THE COMMITTEE RISES AND REPORTS (reconvenes Regular Council Meeting).

ADJOURNMENT. There being no further business to come before the Council, the meeting adjourned at approximately 5:30 p.m.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

