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Council Proceedings of the City of Shreveport, Louisiana
September 27, 2005

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman James Green at 3:00 p.m., Tuesday, September 27, 2005 in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Hogan.

The Pledge of Allegiance was led by Councilman Lester.

Chairman Green: Thank you very much. At this time, we'd like to say welcome to the meeting. If in fact, you have cell phones, we ask that you would either turn them off or put them on silent.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Green, and Hogan 5. Absent: Councilmen Gibson (Arrived at 3:06 p.m.), and Jackson (Arrived at 3:03 p.m.).

Motion by Councilman Carmody, seconded by Councilman Walford to approve the minutes of the Administrative Conference, Monday, September 12, 2005 and Council Meeting, Tuesday, September 13, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Hogan, 5. Nays: None. Absent: Councilmen Gibson, and Jackson. 2.

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

Councilman Green: Mr. Mayor?

Mayor Hightower: Mr. Chairman, the only thing that I would have today is just a big thank you to Council and all the City employees, Parish employees, both in Shreveport and Bossier and Caddo and Bossier Parishes that did a yeoman's task over this past weekend, of not only preparing for the fallout from the hurricane, but taking care of the guests that arrived here (still doing that). And also the response, the quick response, the immediate response that our employees had to everyone that either thought they were going to be affected or were affected as a result of the hurricane, so, a lot of times, we think that our employees maybe don't do enough or we don't have a lot of dedicated people, I'm here to tell you that from the guys doing sandbags to cutting trees, to police directing traffic, to firemen responding to cries for help in both Parishes, it was a yeoman's job and something that we should all be proud of our employees for having accomplished. Don't let me forget Shelly, she'll be mad. Shelly was up at 2:00 in the morning opening Expo Hall in an emergency when buses were coming up from South Louisiana and we had no place to send them, but somewhere else. And her staff said 'let's open Expo and we'll man it until something can be organized and put together and they did that. So, we appreciate that.

Councilman Green: Thank you. At this time, we'll move to the Convention Center and Convention Center Hotel Report. We received a report on yesterday. Are there any questions at this time?

Mr. Antee: Mr. Chairman, we did pass out the signed copy of the addendum to the hotel contract. I hope everybody got a copy of it with the attached letter.

Mr. Jackson: Thank you Mr. Chairman. Mr. Antee, I've got in my hand, I guess what is this Addendum to the Contract between the owner and the contractor. I think, if you'll look at Paragraph 1.1, I said, I expressed at the last meeting that I had some concerns about the language in Section 1.1. That language does not seem to have been changed.

Mr. Antee: The reason why during that meeting, you had requested that the DBE, and the WBE be stricken. And I said I didn't see from my standpoint there was a problem with that. However, Walton Construction wanted to make sure that the commitment that they made was the same commitment that was in the addendum. And that's why the letter's attached and the language in that paragraph is identical to the language of the letter that was signed on July 25th. And that's the same language referenced in the resolution.

Councilman Jackson: But the letter that was sent, I believe was sent at the request of the Mayor or someone in the Administration. And this came right after we started talking about this. This did not serve as an addendum then and again, it was basically the same language. This letter that was submitted, I think Councilman Lester may have said to add this - - - make sure we have - - - the letter has a record to the record if you will, but I think that you all who read this recognize that this could stand to compromise. What we talked about, while not particularly compromising what they may be doing in regards to the addendum. It- - - I don't know that there was a problem and if Mr. McCrocklin - - - is not - - - I don't know that he's here or anybody represents him is here. I guess materially, I don't see why it would have been a problem to delete the last two that was DBE, WBE with regards to that particular phrase.

Mr. Antee: I think the problem was that the resolution specifically referenced and stated the letter. And just an abundance of precaution they wanted it to mirror the - - - your resolution.

Councilman Jackson: Mr. Chairman, I guess long story short, this is not what I asked for after the last meeting. And perhaps the Councilmen would be satisfied with it. I'm only speaking for myself. Mr. Antee, this is not, this doesn't represent - - - I think you know where I'm coming from, doesn't represent what I was concerned about and is a broad, broad, much broader - - -

Mr. Antee: But keep in mind, it mirrors your resolution.

Councilman Jackson: Doesn't mirror my resolution

Mr. Antee: I think Ms. Glass can.

Councilman Jackson: It may mirror something that may have been added - - -

Mr. Antee: Ms. Glass can direct us on that I believe.

Councilman Jackson: Again, I guess what I'm concerned about Mr. Antee is us doing what we legitimately want to do. Not a way to slide out and to be slippery to get out of situations.

Mr. Antee: I don't think anybody's looking to be slippery.

Councilman Jackson: Well, what I'm saying is that the last time we talked about

this, I asked you very specifically to take those two out.

Mr. Antee: And I really don't have a problem with it, but Walton has a problem with doing something other than what you asked for in your resolution. And that's why they agreed to sign that one that was drafted. I mean if you want to call them back and ask if they'll sign one without, I don't have a problem. It doesn't matter to us. We're just trying to do what the resolution said.

Councilman Jackson: Well let me ask you Mr. Chairman, if maybe we could ask the Clerk or - - - I think Mr. Clerk, do you understand where I'm coming from and what I was trying to get accomplished?

Mr. Thompson: Yes.

Councilman Jackson: Now based on what Mr. Antee just said, how - - - is there a more appropriate way to get that accomplished than what we have obviously done through this addendum which was just a copy of this letter for the most part? I think Mr. Lester had a motion that was an amendment or something to the resolution that originally, maybe he could speak to that, that we just add the letter to the record if you will. Cause this letter never stood as anything other than them saying something and almost was - - - they wanted to act initially with this letter, acting in lieu of and addendum. This was never the addendum. Their originally intent was that this would act in lieu of any addendum. And I'm suggesting that, that was insufficient as far as I was concerned without having a contractual addendum that was signed by both parties. This doesn't get us to where I guess I'm trying to get. And I don't want to violate what was the resolution so to speak. So I guess my concern is how do you clarify that portion of the (inaudible).

Mr. Thompson: I guess to do that you would probably need to ask the Council to adopt a different resolution.

Councilman Jackson: You see that as the only alternative?

Mr. Thompson: I think they have a right to rely on the resolution that was adopted by the entire body.

Councilman Jackson: And that language, those letters were in that - - -?

Mr. Thompson: Ms. Glass can speak more to that, because I didn't draft it.

Ms. Glass: Mr. Chairman, Mr. Jackson, I did not bring my copy of the resolution down, but I do know that you had some original language in there discussing authorizing the Mayor to sign the addendum. And then there was an amendment added that said that the letter he had written, that Mr. Antee had in his possession would be incorporated and made part of the addendum and that letter had the MBE, DBE, WBE language in it. So that would indicate that it was the Council's decision to have it apply to what was written in that letter. You could always amend that resolution.

Councilman Lester: Mr. Chairman, lest we have any confusion, the purpose of my and I will say that I asked for the additional information as it relates to the letter. The record will reflect that when we started this entire process, I forwarded and asked to pass a resolution that stipulated Fair Share participation, 25%. I think I was very clear about that. Fair Share participation. That was not a resolution that garnered the majority support of the Council. That was not passed. Consequently and sometime after that, we had a discussion at the dais with Mr. McCrocklin. And he, and I think that the notes and the record will reflect that we asked him the question directly as to whether or not he would support the Fair Share Program and whether or not he would incorporate the Fair

Share language of the City of Shreveport into the contract. He indicated that he would incorporate the Fair Share language. Now, the Fair Share language says - - it's very specific. It does not deal with MBE, DBE, and WBE. The Fair Share language says Fair Share Certified, that whole nine yards. And we even had some conversations with Mr. Gilliam about what Fair Share was all about. Councilman Jackson came forth with a resolution asking that the Fair Share participation numbers and a minimum 21% be made as part of the contract. Clearly, that's what we voted on. I asked for an amendment that simply attached the letter to the contract. Now from where I come from and maybe we did it a little different at Southern, but an attachment does not take the place of a resolution. And I don't understand why when clearly in the resolution itself, it says "Fair Share", that a letter that's an addendum that evidences what their position was or evidences what they thought their understanding was would supersede the fair language of the resolution. Because if there's a dispute on a contract, you go to what's in the contract itself as opposed to in the addendum. So, this idea that we were saying MBE, WBE and MBE, that was never part in parcel my conversation. My concern is to try to get as much information and documents into the contract and have that be written into the original language. And I might add, I'm a little concerned that after hearing this Body say, we want Fair Share participation, that this contract, this addendum would not have Fair Share participation period. Because at no point, did this Councilman and I can't speak for Councilman Jackson, but I was there, I don't remember Councilman Jackson saying anything about MBE, WBE, and DBE. So lest they be confused, I think we go back to the video tape and the transcript, it would be very clear that this Councilman said Fair Share participation and spoke pretty adamantly about Fair Share participation. So, I would suggest if in fact, Mr. McCrocklin as the representative for Walton Construction Company, is serious about Fair Share participation, then this addendum will be redone and it will have Fair Share participation period. Because as I appreciate it, that's what our conversation was. There was no conversation about MBE, and WBE and DBEs.

Mr. Antee: Mr. Chairman, if I may, and they may not have any problem with that. I do know he has a problem with strictly 'Fair Share Certified' because it's impossible to get the 21% with only Fair Share Certified without MBEs. It's probably possible without the WBEs, or the DBEs, I don't know, but when Mr. McCrocklin stood in front and committed to the 21%, if you'll recall, and we can go back and listen to the tape, he was basing that 21% on what he had submitted to the Fair Share Office, and his concern through this process was that what he was submitted is what he's committed to do. He still committed to the Fair Share Ordinance. But the 21% came from what was submitted. Now, people come and people go, but he wants to be able - - - for example if that 21%, five of it was MBE and that MBE person for whatever reason didn't work out, but another MBE who is not Fair Share Certified did, he didn't want to be held to that 21% of Fair Share when it included MBEs when he made that commitment. And I think it's something that we can sit down with him and go through. He's not trying to hide or he's not trying to shuck the responsibility. He wants to be inclusive, he's committed to being inclusive, but he doesn't want to get hung out on the back end, because he used an MBE who happens to not be Fair Share Certified. And then that be held against him. And that's why he wanted the addendum to mirror the commitment he made which was the letter that he wrote. But it's something that I know he'd be more than willing to sit down with all of us and discuss and work through. That was the concerns he had through

this process.

Councilman Green: Mr. Antee, on that note, one is when I spoke to him and what I'd like for Robert to do is to go back to that meeting and send him a copy of that tape. Because I didn't ask about MBEs, I was specific as to will you have 21% Black Folk like me. So that don't - - - I don't know how you can mess that up. And the next point I asked was this. When I talked to the Mayor, I asked the Mayor if he fails to live up to it, will you sue him? And the Mayor said yes. So, mine has nothing to do with MBEs, HBEs or no "E"s. It just has to do with, if you watch the tape, and we'll play the tape for him, I'll have Robert to give him an excerpt of it. If he got any kind of misunderstanding, mine was perfectly clear. So, what I'd like to do 1) is ask that you would have him to come to the next meeting and also hopefully, by then we could have all of this straightened out. And either we'll send him a copy of the tape, before or we will show the tape while he's here. But if you go back to the tape, it won't be any misunderstanding. Anyone else? Thank you.

Councilman Gibson: Thank you Mr. Chair. I apologize for being late. Mr. Chair, I'd like to see if you could ask the Administration do they have the design professional of record on the Convention Center available?

Mr. Antee: We did make that request and forwarded the email. They are out of town. The would be available at the next meeting.

Councilman Gibson: Well, Mr. Chair, I do have some questions seeing in their absence, that I want on record before I leave this Council. Could I ask those questions Mr. Chair?

Councilman Green: Yeah.

Councilman Gibson: Thank you Mr. Chair. Mr. Mayor, I appreciate your aggressiveness, regarding your campaign pledge to this City to move this City forward and I appreciate the efforts that you put forward in the Convention Center and the Hotel. Obviously, it's been a controversial issue regarding this body of City Councilmen and not here to debate the merits of it. But who made the decision to - - - I guess first of all, who approved the change orders that we currently have regarding the Convention Center? And I think we have right now before us, it was handed out yesterday, we're up to about \$1,000,000 in change orders?

Mr. Antee: That's correct. About 1.6% of the project.

Councilman Gibson: Who made the - - - who signs those change orders?

Mayor Hightower: I do.

Councilman Gibson: Mayor, you do?

Mayor Hightower: Correct.

Councilman Gibson: Okay, do we have an idea of the anticipation of the amount of future change orders that will be coming forth for your signature before this project is completed?

Mayor Hightower: We don't have a dollar figure. You mean in the construction business, you know that there aren't many projects that go on without change orders. 1.6% compared to - - - I think the figure was thrown out maybe as much as \$10,000,000 in possible change orders before that you had mentioned. And with - - - what is the total now?

Mr. Antee: Just over a million.

Mayor Hightower: Just over a million, so it has been minimal. And from all

indications from the contractor, any changes that they foresee, would still be minimal.

Councilman Gibson: Okay. Seeing that I won't be here, I'd think it would be important that those change orders, maybe a list of those change orders be provided to City Council for future reference. I think that Yates has done a great job out there, but I guess my last question, and this is going to be for the design professional, but seeing that they are not here, and they have a - - - I would put a record say that that particular firm is one of the largest firms in this area, I'm surprised that they didn't have a representative here, but hey, things happen. Are you aware of the State of Louisiana has a design fee schedule Mr. Mayor?

Mayor Hightower: Yes.

Councilman Gibson: Okay. Are you also aware that if this would have been a state project, that the maximum design fees on a \$66,000,000 construction project, if the State of Louisiana would have built this hotel would have been \$3.6 million? And I refer to you gentlemen, I would like to enter it into record, this is the design fee schedule of which if you contact Jerry Jones, at Facility Planning, he would be able to verify this formula. And I guess the question being is how much design fees did we pay Slack Alost McSwain for this particular project? My numbers show between about \$10 and \$12,000,000.

Mr. Antee: Mr. Chairman, in response to that, I don't have it, broken down, but the design fee schedule was used, but in addition to that, there's also and I'm sure you're aware of this Councilman Gibson, additional services that have a whole list of things that are included, in addition to the design such as construction administration construction management, several other things in addition to just the design that they did and performed outside of the scope of drawing a building.

Councilman Gibson: Well, I appreciate that Mr. Antee and Mr. Chairman, just for the record, normally a state project does not go that route. Normally a state project issues a design project by itself and then issues additional services outside of the design professional. And the design professional does not control the monies that go through their particular firm of which I believe that Slack Alost did disperse funds to very serious or several consulting firms that were involved.

Mr. Antee: Such as Interior Designs which is outside of the fee curve, Landscape Architects and there's a whole list of 'em. I'm sure you're aware.

Councilman Gibson: Again those are usually separate in nature. But the point being is that we did pay more than \$3.6 million dollars and again, my only question is if this would have been a state project, it would have been one fee, but because it was a city project, we paid X+. And I guess what I would like you to do for this Council, and I won't be here, but is to provide a breakout once again on those design fees. And I would encourage my colleagues to take this design fee schedule of which again, please call Jerry Jones at Facility Planning of which I got this information from. And compare that to that. And ask yourself, why we were paying more in design fees. And again, I'm not questioning whether or not the design professional is being overpaid on their side of things. I question who made the decision and why we made those decisions know that if it was a state project and the state obviously has bigger issues to look at. But \$3.6 million would have been that number on \$66,000,000 for the construction. And again, this for public record. I feel that - - - I had some other questions for Slack Alost, I'm sorry that I won't be able to ask those questions of Slack Alost McSwain. But the fact being is these

things are obviously black-white issues. There's no political agendas involved. It's just pure economics and pure business. Thank you Mr. Chair. Thank you Administration.

Reports:

Convention Center and Convention Center Hotel (To include detailed personal report from SMG)

Councilman Green: I've asked Mr. Mike Carrier from the Convention Center to come. Would you come? Good evening Mike, it's good to see you.

Mr. Carrier: Good afternoon sir.

Councilman Green: Did you bring the list of the employees?

Mr. Carrier: No sir. I got an email late yesterday afternoon asking for a variety of information and that information is being put together. But you had also asked that information be put together, - - - that you had also asked that that be distributed to Council prior to the Council Meeting, and I - - - we don't have that available yet.

Councilman Green: Okay, we'll let you wing this. How many employees you have?

Mr. Carrier: I have 13 now.

Councilman Green: 13 now?

Mr. Carrier: Yes sir.

Councilman Green: Last time we were here, how many did you have?

Mr. Carrier: I had 12.

Councilman Green: Okay, you got 13 now, the last time you were here, you had 12?

Mr. Carrier: Right.

Councilman Green: The 13th one that you hired, was he or she Black or White?

Mr. Carrier: She is a White female. She was an evacuee from the Superdome.

Councilman Green: Alright, my next question is out of the 13 employees, is there a way that you could look on your street to tell where they are from?

Mr. Carrier: We can go back and - - - we can probably go back and analyze that, I don't - - -

Councilman Green: No, I'm saying do you know basically off the top of your head, do you know how many is from Shreveport?

Mr. Carrier: Of the 13 of us right now, and this is a guess, eight are from Shreveport/Bossier.

Councilman Green: Eight of them is from Shreveport/Bossier?

Mr. Carrier: Yes. I'll confirm that and get that to you.

Councilman Green: Okay.

Mr. Carrier: And Mr. Green, the questions that you're asking me were not in my email that I got, so - - - I

Councilman Green: What's your point?

Mr. Carrier: I'm just saying that the email I got, doesn't have this in it, so this is truly off the hip. I don't have any of this information at hand.

Councilman Green: What's your position over there?

Mr. Carrier: I'm the General Manager.

Councilman Green: I'm going to try and ask you questions that the General

Manager would know. Okay?

Mr. Carrier: Okay.

Councilman Green: My and I guess my next question would be with what we talked about last time about you only had one Black employee out of the 12.

Mr. Carrier: Yes sir.

Councilman Green: Since then, and you said just give you an opportunity to hire the rest of them. And since then the process that you were doing already seemed to continue. And before I go any further, I've got a whole list of questions to ask, but let me just be brief and tell you just excerpts of a story. There's a story about the *Little Red Hen*. It's a little story that I learned when I was in school. Little Red Hen was planting some wheat. But nobody wanted to help her. So, she went to everybody, who'll help me plant it, who'll help me do whatever, and finally, come up to the time of cooking it, nobody would help. Then it come up to the time for eating, and everybody wanted to help. And the reason that I'm asking you these questions and the reason that I'm concerned, if it seems like I'm upset, I am. Is because I was a part of the four votes who made all of this possible. So class me as the little - - - one of the Little Red Hens. I got beat up, we got beat up, we got talked about, we got whatever. Now, that it's time to make the money and everybody is making money, everybody wants to be a part of this. My whole deal has been Mike that I don't care who gets whatever. But and I'm being specific, Black folk gotta get their part. There were four votes who got us where we are. Three of them were Black. And you would think that since it being that, I would - - - this says to us that we're almost back where we were 40 years ago, because you would think that if in fact you do your part, then everybody else would automatically just do right. And then it brings us to this, and it's like when you were coming down here to get the vote and hoping that the votes went through, you were not stone faced like you are now. You were hoping for my support. I gave my support. So just like we were friendly then, when y'all was garnering my support, I'm in hopes that we can keep that same friendship. My next question is when will the process start that the ship will come, that you'll be able to stand proudly there to say, look I told y'all to wait until finish and this is where I am now. And these are some Black folk that I have because what happens in Fair Share that, that means everybody take a part. We did the marching, we did the protesting, we did whatever, but when it came down to the bottom line, then we find a whole lot of other folk to put in. And that's Fair Share. But that ain't the Fair Share that I'm talking about. So when will that process start?

Mr. Carrier: I believe at the last meeting I handed out a list of jobs that we had coming open. Was that not one of the items that was passed out the last time along, and on that list was a list of the anticipated start dates. We right now have - - - we're advertising currently for a Security Manager, Telecommunications Manager, I believe two event coordinators are in the - - - that's out right now. Operations Supervisor as well as some other positions. We are in the process of gathering resumes for those. We've received quite a number. We are beginning the process of screening those resumes, and are interviewing people. We have screened - - - the Operational Supervisor is one I can tell ya, we have screened those and did not find anything in there. What we found were people looking for money way over our budget. And so we're going to re-advertise that job. And I don't have that list with me, but we have jobs coming open. Our Executive Chef. We have jobs coming open that would be anywhere from about the middle of

October through the middle of December. We'll be having job fair the first part of November, we will be attending a job fair week after next. So we're actively out looking. We're actively seeking resumes, and beginning the process of interviewing, looking at qualifications, interviewing people, seeing if they have the background for the jobs for which they have applied.

Councilman Green: Okay, and here again, if you recall last time, I asked the question, if in fact you were planning on hiring Black folk for the cooking and the cleaning, and the sweeping, and of course, you just say the Chef, and I understand the Chef makes good money, but we need to be in charge of some stuff.

Mr. Carrier: Here again, the Security Manager, the Telecommunications Manager, the Chef is the King of the Kitchen or Queen as the case may be.

Councilman Green: Well let me ask you this. If he's such a King, why you didn't hire him first?

Mr. Carrier: Because the order that you do things in, the Chef comes on board when you have kitchen and other equipment that you can begin to deal with. We don't have that yet. We're in the process, we just got the bids in for the kitchen equipment. We're in the process of analyzing those with the City. They'll be making a decision on that within the next week. The Chef will come on board probably some time the end of October, first of November based on the timeline that we have prior to when we will have a kitchen for a Chef to operate in.

Councilman Green: Okay, so the one person that you hired since the meeting, had you already hired them before the meeting?

Mr. Carrier: No sir. That is - - -

Councilman Green: Well, let me ask you this. Even with what we had talked about, did it even cross your mind as to 'well, they've asked me to do this, and because it's right, I need to think before I hire this one,' did it even cross your mind?

Mr. Carrier: Yes sir. We had interviewed a number of people, both African-American and Caucasian, we had interviewed for that position. The position we hired was an Accounting Manager/HR Manager. We don't have the budget, nor do we have the requirement in this Convention Center to have a full time Human Resources person. And so, this particular job is part-time in both of those. The job requirements are for a Bachelor's degree in Accounting or Finance with a minimum of three years of public accounting and experience in HR. The budget for that position, we were not able to find anyone and we had advertised, we had gone through a long list of folks that had expressed interest in it, but they either had the Accounting background or the HR, but not both. And so in trying to get geared up to do HR with all of these additional hires we have, and the resumes we're receiving and the things that we're about to do. We've got less than 100 days before we open. We've got a lot of things to get done and in trying to accomplish that, we hired someone who had experience in that. This young lady was an accounting manager and was over the benefits and the HR Program at the Superdome.

Councilman Green: Let me understand what you're saying. You're saying that you have 100 days to get this done, so whatever we've requested, it don't matter?

Mr. Carrier: No sir, I did not say that. It does matter. What I'm telling you is that we have a lot of things to accomplish in this next 100 days. We've got a lot of folks to hire, we have training to do, we have a variety of things to do. The HR and Accounting Manager, that particular position, we were able to bring someone up from New Orleans

who had worked at the Superdome that was in a similar position there that had the background experience required for this position, that we were not able to find locally. And so we did that. We did not - - - that decision had not been made two weeks ago. We had a list of people that we were still interviewing at that point in time. We could not find anyone locally, that had that experience and background to be able to do that. We made the call that we needed to get that done so that we could process everything else that we need to do. And so we hired this person. We have received a lot of resumes for other positions, and we're in the process of analyzing those right now. Reviewing them, and beginning to make arrangements for interviews of folks that meet the qualifications and have the backgrounds for those perspective positions, and we'll continue to do that.

Councilman Green: Okay, let me ask you another question. With this Convention Center, do you plan to have conventions with Black folk?

Mr. Carrier: I would hope that we have conventions - - -

Councilman Green: No, I'm being specific. I'm talking about Black organizations.

Mr. Carrier: Yes sir.

Councilman Green: Okay. Then, if you plan to have conventions with Black organizations, then it would seem that we would be liberal in making sure that Black Folk have these positions. Let me go to my next deal. With you being the manager, are you responsible for buying stuff at this time? Or is that just going through our - - - going through Tom Mattox?

Mr. Carrier: It is going through the City's Purchasing Department. We are in - - - our responsibility is to recommend to the City the items to be purchased. Provide that information to the City's purchasing department and then how it is acquired is through the City's purchasing department.

Councilman Green: Oh, so you don't have any- - - once you tell 'em what you need, then you don't have anything to do with how they go through the process?

Mr. Carrier: We don't have - - - it's not that we don't have anything to do with it, we look at when bids come back, we help analyze bids to make sure that they meet the specifications of the products, but we do not choose the vendors.

Councilman Green: Okay, we're not saying that you - - -

Mr. Carrier: And we're - - - let me, if there are state contracts available, we provide information to them that a state contract is available, whether they chose to go through state contract or not, is a decision they make versus bidding. And that's - - - there's a number of ways that they do that. So, we provide information.

Councilman Green: So, do you do anything like 'sole source' brands? Special brands? Is there a - - - do we have any stuff going in the convention center that's special brand?

Mr. Carrier: We will have a couple of items coming up. We have some software for example.

Councilman Green: No, I'm talking about furniture and all of that stuff.

Mr. Carrier: No sir.

Councilman Green: No sole source?

Mr. Carrier: No sir.

Councilman Green: Just software and that's all? So that you just tell 'em the furniture that's - - -, now let me ask you, let me make sure. Who selects the furniture?

Mr. Carrier: Well, it depends. The - - - and there's a variety of furniture. Okay? The banquet chairs, banquet tables, etc we went through a process of looking at a variety of different companies. We made a recommendation to the City for a brand based upon our experience and a variety of things, that one happened to be on state contract and it came direct from the main factory. As do all of those products.

Councilman Green: Okay.

Mr. Carrier: The interior furnishings, the office furniture, if you will, those specifications were done up and recommended by the architects. Because they did that because they wanted to make sure the furnishings selected to go in offices and public spaces throughout the building matched the design and the finishes in the building.

Councilman Green: And here again, you went over what I was talking about. Brand. Because if in fact, you specify a certain brand, then that simply eliminates a lot of people. So therefore if in fact, my granddaddy has a word that's called circumvent, if you'd like to circumvent a process, then you can be brand specific. And if in fact, there's only one company that has that particular brand, then that simply means that we didn't basically break the state law, we didn't basically break the bid law, but we circumvented the whole process. But I'm sure none of that's happened. We don't have a lot of brand specific stuff going in the center, right?

Mr. Carrier: What we have provided has been specifications that identify a particular brand as the basis of the specification, as is typically done in, from what I understand and from what I've seen in City bids and state bids, so that bidders have something to compare themselves to. And at that point, if it goes out for bid or other purchasing.

Councilman Green: Okay. Off the top of your head, can you think of a specific brand?

Mr. Carrier: A specific brand?

Councilman Green: Yeah.

Mr. Carrier: Of what? I mean - - -

Councilman Green: Of furniture.

Mr. Carrier: There's Inwood, there's Hawm, there's Herman Miller.

Councilman Green: What would be one of those brands that very people would have?

Mr. Carrier: That I can't tell you. Because I don't know what different manufacturer or what different representatives sell what furniture.

Councilman Green: And how long you been in this business?

Mr. Carrier: For a lot of years. Every - - -

Councilman Green: You don't know about how long?

Mr. Carrier: I've been in this business for 20 years.

Councilman Green: Okay.

Mr. Carrier: And in - - - I can go to virtually any office supply company down Texas Street or anywhere in this city. And most of them if not all of them offer multiple brands.

Councilman Green: Okay, alright. Before you lived here, where did you live?

Mr. Carrier: Knoxville, Tennessee.

Councilman Green: Were you born and raised there?

Mr. Carrier: No sir.

Councilman Green: Where were you born and raised?

Mr. Carrier: Bristol, Tennessee.

Councilman Green: Oh, okay. Alright. In the contract there is a termination clause that talks about cause. Are you familiar with that?

Mr. Carrier: Yes sir.

Councilman Green: Okay, and then it goes on to tell you about - - - on page 24, material breaches and that kind of stuff. Look at that and check that out and of course, the stuff that I've asked you for, then I'll look to have that pretty soon. But also, you asked me before the meeting started as to what did the detailed report? That simply means that each Council Meeting I would like to have a report of the activities that have gone on as to the hiring of the rest of the staff. And basically I'm sure there are a lot of people probably asking or wondering why would I be asking you? One is this. At this particular time, whose writing you and your staff's paycheck?

Mr. Carrier: It's coming through the City.

Councilman Green: Oh, okay. It's coming. We're not writing the check?

Mr. Carrier: No sir.

Councilman Green: It's not our money?

Mr. Carrier: It's coming from the City to SMG and SMG is writing my checks.

Councilman Green: Yeah I know, SMG is writing your check, but whose footing the bill?

Mr. Carrier: The City.

Councilman Green: Okay. Okay.

Mr. Carrier: That's what I was saying. Is that the City is providing the funds and SMG is writing the checks.

Councilman Green: Okay, and so, City money comes from taxpayers.

Mr. Carrier: Correct.

Councilman Green: And I just think that all of the taxpayers in this city ought to be reflected in what we do. But from what I see as to how the operation is going under your leadership, it's not going well enough to suit me. And I just happen to be in this chair at this time. I represent a lot of folk. I don't just represent White folk. I represent Black folk, White folk, whoever. But as you know, for everything that we've got to do, it just seem as though Black folk just got to hustle and bustle to get it. And again, remember the story of the Little Red Hen. And this is not right. I mean, even we shouldn't, I shouldn't even have to be wasting this time talking to you because we did what was right. Now everybody wants to be a part of this deal now, because we're writing the checks. But before the now, it was just four of us who voted for this deal. And I just want to make sure that everybody gets their piece of the pie. I don't have any kinfolk that's looking for no job or whatever. I don't have no special buddies wanting no contract. I just want to recommend qualified people and anybody that I recommend, they will be qualified to doing a job for whatever the job is, they will be qualified. It won't be no buddy-buddy. I don't owe nobody, I don't take no money under the table. I don't owe nobody nothing. The only somebody I owe is the Lord, and I'm working for Him. But Mike, I just need you to consider how we got to where we are, and in your hiring, I just need the next meeting, if you've hired five people, in order for us to catch up, because Martin King say 'when a runner is behind, he don't just need to run fast to catch up, he's got to run twice as fast.' So if this process is to be taken care of, you're going to

have to hire double, in order for it to balance out. And just for the record, so that you'll know, the last meeting we talked about when I was talking to you, one of the Council Members came to you, rescued - - - I guess tried to make you feel good. He made the statement that on our Council Staff, we only have one White. And that's true. And what happened was, Deborah, a wonderful person left. But we replaced her with a White woman. And all the rest of the employees had been here for a while. But what he failed to tell you is that we replaced her with a White woman. Art Thompson, is the Clerk, but the woman that we replaced make more than any of the Black folk in there. And of course, that was left out. And then I also said to him, that not only that, but even on the Mayor's staff, and he didn't fix it like that, it was just the process. He only had one Black. And I brought that to his attention. So, here again, in different places there be a little whatever, whatever.

Mayor Hightower: And that's not right.

Councilman Green: And that's okay. I'm trying to get this one right.

Mayor Hightower: I need to say something.

Councilman Green: And if we could just get this one right, we'll be okay.

Councilman Gibson: Mr. Chair.

Mayor Hightower: Mr. Chairman.

Councilman Green: Yeah. Yes sir.

Mayor Hightower: In fairness, the statement about my staff was not correct.

Councilman Green: Okay. And we're just talking about Archie.

Speaker Unknown: More than Archie.

Councilman Green: And here again, I haven't finished yet.

Councilman Gibson: Mr. Chair. I'm going to call a Point of Order.

Councilman Green: There ain't no Point of Order. I'll be finished in a minute.

Councilman Gibson: Mr. Chair, I'm going to call a Point of Order.

Councilman Green: Not right now. Mike listen at this. The email that you received - - -

Councilman Gibson: Mr. Chair, I'm going to call for a Point of Order

Councilman Green: (Inaudible) have a great day. Alright?

Mr. Carrier: Thank you sir.

Councilman Gibson: Mr. Chairman.

Councilman Green: Hold it just a minute Mike. Just a minute. You can have a seat sir. Yes thank you. Thank you for your kindness. And you Point of Order is?

Councilman Gibson: My Point of Order is, I'd like to ask for the City Attorney to come forward if you could for just a second, because I think we need a clarification on some of the discussion matters that we've got going on right now. Is the City Attorney in the room?

Councilman Green: Right now, he is not in the room.

Councilman Gibson: Well, it's my understanding that some of the discussions we're talking about here and no disrespect to Councilman Green, I've agreed with a lot of things in terms of inclusiveness and you and I've had those discussions in terms of the City of Shreveport. But I believe in a Federal Government, Federal Law states that employee hiring practices, no judgement shall be made on a candidate based on gender, age, race or religious beliefs. And I think that some of the discussions that we're having at this juncture is why I was asking for a legal opinion real quick, and Mr. Antee, I think

you need to get your legal counsel down here real quick, because - - -

Mr. Antee: We've got City Attorney's office representative (inaudible).

Councilman Gibson: Well, Ms. Glass I need some advice here, because I don't feel comfortable that this Body is talking about things that could put us in harms way in terms of hiring practices. Could you give us some advice there?

Ms. Glass: I'm not really sure what advice you're asking for. It seems to me that it's a policy decision whether the Council would discuss this or not.

Councilman Gibson: Well, we're talking about employment hiring practices. And from my understanding is we're using words like 'cause for canceling contracts' and things of that nature. I wasn't aware that in a contract that we have right now with the hotel and convention center, that we had placed specific demands on hiring practices. Because I think under Federal Law, we can't do that.

Councilman Green: Hold it Ms. Glass. When I said, to clarify that, when I said 'cause,' we weren't talking about hiring. I just made a notation of cause. Has nothing to do with hiring.

Councilman Gibson: Mr. Chair, I'm just asking for a point of clarification here.

Councilman Green: Ms. Glass can't answer what I was talking about, cause she don't know.

Councilman Gibson: Mr. Chair, I'm just suggesting - - -.

Councilman Green: Let me just explain to you what I was talking about Mike. For instance like for an instance, yesterday, when you brought your deal and you read it, I gave you the opportunity to read it, to say whatever you wanted to say. Whether it stepped on somebody's toes, I didn't interfere. Whether it made me boiling hot, it didn't bother me. That's what you wanted to say. And I guarantee you before the end of the meeting, you're going to say some more stuff. And you ain't gone care about the lawyer, you ain't gone care about nobody. You already got it ready. And I'm going to give you the opportunity to do it. But you ain't gone call for the lawyer then, so why would you call now?

Councilman Gibson: Mr. Chair, I called for a Point of Order because we're talking about things that - - -

Councilman Green: No we're not. We're finished.

Councilman Gibson: Thank you very much.

Councilman Green: We're finished, we ain't talking.

Councilman Gibson: Thank you very much Mr. Chairman, that's all I asked.

Councilman Jackson: Mr. Chairman, and with all due respect to the entire Council, Councilman Gibson did ask a question. And I think one of the ways we can clarify that for citizens who are engaged in this process, whether by viewing or who will read the minutes, we ought to suggest and make sure from a legal perspective, we understand Councilman Gibson, that we are a) not making law or discussing policy as much as we're discussing his philosophy. And to him, I think trying to visit that philosophy on what's happening at the Convention Center. So, I think the Council at least is in safe ground with regards to the fact that we're not inculcating or incorporating this into any policy that would put us at risk. So I think it's just the Chairman being conversive and talking a little bit about his own philosophy. And I think we're safe.

Councilman Gibson: Thank you Councilman Jackson for that clarification.

Councilman Lester: Thank you Mr. Chairman, and I appreciate the discussion.

Certainly I think Councilman Jackson has hit the point on the head. And I understand where Councilman Gibson as I'm trying to appreciate where he's coming from. Certainly we don't want to put ourselves in a situation to be the victims of a reverse discrimination lawsuit and things of that nature. So, if that's where he was asking the questions, I will accept that in the spirit that it's offered.

Councilman Gibson: That's exactly what it was Councilman Lester.

Councilman Lester: But I will say this, and I want to be clear to Mr. Carrier who is the General Manager of the Convention Center. It is very important, very important that the managerial staff of the Shreveport Convention Center be reflexive of Shreveport period. Quite obviously for legal reasons, we can't tell you who to hire. That's not our job. And certainly we can't tell you the race of the person that you have to hire. Some of us would like to, (myself included), but we can't do that. Because that's not what the state of the law is. But what I think Councilman Green was trying to get across, and what I'm trying to get across to you is it is more than just important. It is crucial. Because your staff is going to have to sell Shreveport. And Shreveport is a very diverse community in terms of race, in terms of backgrounds and all those different types of things. And it's crucial that the staff of the Convention Center be reflexive of this community across the board period. Gone are the days, and I'm not saying this is where you're coming from, where there is this, dare I say 'plantation mentality' that says "Black people are qualified to work and cook, dance and entertain, but they are not capable of management. That day is over with. And we expect, and I know certainly from my standpoint, this Councilman expects that the management of that facility which is going to have to speak for all of our citizens which is being sponsored by all of our citizens be reflexive of the citizens. Now, how0 you get to that? That's a responsibility and a task that you have to get to. But I would say this. I would like to see from my personal standpoint, I think what Councilman Green is asking for in terms of reports, I think that's fair. I don't think he's asking a lot. I would like to see when you prepare those reports, I would like to know the people that you're interviewing. I don't need to know names, but I would like some statistics on the number of people that are interviewed as well as the number of people that are hired, because again, it is absolutely critical that your staff and when I say your staff, I'm not just talking about the people that are going to be cleaning the rooms and taking out the trash, and those things. I'm talking about management level folks. "B" folks that are representative of this community. And I think we all know what that means. Thank you Mr. Chairman.

Property Standards Report

Councilman Green: Thank you. At this time, we'll move to the Property Standards Report. Mr. Carmody has one question for Mr. Bowie. Mr. Bowie, would you come please?

Councilman Carmody: Good afternoon Mr. Bowie, how are you sir? I met this morning with a constituent in the North Cedar Grove area, Mr. Andrew Barnes who has asked me to inquire about the status of two addresses. 6300 and 6302 Fairfield Avenue.

Mr. Bowie: Okay.

Councilman Carmody: And I had called while I was out there, and asked if you could provide a report. He said that he would be tuned in today to hear what the status was.

Mr. Bowie: Okay. Those two particular addresses, their violations were wrote up on August 19th and entered into the system.

Councilman Carmody: On August the 19th?

Mr. Bowie: Yes.

Councilman Carmody: How long will it take to process those violations?

Mr. Bowie: Normally, it takes 30 to 45 days to get them cut Councilman, but we had to go back and make an ordinance amendment from using the Tax Assessors, the Conveyance Records to the Tax Assessors record. So we're getting that corrected. So hopefully within the next 20 days we can get that cut.

Councilman Carmody: But first the property then are in violation of weed abatement?

Mr. Bowie: Correct.

Councilman Carmody: Okay, I just wanted to make sure. Thank you Mr. Bowie. I appreciate.

Mr. Bowie: It's structurally sound and boarded up.

Councilman Carmody: Yes it appear to that they were secure. Thank you.

Councilman Green: Hold on Mr. Bowie. Mr. Walford.

Councilman Walford: Mr. Bowie, I'm always asking you tough questions, and you're smiling there. Could I take this opportunity to thank Mr. L. B. Jones from your staff for attending a neighborhood meeting with me last night? He did an excellent job of filling in for Ms. Moore. And I really, I've had to move him up there next to me. I really appreciated having him there. And he did a great job with the group. So, I really appreciate it. Sometimes things can be interesting because property standards come up if you don't have somebody that knows and can help. Thank you.

Councilman Jackson: Mr. Bowie, I'd like to ask about Abby Street. Some property on Abby Street. If you could get back with me on that please. I just wanted to reiterate the concern that's there, and I think that's it. Thank you Mr. Chairman.

Councilman Hogan: Thank you Mr. Chairman. Mr. Bowie, I haven't heard lately where we stand on the discussion about using Shotgun Houses for the evacuees.

Mr. Bowie: That would be Mrs. Moore.

Councilman Hogan: I understand, but since that's your department, did you have any word on that. Did you have any - - -?

Mr. Bowie: No sir, I don't.

Councilman Hogan: You don't have any word on that? Okay.

Councilman Green: Probably Councilman Lester would.

Councilman Hogan: That's fine.

Councilman Gibson: Two letters? (inaudible)

Councilman Lester: I have a word for it. I was going to say B and S, but I'll leave that alone.

Councilman Green: Thank you Mr. Bowie.

Councilman Hogan: pardon Me. Mr. Chairman, Ms. Moore is waving at me.

Councilman Green: Okay.

Councilman Hogan: Do you have something to say Ms. Moore? I'm not saying I'm for or against it. I was just wondering where we stood on it.

Ms. Moore: Certainly gives an opportunity to clarify

Councilman Hogan: I can't hear you. A lot of mumbling going on.

Ms. Moore: I said it certainly gives me an opportunity clarify what was in the paper. I think the public thinks that all the Shotgun Houses that are located in Ledbetter and Allendale will be used for the evacuees. That's certainly not the case. We still intend to dispose of the property as the community has asked us to, (inaudible) donate sale those properties and take them out of that community. We have 24, however which is really 11 properties that we must keep because of historic preservation reasons. What we have said that we will make them available to the homeless or other low to moderate income people whether they are evacuees or citizens of Shreveport. In fact, the citizens of Shreveport will have priority.

Councilman Hogan: Thank you for that. That clears up a lot things, questions in my mind and rumors that have been circulating. Thank you Mr. Chairman.

Councilman Green: Thank you. At this time, we'd like to move to item no. 6. Do we have a motion?

Motion by Councilman Gibson, seconded by Councilman Lester to open the Public Hearing. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None. Absent: None.

Public Hearing: Proposed Annexation

TAG No. 05-08: Enlarging the limits and boundaries of the City of Shreveport – A tract of land located east of Woolworth Road and south of Buncombe Road in Section 10 (T16N-R15W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (G/Jackson)(Not to be adopted prior to October 11, 2005)

Councilman Green: The public hearing is now open. Is there a presentation from the Administration? Thank you Mr. Mike. Welcome.

Mr. Strong: The overhead turned on please? Tell you what Mr. Chairman, until the overhead comes on, I can go ahead with this. What this is, is Tag No. 05-08. It concerns some 80 acres of land that is located on the Woolworth Road, and it is south of Buncombe Road, in Section 10, Township 16 North and Range 15 west of Caddo Parish. It's also being more precisely located at the east end of the existing Walnut Hills, Unit No. 2 Subdivision. Tag No. 05-08 is actually related to what is before the Council already that is in a previous hearing which is Tag No. 04-03. And that is Ordinance No. 101. It'll come up for passage too. It is available for passage, but we would ask that Council hold these two together for advertising reasons to either pass or do your action on both of them.

Councilman Green: Thank you.

Mr. Strong: And are we - - -?

Mr. Thompson: We're having some difficulty with our equipment.

Mr. Strong: Okay, but the owner and developer of this 80 acres in Walnut Hills is represented by Mr. Gilbert Harkey. He plans to develop this acreage with some 260 home sites planned in the near future. Both tag numbers are adjacent as shown in our map and I think you have copies of the map before you. 6% of the proposed annexation of this Tag No. 05-08 is already touching or adjoining the existing City limits now. A

passage of 04-03 and 12.5% of Tag No. 05-08 would be touching. So that concludes the presentation. I'm sorry we didn't have it up where we could show it to the public.

Councilman Green: Do anyone have anyone here to speak in favor of the annexation? So welcome to our meeting, would you state your name and address for the record please?

Mr. Gilbert Harkey: (328 Ellerbe Ridge Dr) I represent Walnut Hills, Inc. The owners of the 80 acres, and also Walnut Hills, Inc own 53 lots that are in Tag No. 04-03, which has been postponed since June the 28th, each time it's come up. I'm not sure I understand what was voted on just then.

Councilman Green: We just voted to open the Public Hearing.

Mr. Harkey: Open the Public Hearing?

Councilman Green: Yes sir.

Mr. Harkey: Alright. These Tag Numbers need to be considered as one really, because it's no need in doing one without the other. I have prepared and asked the Clerk to pass out to each Council Member, a copy of what I'm looking at. Do y'all have it?

All Together: Yes Sir.

Mr. Harkey: This is the annexation impact inquiry form that was presented back on June the 28th for 04-03. I'm a registered licensed engineer, I have over 50 years experience, estimating construction for buildings and homes, and also doing feasibility studies on subdivisions. I question and think there are some shortcomings in this impact form. Left out is 53 homes. This in the platted area, it was in this annexation proposal that was brought up back on June the 28th. If you take the 53 homes and you calculate the income from them, including the taxes, you come up with \$72, 822 of additional income and was not shown on the original form. I questioned a staff member in the department of what now is Utilities and Public Works about how the fire protection was calculated. It's five hundred and two thousand, four hundred and some odd dollars that makes up 80% of the total of annual cost that's presented here, and it just doesn't sound logical to me. I didn't get on two requests, I never got a copy of how this was arrived at or who arrived at it. I was just told that, that was the number they were given, and they filled it in on the form. There is no department in the City in my opinion that works any harder than the one that's headed up by Mike Strong. They have more to do everyday when they go to work than they can get done by night fall, and I'm sure that time is the reason and I don't think that I was just ignored, I think they just never had time to get me this information. But nevertheless, I ended up without it. The School Board says it already gets City fire protection, and in this \$502,400 I believe there is a calculation in there for protecting the schools, Walnut Hill School, and that being the case, it's already been spent, because you're protecting the school now, and I get this information from the Assistant Superintendent of Schools, that's heading Buildings and Grounds. The - - - if you take - - - well, the school makes up 40% of the 202 acres. I've calculated that. That's fairly close. So, I believe that the school fire protection is figured twice, since they're already spending the money now, and taking on spending it again and added in this study. And I think that will amount to \$201,000. I stand to be corrected, but it would take more information than I have to find out that, that's not the case. If you turn to page 2, this is 05-08 which has to do with the 80 acres. There is a start up cost in there of two hundred, ninety three thousand, seven hundred and some odd dollars, and I don't understand what that would be for, because the developer of that 80 acres would pay for

the water and sewer mains, and I have not been told why anyone what this figure is. I've requested it, but I haven't got an answer, and I'm sure again it's cause they're just too busy to do it. But if the developer pays for the water and sewer lines, I don't know what other start up costs the City would have, that would amount to \$293,000. The \$123,500 I don't have an explanation of. I know that in developing land, we pay for the disposal of the material from clearing the streets, and the builders pay for the construction waste disposal and most of 'em use private landfills, and pay for it. And I think it's a good possibility that, that \$123,000 would not be incurred as an expense on the City. If you turn the page 3, I realize already, this is going to take more than three minutes. So, I hope when the times up, somebody will grant me more time. This is a map on page 3 of the annexed area. The water and sewer costs on the impact form shows start up cost of \$675,000. The Walnut Hills water and sewer in front of the 24 houses plus (inaudible) as Mike Strong recommended to retain chlorine residual, there's still another \$300,000 and I have a note there, I'd like to know where this other \$300,000 is going to be spent. It's not going to be spent in the Walnut Hills subdivision, I'm positive and I've ridden up and down Woolworth Road, and I don't know where else it could be spent. So, I think it's possible that, that's the \$300,000 (inaudible). If you turn to page 4, the annual income from 53 lots would be \$72,822 and the (inaudible), so it should be increased to \$130, 417. This is pertaining to 04-03 which is the (inaudible) back in June. The actual cost is shown as \$573,000 and the - - - if the school is 40% of the area, then you're already spending \$201,000 protecting the school, which should leave the net cost of \$372,326. The income from tax on building materials which is a true fact, that building materials that are bought in the City, you pay sales tax. This should be included in all annexation petitions as an income just like income from taxes and water and sewer, because it's a real fact. The six businesses in this 04-03 which is the original - - -

Councilman Green: Mr. Harkey, excuse me. I don't know if this will help you out, but Mike is for all of this. And I just didn't want you to enable us to lose the votes we got.

Mr. Harkey: You talking about Mike Strong?

Councilman Green: Yeah, they're for it. And the Councilmen is for it. I just don't want us to lose the votes.

Mr. Harkey: I don't think I've and I hope I haven't done anything that's critical to Mike Strong.

Councilman Green: Yes sir. No sir, you hadn't. But I was just saying - - -

Mr. Harkey: So far, and I don't intend to.

Councilman Green: Right. We got all the votes we need, and I just - - - they didn't know if you needed it or not.

Mr. Harkey: Well, if you got all the votes you need to annex both of these petitions, then I'll stop.

Councilman Green: Yes sir. We got 'em. We won't vote on it today, but we'll vote on it later. Yes sir.

Mr. Harkey: Well thank you. I can save my energy for something else. I'm very grateful for. Thank you very much.

Councilman Green: Yes sir, but you had a great presentation.

Mr. Harkey: Wait till you've heard the rest of it.

Councilman Green: Do we have anyone to speak in opposition? Any Council Members have any - - -?

Councilman Jackson: Thank you Mr. Chairman, Mr. Harkey, and to my colleagues as well. As I've tried to communicate to you all, this Tag No. 05-08 obviously cannot be voted on or adopted prior to our next meeting on October 11. There are some expenses involved in advertising once we do these annexations, and I'm of the belief that if we do both of them, what's on your agenda as 101 and 140. 140 cannot be voted on until October 11th. It would certainly be my intent to on October 11th, vote on both 101 and 140, so that they could be mutually advertised. So, my intent is to save some money or the City's money if you will, in trying to advertise, so that's the spirit of the postponement that will happen on 101 in just a few minutes. So, I'd hope that Mr. Harkey and his investors would just indulge us to October the 11th.

Councilman Gibson: Thank you Mr. Chair. Just a brief comment regarding Mr. Harkey and his associates. It's been my experience working with the community that Mr. Harkey has demonstrated a number of years of successful developments in this community. He is a man of his word. He is somebody that steps up and follows through with his plans, and again, he can bring what he says he can to the table in terms of developments around this community. And obviously, in Councilman Jackson's district, this is going to be a tremendous enhancement to what's going on in terms of the growth of the City. And just from a personal note, I can say personally both to Mr. Harkey, Gilbert Harkey and Tom Harkey, thank you for your time and your investment of your time and money in this community, and I look forward to coming back to Shreveport and seeing this development continuing to blossom out in the Walnut Hill area. Thank you very much gentlemen. Thank you Mr. Chair.

Councilman Green: Anyone else? Thank you. If there is no other business with this Public Hearing, I'll call it closed.

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

Confirmations and/or Appointments.

Adding Legislation to the Agenda

Mr. Thompson: Mr. Chairman, we have one.

1. **Ordinance No. 155 of 2005**: An Ordinance to amend Section 106-1172 of the City of Shreveport Code of Ordinances, the Zoning Ordinance, relative to supplementary yard regulations and to otherwise provide with respect thereto.

Motion by Councilman Jackson, seconded by Councilman Walford to add Ordinance No. 155 of 2005 to the agenda. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1. Absent: None.

Public Comments (*Agenda Items to be Adopted*)

Mr. Don Usry: (2947 Dee Street) I'm the owner and operator of a small fleet of

taxi cabs here in the City of Shreveport, and basically, I'm begging for some relief. I am basically having - - - I'm basically operating at a loss. You know we're a public transportation network that we're - - - don't have access to public treasure. We're forced to operate with profit margin, and we simply can't do it anymore. With the cost of gas and the cost of insurance, I can't find good drivers. I've got cabs sitting and you were talking about earlier getting good jobs in this community, I used to have drives that made \$800 - \$1,000 a week. They're lucky if they make \$3 or 400 a week now. And we hold ourselves out as a regional tourist destination, and frankly I think the cab service in this town needs some improvement, and the only way we're going to be able to do it, is to increase our rates so we can get better quality drivers and when we get better quality drivers, you'll have a better set of cab service. And that's basically all I wanted to say.

Mr. Don Woodard: (822 Dalzell) And that man just said everything I've got to say. I've got cabs that I can't get drivers for. They just can't make any money at the rate of gas prices, and the insurance rates, and so forth. You just can't find quality drivers for your cars the way we're standing right now. And in other words, all I'm saying is that there needs to be a change made. Thank you.

Mr. John Rudy: (640 Prospect Street, #1) Again, reiterating what these gentlemen have already stated, regarding a taxi cab business. I own six in the City. I have two running now. The cost of gas has tripled since 9-11. Insurance rates have tripled since 9-11. Our meter rates have been the same since gas was \$.70 a gallon. We all know what gas is now, and I don't think it's going anywhere near that. So, we just beg your help. We're glad to be of service to the City of Shreveport and want to continue to be of service. But at the point in time, we need assistance by you people.

Mr. Dave McFarland: (2001 E. Texas Street) I'm the owner of Action Taxi. We operate in both Shreveport and Bossier and as you are well aware the ordinances in Bossier mirror that of Shreveport. Bossier is poised. They're set. I apologize for not being more familiar with your procedures, otherwise we'd have been up here a long time ago. Basically, it's just down to economics. We can't afford to operate the way that we are. All of the tax cab companies, all of the drivers, all of the owner operators, are operating in the negative. We started in January of this year, and in February we started phone calls back and forth. In June, we got serious about it. Back then, gas was still below \$2 a gallon. In 2000, it was \$.99 a gallon. Now, this is the first increase that we have had in 14 years. Now that's the increase that you voted on in 2000. It's only five years later, but we've got special circumstances. 9-11 came, insurance rates sky rocketed, and right now, I'm paying double what I was prior to 9-11. Gasoline prices, well even though, they've come down off the \$3 mark, I still pay \$2.79 a gallon today. That's still almost three times what it was in 2000. Short end of the stick, we're not making money. We're losing money and all cab companies are losing operators and so the City is losing their base for public transportation. We're not subsidized by any government agency, in fact we're taxed by every agency that you can think of, from the City and the State, the City of Bossier, meter departments, Department of Agriculture and Forestry, they hit us up every year on each individual taxi cab. We are privately owned and operated, but we're governed by you the Council. And as I said, Bossier is poised, they're just waiting to see some movement from the City of Bossier, and I would appreciate it if you would contact any of your counterparts over in Bossier. We've gone through it. They've drilled us, they've asked several questions. We're basically here

today, just to show a small force. We don't want to come and fill up your chambers to give three minutes to every cab driver in town, or we'd be here for quite a while. We don't want to do any of that. If you have any questions of why it is that we're trying to do what we're doing, now is the time. I'd appreciate anything that you could do.

Mr. Steve Swords: (7800 Lakeshore Drive) I want to thank you for this opportunity to speak. I'm here on behalf of the nighttime drivers for the taxi cab industry. Now you heard very eloquent dissertation by David McFarland who has had tremendous experience in this business. What I want to tell you from the standpoint of a cab driver, these guys are suffering. There is nothing really they can do about it, because you legislate what they're able to make and what they're able to charge. The benefit I think that you have the control over is allowing more cabs on the street which allows the people to get picked up a lot quicker. That's not going to happen with the rates that are set right now. Because the other fellows have told you already they're having a hard time getting drivers, there's absolutely no question about that. There are people out here that drive for a living, and they don't want to quit. But under the circumstances, they're starting to look somewhere else. I think if these rates are raised, you're going to have more cabs on the street. There is a tremendous amount of - - - number of people here in this City and Bossier that rely on taxi cabs to get to work and to get home from work. And because of the time factor that they're using, some of them work very, very early in the morning, so the buses are not available. So, they rely on these companies. They understand the prices of gas. In fact, what I see to help compensate some of these nighttime drivers is some of the drivers that they are dealing with right now is the tips they're getting has been very helpful for them. But that's not going to solve the problem. And the problem really rest with your fellows. And we really appreciate all your help in this. Thank you.

Councilman Walford: Just for my benefit, would you talk me through how - - - I know we've got it in the ordinance here, but how the fare works.

Mr. Swords: There is a drop rate. In fact, if you don't mind. Let me yield this to Mr. McFarland, because he's been in this business a lot longer than I am. I'm an investor and an owner-operator, I'm an Episcopal Priest here in the City and I toy with the cab business. And I drive it occasionally, and for the last week, I actually got out there myself and I will share this about the cab business to ya. It was a very difficult lesson for me, because I wanted to see first hand, what are they experiencing, because I'm hearing this all the time. I thought I knew the City of Shreveport, but I lived here for 26 years, until I drove a cab for a week. I had no clue where anything was. It was a real struggle for me, but by the same token, I was successful in being able to do what I did, what they're able to do, but when it cost \$45-50 after your shift to fill up a cab, that's \$45-50 out of your pocket that would have been able to stay in your pocket because the rates are so low. But you asked a question, I think I'm probably not qualified to answer in terms of what you're asking.

Councilman Walford: I'll call McFarland. You want to call him up now?

Mr. Swords: Yes sir.

Councilman Green: You can come up Mr. McFarland.

Councilman Walford: Thank you very much.

Mr. Swords: You're welcomed. You need me anymore?

Councilman Walford: No sir.

Mr. Swords: Alright. Take it Dave.

Councilman Walford: Mr. McFarland, would you just explain to me how the cab fare works. I know I'm reading it here, but for the benefit of all of us here.

Mr. McFarland: Yes sir. At present we have what is known is the drop or the flag. This is \$2. So, when the individual sits inside of the taxi cab, we turn the meter on, it says \$2. And then we make \$1.50 a mile in \$.25 increments. So, every one-sixth of a mile, it rings off another quarter. The newspaper last week erroneously made the point that the first mile would double in price. That's not true, it's only going to go up like \$.50 by this proposal. What we're proposal is we keep the same \$2 drop and we raise from \$1.50 a mile to \$2.00 a mile. Now, that's a \$.50 increase or one-third increase in our mileage rate. We also propose in - - - by a show of hands of just some people here, the owners of different cab companies. We've studied this for a long time, and we tried to be as fair as we could to both the drivers and the general public who ride. Because ultimately, if we raise our rates too high, we lose our ridership, we make no money. Our drivers suffer more. So we're trying to get a happy compromise where our drivers can make a living, but not raise the rates too much. And so, the new rate would be \$2 flag, and \$2 a mile with a one mile minimum. The reason that we went with the one mile minimum, is let me give you an example. We have a young lady who lives in the apartment complex on Airline Drive across the street from WalMart. She's very well aware that if she rides the cab from the back of the complex where she lives to across the street to WalMart would cost here \$2.25. The \$2 flag and it will register that one-sixth of a mile. And when it passes that one-sixth of a mile, that's when she pays that \$.25. So, now what she does is she calls and says pick me up in the front of the complex. So, she'll walk a hundred yards to the front of her complex, pick up the cab there, drive across the street and it cost her \$2.00. But she's saving \$.25. The only problem will operate around a business district. Now in Shreveport here, that's the downtown areas, anything up Linwood, Line Avenue, Kings Highway, Hearne Avenue, Jewella, so we'll send somebody from middle Shreveport to Airline Drive to pick up this young lady. We'll spend a dollars worth of gas and 30 minutes just getting there. Or one gallon of gas. Well we just spent at today's price, \$2.79 to go pick her up and we lost \$.79 and half an hour to pick up this young lady. So we need some sort of a minimum charge. This is not uncommon in your larger cities. Take for example Dallas. If you take a cab out of the airport, as I know you have, you've noticed that, that meter is \$10-12, and you haven't even left the airport grounds yet. To take a cab from Shreveport Regional Airport to Downtown Shreveport, it'll ring up \$12.50. That barely gets you out of the airport at DFW. It cost you \$50 to go to downtown Dallas or Ft. Worth out of DFW. This is common place in New Orleans, and Nashville, and Memphis, and we've called around several different cities to see what it is that we would get. Now, keeping aside that (inaudible) your initial charge is going to be 14-16% increase and the farther that they drive, the more that it will cost them percentage wise of an increase, up to the 33 1/3, 33.3%. So, if money is not an object and you can afford to take a taxi cab from here to Dallas, it's going to be extremely expensive. That's not common place, but it does happen from time to time, especially with casinos here in town. But the in town rates, and there are some things in our ordinance that we don't charge the local people. We know who our regular riders are and we take care of them and if they're a dollar short of \$.25 short or \$.50 short, we don't worry about it. We take care of our locals because they

are our bread and butter. We make that money off of them every single day, they ride every single day. But being that destination, that tourist destination that we are, we can't afford to go across town and pick up somebody who is literally going across the street. The Downtown Entertainment District or even from the Shreveport District to Bossier's District, the meter won't even click at our present rates. If it does, it clicks off \$.25 and so you make \$2.25 carrying someone across the bridge, but it cost you a gallon worth of gas to do it.

Councilman Walford: Okay, I've read it, I've read it in the newspaper, I just wanted you to explain it for all of our benefit.

Mr. Kenneth Crawford: (354 Acre) I'm the current owner of Casino Cab Co. here in Shreveport. I simply made myself available this afternoon, because like the others have stated, the ordinance, we didn't want the public to, as the paper stated, to have this fly under the radar. But at the same time, there is a lot of taxi cab drivers that used to make a decent living. They would take home various amounts of money based upon the hours that they worked. Some of them worked because of age, some of them worked for whatever reasons. There was a time, that was a good job, even though it's very dangerous. But gas prices increased in maintenance cost, increased in insurance is making that worst by the day. As David stated, this is simply a mileage increase. With a minimum. That minimum helps us cover the cost of having to cover such a wide variety of areas and having to send a cab from across town back to you know just to take, an old lady home from the grocery store that can't carry her stuff anymore. We're trying to help those that rely on us, and at the same time, we're trying to help those that help us. I simply made myself available because the newspaper article said there hadn't been any discussion. I'm here, along with the other cab company owners to have the discussion that there needs to be one. I think that the gas cost, the insurance cost, maintenance cost, those types of issues are enough for businessmen like yourselves to understand that we need an increase, but if there's any questions that you would like answered, I'm here along with the rest to answer to those for you. Thank you.

Mr. Bruce Pogue: (1540 Texas Ave) General Manager and 50% owner of Golden Stripe, 1540 Texas Ave. I share the same sentiment with all the other owners, all the other taxi drivers. It is essential that we get a proper rate increase. Because if we don't like they have said, we are going to suffer as individuals, we're going to suffer as business owners. And we're going to suffer as trying to be a minority business to do business in Shreveport. It's almost impossible for anyone to get out and drive a taxi where it would become feasible for them to feed their families and to take care of the problems that they whatever has occurred is at hand. I don't think \$2 a mile - - - I think \$2 a mile is a very fair option. Because we have things on the books that are already in place. We don't charge that \$1.25 extra per person. Very seldom if ever used. We never have drivers to sit at red lights when it's traffic jams downtown, we don't charge while the people are in the car, and the meter steady ticking, we don't do that. We try to be fair with the market according to what the economics is here in Shreveport. But it is necessary that we all as cab companies, and as cab drivers to get a rate increase. Because the price of tires, the price of telephone calls, everything has gone up. And we can't (inaudible) and make any more money than we normally make now, is because they are not making any money. And the bottom line, the reason why they can't make any money is simply because when you try to serve an area, most everything we do is central

location. True, I'm from the MLK area, but it cost my drivers a lot of money when they drive from downtown to MLK and pick someone up and they go up the street. Well, that driver done lost. He's animated, he's angry at everybody, and he come back and say it's your fault. We're losing money. I had a driver to tell me last night. He said, I'm trying to go to college, I'm trying to take care of my little girl, and I can't make it. So, it's just - - it's necessary we get this rate increase. We plead to you, give us the rate increase. That's the only way we're going to be successful, that's the only way the City is going to be successful, and that's the only way we're going to continue to have the City to move forward. Thank you.

Councilman Hogan: Mr. Chairman, no question. Just a comment, if I may. I just wanted to say, that I've been persuaded and I plan to vote yes. And I don't need to - - - the other people may need to speak, but I plan to vote yes. Thank you for your comments.

Councilman Green: And all he's saying interpreted is that you got his vote now, but if you go any further- - . Thank you.

**CONSENT AGENDA LEGISLATION
TO INTRODUCE RESOLUTIONS AND ORDINANCES**

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

The Clerk read the following:

1. Authorizing Huey Len Brown, Kevin Meredith Smith Brown, Huey Pierce Brown & Lauren Marie Gordon Brown located at 1051 Kay Lane to connect to the water system of the City of Shreveport and otherwise providing with respect thereto. (D/Gibson)(Postponed – September 13, 2005)

Read by title and as read, motion by Councilman Gibson, seconded by Councilman Lester to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None. .

RESOLUTION NO. 171 OF 2005

A RESOLUTION ACCEPTING DEDICATION FOR CADDO STREET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Caddo Street in Section 25 (T18N-R14W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Caddo Street be recorded in the official records of the District Court for Caddo Parish, Louisiana.

BE IT FURTHER RESOLVED that if any provision or item of this resolution

or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

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

Read by title and as read, motion by Councilman Walford, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None. .

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

The clerk read the following:

RESOLUTION NO. 151 OF 2005

A RESOLUTION AUTHORIZING THE SIGNATURE OF THE MAYOR ON A PERMANENT RIGHT OF WAY AND EASEMENT DOCUMENT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Section 4.17 of the Charter of the City of Shreveport contemplates the adoption of a resolution prior to the Mayor's execution of any contract and/or agreement in which the City of Shreveport is a party and/or has an interest.

WHEREAS, the City of Shreveport has been requested to grant a permanent Right of Way and Easement to Southwestern Electric Power Company (SWEPCO) in association with the construction of businesses within the Port of Shreveport/Bossier, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that it hereby authorizes the Mayor's signature on the abovementioned permanent Right of Way and Easement.

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

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

RESOLUTION NO. 166 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND KPMG LLP FOR AN EXTERNAL AUDIT OF THE CITY OF SHREVEPORT FOR FISCAL YEAR JANUARY 1, 2005, THROUGH DECEMBER 31, 2005, AND OTHERWISE

PROVIDING WITH RESPECT THERETO.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal, and regular session convened that it hereby authorizes the Mayor to execute a contract between the City of Shreveport and KPMG LLP substantially in accordance with KPMG LLP's response to the City of Shreveport's Request for Proposal dated June, 24, 2003, filed for public inspection in the Office of the Clerk of Council.

BE IT FURTHER RESOLVED that if any provision or item of the resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications and to this end, the provisions of this resolution are hereby declared severable.

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

RESOLUTION NO. 167 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF THE STATE MINERAL BOARD, TO LEASE CERTAIN MINERAL INTERESTS OWNED BY THE CITY OF SHREVEPORT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City of Shreveport may own certain mineral rights underlying the following described property, to-wit:

Tract 1: Those certain tracts of land belonging to or under the jurisdiction of the City of Shreveport, being more fully described as follows: all of the rights, title and interest in any highways, right-of-ways, roads, or other lands owned by and not presently under mineral lease from the City of Shreveport, situated in Sections 3, 4, 9, and 10, Township 16 North, Range 15 West, Caddo Parish, Louisiana, containing 16.23 acres, more or less.

WHEREAS, the City of Shreveport has received a written request from St. Mary Land and Exploration Company that the City seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Louisiana Department of Natural Resources, State Mineral Board is available upon the request of the City of Shreveport to lease the aforesaid property for oil, gas and other minerals if requested to do so by the City of Shreveport.

NOW, THEREFORE, BE IT RESOLVED by the Shreveport City Council in due, regular and legal session convened, that the Louisiana Department of Natural Resources, State Mineral Board be and it is hereby requested and authorized to seek public bids for an oil, gas and mineral lease covering the property described herein above.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas

and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect.

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4th or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$200.00 per acre.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

BE IT FURTHER RESOLVED if any provisions or items of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications 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 Carmody, seconded by Councilman Gibson to adopt Resolutions No(s). 151, 166, and 167 of 2005. Motion

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

INTRODUCTION OF RESOLUTIONS: (Not be adopted prior to Oct 11, 2005)

1. **Resolution No. 172 of 2005:** A resolution authorizing the execution of a contract with Mark Edwards, D/B/A All Purpose Janitorial Service and to otherwise provide with respect thereto.
2. **Resolution No. 173 of 2005:** A resolution authorizing donation of Shreveport Police Eyewitness camera systems to the Ringgold, Louisiana Police Department and otherwise providing with respect thereto.
3. **Resolution No. 174 of 2005:** A resolution authorizing the Mayor to execute a release for surface damages associated with the drilling of three oil and gas wells located at the City of Shreveport's sludge field location along the Harts Island Road, and to otherwise provide with respect thereto.
4. **Resolution No. 175 of 2005:** A resolution authorizing donation of Shreveport laptop computers to the Caddo Parish School Board and otherwise providing with respect thereto.

Read by title and as read, motion by Councilman Gibson, seconded by Councilman Carmody to introduce Resolution No(s). 172, 173, 174, and 175 of 2005. to lay over until October 11, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

INTRODUCTION OF ORDINANCES (Not to be adopted prior to Oct 11, 2005)

1. **Ordinance No. 152 of 2005:** ZONING – C-52-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on north side of the extension of Freddie Street, 500 feet west of Caldwell, Shreveport, Caddo Parish Louisiana, from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended use District, Limited to “A Leasing Office and Community Center”, only, and to otherwise provide with respect thereto. (A/Lester)
2. **Ordinance No. 153 of 2005:** ZONING – C-71-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on northeast corner of Barrett and Kings Highway, Shreveport, Caddo Parish, Louisiana, From B-1 Buffer Business District, B-2, Neighborhood Business District, and SPI-1 Highland Urban Conservation District, to B-1-E, Buffer Business/Extended Use District, Limited to “A Restaurant as applied for, only with a Drive-Thru Window.” and to other wise provide with respect thereto. (B/Walford)
3. **Ordinance No. 154 of 2005:** ZONING – C-73-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on East side of Line Avenue 100 feet south of 68th Street, Shreveport, Caddo Parish, Louisiana, from B-2-E Neighborhood

Business/Extended Use District, limited to Wholesale and Warehousing, to B-2-E, Neighborhood Business/Extended Use District, Limited to Wholesale, Warehousing, and the addition of Auto Collision Repair, only.” and to otherwise provide with respect thereto. (C/Carmody)

4. **Ordinance No. 155 of 2005**: An Ordinance to amend Section 106-1172 of the City of Shreveport Code of Ordinances, the Zoning Ordinance, relative to supplementary yard regulations and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Lester, seconded by Councilman Gibson to introduce Ordinance No(s). 152, 153, 154, and 155 of 2005. to lay over until October 11, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

ORDINANCES ON SECOND READING AND FINAL PASSAGE

1. **Ordinance No. 28 of 2005**: An ordinance amending Chapter 14 of the Code of Ordinances, styled Animals, and to otherwise provide with respect thereto. (F/Green) (Postponed – September 13, 2005)

Having passed first reading on March 8, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 28 of 2005

Delete the ordinance as introduced and substitute the attached ordinance.

Motion by Councilman Green, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 28 of 2005.

Councilman Green: And just to clarify, the Parish had some different language that they put in and this was cleaning that language up.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: Councilman Gibson. 1. Absent: None. *The Clerk read the following Amendment:*

Amendment No. 2 to Ordinance No. 28 of 2005

In Section 14-14, delete subsection (c) and renumber the remaining subsections.

Motion by Councilman Green, seconded by Councilman Lester to adopt Amendment No. 2 to Ordinance No. 28 of 2005.

Councilman Hogan: Thank you. I didn't understand. You said it deletes that?
Mr. Thompson: Yes.

Councilman Hogan: That's fine. Alright, thank you.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: Councilman Gibson. 1. Absent: None.

Motion by Councilman Green, seconded by Councilman Lester to adopt Ordinance No. 28 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: Councilman Gibson. 1.

2. **Ordinance No. 101 of 2005**: ANNEXATION B Tag No. 04-03. An ordinance to enlarge the limits and boundaries of the City of Shreveport B A tract of land located along the Woolworth and Buncombe Roads in portions of Sections 3, 4, 9, and 10 (T16N-R15W) Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (G/Jackson) (Postponed – September 13, 2005)

Having passed first reading on June 28, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Gibson to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

3. **Ordinance No. 116 of 2005**: An ordinance to amend and reenact Chapter 6 of the Code of Ordinances relative to alarms and otherwise provide with respect thereto. (Postponed – September 13, 2005)

Having passed first reading on July 26, 2005 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 Jackson. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 116 of 2005

Amend Section 6-29(C) and add Section 6-29(D) and (E) to read as follows:

C. Except as provided in subsection D, when an activation of an Alarm User's monitored alarm occurs, the Alarm Business shall attempt to contact the Alarm User by telephone to determine whether an alarm signal is valid before requesting law enforcement dispatch. For the purpose of this section, telephone verification shall require, as a minimum, that a second call be made to a different telephone number for the Alarm User or Key Holder if the first attempt fails to reach an Alarm User or Key Holder who can properly identify himself to determine whether an alarm signal is valid. After both attempts are made, the Alarm Business may then request law enforcement dispatch, whether or not actual contact with the Alarm User or Key Holder has been made.

D. When an activation of an Alarm User's monitored Hold-Up Alarm or Panic Alarm occurs, the Alarm Business may immediately request law enforcement dispatch. Thereafter, the Alarm Business shall attempt to contact the Alarm User by telephone to notify him of the alarm, and shall at a minimum make a second call to a different

telephone number for the Alarm User or Key Holder if the first attempt fails to reach a person who can properly identify himself as an Alarm User or Key Holder.

E. Within seven days after a False Alarm occurs, the Alarm Business shall mail a written notification to the Alarm User, which shall include the location, date and time of the False Alarm, and inform the Alarm User of the applicable fines. This requirement shall not apply if the Alarm Business notified the Alarm User or Key Holder by telephone contact at the time of the False Alarm.

F. The Alarm Business shall maintain a written record of its compliance with the verification and notification requirements of this Section, which shall be maintained for at least two years and shall be subject to inspection by the Chief of Police or his designee.

Motion by Councilman Walford, seconded by Councilman Hogan to adopt Amendment No. 1 to Ordinance No. 116 of 2005.

Councilman Walford: Mr. Chairman, just a brief description of what Amendment No. 1 is. After the initial ordinance was written and introduced, Cpl Adams went to the State Alarm Association meeting, and we incorporated several things that came out of that meeting and her visiting with the alarm businesses (inaudible). I believe they will certainly add to the ordinance, so I would urge a 'Yes' vote. Thank you.

Councilman Carmody: Mr. Chairman, thank you. Mr. Walford, I see that it does address those alarm businesses what about properties that have unmonitored alarms?

Councilman Walford: I'm going to ask Cpl Adams to come up if I may Mr. Chairman. She could address that.

Councilman Green: Cpl Adams?

Cpl Adams: Yes sir, it addresses what we call non-monitored alarms. Monitored alarms are what alarm business call unmonitored.

Councilman Carmody: So, if you have non-monitored alarm, then how does differentiate from of course, you can go to a security company and make sure that they went through the processes we've outlined where they've tried to contact the owner and that type of thing, but how do we, how does the Police Department address those non-monitored alarms?

Cpl Adams: Okay. First you have to understand last year, we had 24,000 alarms. 776 of them about that were non-monitored alarms. Non-monitored alarms are normally what we call a nuisance. They're going to start going off at somebody's house while they're out of town and go off every 20 minutes thereafter. So, the way non-monitored alarms are addressed to make it fair is the same fees, the same rules apply. The only difference is a citizen calls the police as opposed to the alarm company. The non-monitored alarm users have to send a letter in with all of their information. It will be in a database for 911. So there is a non-monitored alarm going off. We've had that information in our database. Now, the only difference to that is we've added in there where the officer has to verify that. And if it's truly a nuisance, there won't be a problem with that. But that's to prevent this neighbor/neighbor feud of his alarm's going off, and we get false fines. So - - - the officer does have to hear it also.

Councilman Carmody: Okay, thank you. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: Councilman Gibson. 1. The Clerk read the following:

Amendment No. 2 to Ordinance No. 116 of 2005

Amend Section 6-34 by adding subsection (K) to read as follows:

K. The Alarm Authority shall hold a meeting every quarter for the first calendar year, then semi-annually thereafter, for the purpose of discussing ways to reduce false alarms. The Alarm Authority shall give notice of the meetings by telephone, mail or other means to such members of the Alarm Industry, Police Department, and City Attorney's Office as the Alarm Authority deems appropriate.

Motion by Councilman Hogan, seconded by Councilman Walford to adopt Amendment No. 2 to Ordinance No. 116 of 2005.

Councilman Hogan: Mr. Chairman, just a quick comment. In one of my meetings with the Chief, and with Cpl Goodman, or Cpl Adams, is that right?

Cpl Adams: Yes sir.

Councilman Hogan: Excuse me, yes. We agreed that the committee would meet quarterly to discuss ways, continuing ways to reduce the false alarms that we would begin to assess after the law is passed. It would be a way to go in and look at how things are going. To assess the effectiveness of the law. So, just a brief overview.

Councilman Jackson: Mr. Chairman, I guess I'm poised to vote against this particular amendment, cause I'm not sure whether it's a legitimate amendment for us, because I'm not remembering the establishment of an Alarm Authority.

Councilman Hogan: If Cpl Adams come up. It's a member of the Alarm industry, Police Department, and City Attorney's office is the Alarm Authority sees appropriate.

Cpl Adams: The Alarm Authority is only the Chief of Police or his designee.

Councilman Hogan: Mr. Jackson, you have a - - -

Cpl Adams: Are you talking about the amendment where the Alarm Authority sets the meetings? Which will include law enforcement, the City Attorney's office and Alarm businesses.

Councilman Jackson: So, when you use the term "Alarm Authority," you're talking about an individual who is the Police Chief.

Cpl Adams: Yes sir, it is the Chief of Police or his designee. He's also the - - - the Alarm Authority is also set for appeals. Anything that is appealed would go to him or his designee.

Councilman Jackson: So, this would, Mr. Chairman, this amendment would make this ad infinitum? The reason I asked, it said every quarter for the first calendar year. And I'm assuming that's from when we start to 2006 and then every year after that. Just semi-annually. So, once every six months. And that would be in perpetuity?

Cpl Adams: Yes sir.

Councilman Jackson: The answer is yes. That answers my question.

Councilman Green: And I guess my question would be why is this needed?

Cpl Adams: When we had the meeting with the Alarm businesses, there was a representative there who would like to have a meeting once a quarter, and of course the Police Department has nothing against that. All we're doing is trying to solve a problem.

Councilman Green: Okay.

Cpl Adams: So we have no problem with that at all. In fact, it's a good idea.

Councilman Green: Chief, would you come up? From my understanding, since you're going to be this, give me your opinion.

Chief Campbell: Yeah, I think it's a good idea, something we talked about with some concerns in reference to some of the industry people in regards to the ordinance. This is not a police deal, this is a community issue. There is a couple of parties involved in being the police department and in the alarm industry. The goal is working together and it's not a one sided operation. It's not just the City of Shreveport, not just the Police Department. What we envisioned here, is working hand in hand with the alarm industry to again, address the issue and solve the problem. That problem being false alarms. And so, it's a way for us to get in there to look at the ordinance and see if it is actually doing what it was intended to do. And if there are suggestions and those things, we can always come back to the Council to incorporate those things and insure that we are (inaudible). And the whole significance is not to fine, it's not to do all those things, even though that's part of the ordinance, the whole point of the ordinance is to reduce the amount of false alarms that we incur in the City of Shreveport, thereby freeing up resources to do other things.

Councilman Lester: Thank you Mr. Chairman, and I don't know if this question is properly directed to the Chief, and maybe Mr. Thompson can help me with this. Didn't we create an Alarm Committee, a committee of the Council?

Chief Campbell: Chief Campbell: Yes.

Mr. Thompson: I think we did. But this is authority.

Councilman Lester: Okay, okay.

Chief Campbell: I think it's the terminology that may be causing the confusion.

Councilman Lester: I'm just asking a question, because it sounds like the group that you put in the (inaudible) for the alarm authority is similar to the committee that we - - -. What would be the difference between the alarm committee and the alarm authority. Is it that the Alarm Authority also has the responsibility of dealing with the fines?

Chief Campbell: That's exactly right. We hear appeals, those types of things.

Councilman Lester: Okay, okay. So, this is amendment is a meeting requirement, which brings it like the Alarm Committee, but in the body of the ordinance itself, the Alarm Authority has - - - that's the group that's tasked with the responsibility of dealing with the fines and appeals?

Chief Campbell: That's correct.

Councilman Lester: Okay, well that answered my question. Because it sounded like we were doing the same thing.

Councilman Green: One last question, if we don't do this amendment, what happens?

Chief Campbell: Well, if we don't do this and we continue to waste resources, what we believe to be, the approximate (inaudible) - - -

Councilman Green: No, just this amendment, I'm not talking about the ordinance. I'm talking about No. 2, if we didn't do No. 2.

Chief Campbell: Well, I think the importance of that amendment is to give the alarm industry, because they play a big role in this. Because mostly their alarm systems are systems that they service. It gives them a voice in, and again, it's a joint effort in trying - - -. The overall goal is that, it'd be very great if nobody had a false alarm and nobody was ever fined, but that's a utopian world. But this is to give them a seat on the bench, or a seat at the table, because it does affect them, and we're going to meet on a quarterly basis to see if we're actually doing what the ordinance was intended to do and that's reduce the number of false alarms.

Councilman Jackson: Mr. Chairman, with all due respect, would think when the question was asked about the material difference, or the significance of difference between this and that alarm committee that was established I think the Chief, and the most material difference would be the make-up. Because the Council obviously had three members who were part of that committee and they have no representation on this particular (inaudible) in this particular group. And it may be because this group says that we're working to bring something back to the Council and just look at it. But at some point at least in the Committee, there was the Council inclusion. I don't think it excluded any of these named groups, I think it included most of them and I think the material difference from committee to this particular group who will be meeting ongoing is the absence of the Council's participation. And I'm not suggesting that because a Councilman had to sponsor this, so I'm not suggesting it's anything against the Council. I'm saying to me, that's the material difference. And if that's the purpose- - - the reason I was saying I was not supporting it because it seems to be unnecessarily redundant. If that committee could function with the same purposes that this one does and could convene those particular meetings, and do the same thing, to me it would seem to be unnecessarily redundant. I may be way off base, but that was my only reason for not being supportive, not because I don't think it's a good idea, I think it is a good idea. But I thought we already had a convening group who could bring that, make that same meeting happen.

Councilman Green: Ms. Glass, would this committee eliminate us as Council from being the appealing Body?

Ms. Glass: Well, the way the ordinance is written, the Council is not the appealing Body. To me the difference between the two committees is the Council Committee was to consider the ordinance and whether the ordinance should be adopted in that form or some other form. Once it's adopted, the ordinance would be in place and this committee would simply look at whether there might be new changes that should be made some time in the future.

Councilman Green: Okay, would that once what happens if they went to this Body for that, and say they disagreed. Would they not be able to appeal to us?

Ms. Glass: Well, the Council is always going to be the final say on what ordinance should be adopted or what amendment should be adopted. So no, your Council Committee could always meet and decide what it would recommend.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: Councilman Gibson. 1. The Clerk read the following:

Amendment No. 3 to Ordinance No. 116 of 2005

In the last BE IT FURTHER ORDAINED paragraph, delete the date October 1, 2005 and substitute the date October 15, 2005

Motion by Councilman Walford, seconded by Councilman Jackson to adopt Amendment No. 3 to Ordinance No. 116 of 2005.

Councilman Walford: And Amendment 3 because we've postponed this, just changes the effective date of the ordinance.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green and Jackson. 6. Nays: Councilman Gibson. 1.

Motion by Councilman Walford, seconded by Councilman Jackson to adopt Ordinance No. 116 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green and Jackson. 6. Nays: Councilman Gibson. 1.

4. **Ordinance No. 127 of 2005**: An ordinance amending Chapter 102-83 of the Code of Ordinances relative to Taxicab Fares. . (Postponed – September 13, 2005)

Having passed first reading on August 23, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 127 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In the final "BE IT FURTHER ORDAINED" paragraph, delete "October 1, 2005" and substitute in lieu thereof "October 15, 2005."

Motion by Councilman Jackson, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 127 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Motion by Councilman Jackson, seconded by Councilman Gibson to adopt Ordinance No. 127 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

5. **Ordinance No. 130 of 2005**: An ordinance amending Ordinance No. 40 of 2003 relative to changing the name of the Shreveport Blanchard Road from the Roy Road to North Hearne Avenue to Hilry Huckaby III Avenue and to otherwise provide with respect thereto. (A/Lester) . (Postponed – September 13, 2005)

Having passed first reading on August 23, 2005 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 Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Gibson, Hogan, Green, and Jackson. 5. Nays: Councilmen Walford and Carmody. 2.

6. Ordinance No. 138 of 2005: An ordinance declaring the City's interest in certain adjudicated properties as surplus and other wise providing with respect thereto. (A/Lester/G/Jackson)

Having passed first reading on September 13, 2005 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 Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

7. Ordinance No. 139 of 2005: An ordinance declaring a certain adjudicated property to be surplus and authorize the Mayor of the City of Shreveport to donate the City of Shreveport's tax interest in a certain surplus adjudicated property, and to otherwise provide with respect thereto. (A/Lester/C/Carmody/F/Green)

Having passed first reading on September 13, 2005 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 Lester to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

8. Ordinance No. 140 of 2005: ANNEXATION – Tag No. 05-08: An ordinance to enlarge the limits and boundaries of the City of Shreveport – A tract of land located east of Woolworth Road and south of Buncombe Road in Section 10 (T16N-R15W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (G/Jackson)(Not to be adopted prior to Oct 11, 2005)

Mr. Thompson: A motion to postpone 140 would be in order.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Jackson to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

9. Ordinance No. 141 of 2005: An ordinance amending the 2005 Capital Improvements Budget.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by

Councilman Jackson, seconded by Councilman Walford. *The Clerk read the following:*

Amendment # 1 to Ordinance No. 141 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In Program C (Street Improvements):

Establish a project entitled **2006 Concrete Panel Replacement (05C002)** at \$1,000,000. Funding sources are 1996 GOB, Prop. 4 \$20,900; 1997 GOB, Prop. 4 \$488,200; 1998 GOB, Prop. 4 \$424,400 and 1999 GOB, Prop. 4 \$66,500. Adjust totals and subtotals accordingly.

Motion by Councilman Carmody, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 141 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Motion by Councilman Lester, seconded by Councilman Carmody to adopt Ordinance No. 141 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

10. **Ordinance No. 142 of 2005**: An ordinance amending the 2005 General Fund Budget.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Walford. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 142 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1:

Increase Estimated Fund Balance as of 1/1/2005 by \$450,000.

Decrease Miscellaneous by \$450,000.

Motion by Councilman Lester, seconded by Councilman Walford to adopt Amendment No. 1 to Ordinance No. 142 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Motion by Councilman Walford, seconded by Councilman Lester to adopt Ordinance No. 142 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

11. **Ordinance No. 143 of 2005**: An ordinance amending the 2005 Budget for the

Fleet Services Internal Service Fund.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

12. **Ordinance No. 144 of 2005**: An ordinance amending the 2005 Budget for the MPC Special Revenue Fund.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

13. **Ordinance No. 145 of 2005**: An ordinance amending the 2005 Golf Fund Budget.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Lester to adopt.

Councilman Gibson: This particular amendment, Mr. Dark or Mr. Antee, could you give an overview on this?

Mr. Dark: The main thing it does Mr. Gibson is, it increases revenues to the Golf systems to match what they've got or what we expect them to have this year. It also increases some of the expense categories for fuel, chemicals, fleet maintenance, and it provides the Golf Fund with an operating (inaudible)

Councilman Gibson: The increase of expenditures are going back into what golf courses?

Mr. Dark: I believe all of 'em, but primarily Querbes, I think is the largest one of those.

Councilman Gibson: So we're taking revenues derived from Querbes and putting it back into Querbes?

Mr. Dark: Yes sir, we are.

Councilman Gibson: Okay, thank you Mr. Chair, thank you Mr. Dark.,

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

14. **Ordinance No. 146 of 2005**: An ordinance amending the 2005 Airports Fund Budget.

Having passed first reading on September 13, 2005 was read by title, and on motion,

ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

15. **Ordinance No. 147 of 2005**: An ordinance amending the 2005 Budget for the Water and Sewerage Enterprise Fund.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Walford. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 147 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2:

Decrease Operating Reserves by \$770,000 and increase Transfer to Retained Risk by \$770,000.

Motion by Councilman Walford, seconded by Councilman Green to adopt Amendment No. 1 to Ordinance No. 147 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None. Absent: None.

Motion by Councilman Walford, seconded by Councilman Green to adopt Ordinance No. 147 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

16. **Ordinance No. 148 of 2005**: An ordinance amending the 2005 Budget for the SPORTRAN Enterprise Fund.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

17. **Ordinance No. 149 of 2005**: An ordinance amending and reenacting portions of Chapter 10 of the Code of Ordinances relative to alcoholic beverages and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Walford.

Councilman Jackson: Maybe it's just me, but on 149, it seems like that's not the right documentation.

Mr. Thompson: I believe that's correct. The wrong thing is hyperlinked. Was she able to change that?

Ms. Pilkinton: Yes.

Mr. Thompson: If you'll refresh, I believe you'll get the right one. It doesn't work?

Councilman Jackson: It did, I think it did.

Councilman Walford: It did with refresh.

Councilman Jackson: Who is this, I didn't see - - - does this apply to a particular person or group?

Councilman Walford: No. Mr. Chairman?

Councilman Green: Mr. Walford.

Councilman Walford: This was mine Mr. Jackson. To give you a brief summary, we might need Mr. Kirkland to come up to explain to us, but apparently we have had wine tasting in Shreveport at various locations that have an alcohol license for a number of years, and it was discovered that, that was not legal. So this brings us in line with the State statute. And I - - - Mr. Kirkland, am I doing it or you want to come up and help us?

Mr. Kirkland: You're doing fine.

Councilman Walford: This was given to me by the MPC staff with the recommendation. So, Mr. Kirkland would you do a better job than I did? Briefly, let me say to you Councilmen, that this would allow as you alluded to, the local government to issue the same type of permit that the State offices allow for any business establishment to have a wine tasting event, they have to pull a permit. It's very carefully regulated and controlled, such it's really technically our City Attorney's office to correct and say they should get Zoning Board of Appeals approval. Well frankly, this amounts to more of a hassle for someone to have to pay \$750 or so just to have a wine tasting event occasionally because some distributor wants to promote the sale of particular products. So, this allows a minimal type activity with no impact to the community other than benefiting the business to promote sales, it accommodates that. And the police as far as I know are in full accord with it so, it removes the hassle and allows something to happen that should not be a detriment to our community.

Councilman Lester: Question.

Councilman Green: Mr. Lester.

Councilman Lester: Thank you. Mr. Kirkland, is it and I'm trying to read this cause I couldn't get the hyperlink earlier, this is - - -

Mr. Kirkland: They could pull two permits per month maximum.

Councilman Lester: Okay.

Mr. Kirkland: Cannot be a private party. It almost totally mirrors the State regs on it.

Councilman Lester: I guess my concern and forgive me for doing the day job thing, but I'm just concerned, I don't want - - - I want to be sure that we don't create a loophole where twice a month we're having more than just a wine tasting party, we're having - - - you know (inaudible) alcohol.

Mr. Kirkland: And I appreciate your concern - - -

Councilman Lester: A pure alcohol tasting party.

Mr. Kirkland: And neither would we from the standpoint of we're not trying to get out of a workload, in fact, it actually might help our revenue string, but neither of the police, but this is an easy way to effectively control an event, but the police are the ones that issue the permit, and accordingly, they'll be able to monitor it if there's a problem. It has limitation of midnight hours and that sort of thing, so after a commercially zoned establishment and we think it does, and police as far as I recall, Cpt Holley, and Sgt or Cpl Collins (about to give him a promotion), they didn't have a problem with it at all. In fact I think they saw that it was probably a benefit to have this (inaudible).

Councilman Lester: Let me ask you this. Is this going to interfere with the requirement when people do the different events, let say Cinco De Mayo, or the different functions that our colleges and universities? Is this going to resolve them of the responsibility of having to come before us and (inaudible)

Mr. Kirkland: No sir, that's not the intent and I believe the amendment as written preserves the (inaudible) to still come through asking for the Council exception and that sort of thing.

Councilman Lester: Okay, so this ordinance is narrowly tailored to affect folks that are doing the wine tasting, and it has to be in a business establishment, zoned commercial or industrial?

Mr. Kirkland: That's correct.

Councilman Lester: Okay, so if you want to have a wine tasting at your house, obviously, you cannot do that?

Mr. Kirkland: No sir, you could not. You couldn't get a permit for it.

Ms. Glass: Mr. Chairman, we have an amendment, that is just a technical amendment that re-arrange the sections that I failed to get hyperlinked.

Amendment No. 1 to Ordinance No. 149 of 2005

Delete the ordinance as introduced and substitute the attached ordinance.

Motion by Councilman Carmody, seconded by Councilman Walford to adopt Amendment No. 1 to Ordinance No. 149 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Motion by Councilman Walford, seconded by Councilman Hogan to adopt to Ordinance No. 149 of 2005 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

18. **Ordinance No. 150 of 2005**: An ordinance authorizing the Mayor to execute an addendum to the Lease Purchase Agreement with U.S. Support Company and to otherwise provide with respect thereto. (E/Hogan) (Not to be adopted prior to Oct 11, 2005)

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by

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

19. **Ordinance No. 151 of 2005**: An Ordinance amending the 2005 Budget for the Community Development Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on September 13, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Councilman Hogan: Mr. Chairman, it won't change the outcome of the vote, but for the record - - -

Councilman Green: I'm going to give it to you.

Councilman Hogan: Oh, okay. Excuse me.

The adopted ordinances and amendments follow

ORDINANCE NO. 28 OF 2005

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES, STYLED ANIMALS, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY: COUNCILMAN JAMES GREEN

WHEREAS, the City Council hereby finds it to be in the public interest to comprehensively revise Chapter 14, entitled "Animals and Fowl", of the Code of Ordinances of the City of Shreveport.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that Chapter 14 of the Code of Ordinances is hereby amended and re-enacted to read as follows:

ARTICLE I. IN GENERAL

Sec. 14-1. Penalty.

Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter shall be punished as provided in Section 1-14.

Sec. 14-2. Applicability.

This article shall be effective in and apply within the City of Shreveport and shall hereinafter be

referred to as "The Animal Control Ordinance."

Sec. 14-3. Definitions.

For the purposes of this chapter, the following definitions shall apply:

- (a) Abandoned shall mean to completely forsake and desert an animal previously under the custody or possession of a person without making reasonable arrangements for its proper care, sustenance, and shelter for a period of twenty-four (24) hours.
- (b) Administrator of Caddo Parish shall mean that person appointed by the Caddo Parish Commission under Section 4-01 of the Home Rule Charter of the Parish of Caddo.
- (c) Animal shall mean any living vertebrate creature except human beings, including but not limited to mammals, birds, fowl, reptiles and fish, except when referring specifically to the control of rabies where the meaning of the word "animal" shall be limited to mammals, domestic and wild.
- (d) Animal establishment shall mean a facility operated as a pet shop, grooming shop, commercial kennel, commercial livery stable, permanent or transient zoo, circus or performing animal act, or for the boarding of dogs and cats or the training of dogs for any purpose. Animal shelters operated by public authorities and veterinary medical facilities are exempt from this definition.
- (e) At large stray shall mean any animal that is not within the confines of a home or under authorization of the owner thereof, in a pen or cage, on a leash or in the physical possession of the owner or the owner's agent. Hunting or stock dogs, and show dogs and cats or other animals, while being worked or shown under the supervision of their owners or the agents or employees of said owners, are exempt from this definition.
- (f) Bite shall mean the breaking of the skin of a human being by an animal's teeth, mouth, claws or beak.
- (g) Breeder shall mean any person who breeds a female dog or cat for the purpose of obtaining a monetary gain from the sale of any portion of the litter produced.
- (h) Carrier shall mean any airline, railroad, motor carrier, shipping line, or other enterprise engaged in the business of transporting for hire.
- (i) Cat shall mean any member of the Felidae (feline) family.
- (j) Circus shall mean a commercial variety show featuring animal acts for public entertainment.
- (k) Collar shall mean a band, choke chain, harness, or other device worn around the neck of an animal in a humane way to which a vaccination tag may be affixed.
- (l) Commercial kennel shall mean any person, partnership, or corporation engaged in the commercial breeding of dogs or cats or both for sale individually or in litter lots, or in the boarding, training, sale or hire of dogs or cats for compensation, or operation of a guard dog service. Animal hospitals operated by licensed veterinarians as a part of the practice of veterinary medicine, shelters operated by public authorities, and tax-exempt humane organizations shall not be considered commercial kennels.
- (m) Commercial livery stable shall mean any establishment where one or more horses are let for hire to be ridden or driven, or where one or more horses are boarded for a fee.
- (n) Cruelly-ill treat shall mean every act or failure to act whereby unjustifiable physical pain or suffering is caused or permitted.
- (o) Dangerous Dog shall mean any dog that when unprovoked, shall be deemed a dangerous

dog if it:

(1) Bites, injures, or inflicts a bite on a human being or domestic animal either upon public property or those areas of private property that are unfenced and normally accessible to the public.

(2) Chases or approaches a person upon the streets, sidewalks or public grounds in a terrorizing or menacing fashion or apparent attitude of attack.

(3) Bites or injures animals or persons authorized to enter upon the owner's premises such as letter carriers, meter readers, trash collectors, repair persons, delivery persons or business customers provided that the persons authorized to enter upon the owner's premises shall not include unauthorized intruders such as burglars or trespassers in the owner's business, house or apartment or within a fenced area on the premises not normally accessible to the public.

The Director and/or his agents shall make all determinations that a dog is a dangerous dog.

(p) Dealer shall mean any person, not a public entity, who, as a business, sells, exchanges, or donates or offers to sell, exchange, or donate animals to any person.

(q) Department shall mean the department of animal services and mosquito control (CPAS).

(r) Director shall mean that person designated by the parish administrator or his agent as responsible for the administration of the Caddo Parish Animal Services and Mosquito Control Department, and, except where clearly limited by the context, shall include duly-appointed officers and others duly authorized and acting under the authority of the director.

(s) Dog shall mean any member of the Canidae (canine) family.

(t) Dwelling shall mean the house or other structure in which one or more persons live. For determining the maximum number of dogs, only one dwelling per subdivided lot will be used to establish the number of dogs per permitted.

(u) Excessive barking shall mean unprovoked animal noises of such a loudness, intensity and duration as to prevent or interfere with a person's ability to enjoy his property, included but not limited to situations where:

(1) On more than one (1) occasion has awakened the complainant up from sleep; or

(2) Continues in such a manner so as to cause mental anguish or suffering, loss of sleep or a disturbance of the peace.

(v) Grooming shop shall mean a commercial establishment where animals are bathed, clipped, plucked, or otherwise groomed, excluding animal shelters.

(w) Guard Dog shall mean any dog that is utilized at a commercial establishment or that is used by commercial entity to provide security protection for employees, employers, property, goods and or equipment.

(x) Horse shall mean any horse, pony, donkey, or mule.

(y) Indoor Dog shall mean any dog that:

(1) Lives inside the dwelling

(2) Is not left outside unattended.

(3) Eats and sleeps in dwelling.

(z) Isolation shall mean the secure, humane confinement of a dog or cat that has been bitten by a known rabid animal so as to prevent such dog or cat from coming in contact with any other animal. Isolation enclosures shall be so constructed and secured that entry will be limited to the owner of the confined dog or cat, with the primary enclosure so located within a secondary enclosure to prevent accessibility to the public.

(aa) Non-commercial kennel shall mean a private residence which exceeds the maximum allowable number of dogs in which the Director of Caddo Parish Animal Services has deemed it

appropriate to issue a non-commercial permit. The kennel must be in compliance with all applicable local, state and federal laws.

(bb) Nuisance by an animal shall mean the damaging, soiling, defiling, urinating or defecating upon, or repeatedly trespassing upon property other than its owner's, excessive barking or noise making so as to disturb the peace and repose of persons living or working nearby, molesting, threatening, attacking or interfering with persons on private or public property, chasing motor vehicles or bicycles, attacking other domestic animals, or disturbing or turning over garbage or trash containers, or causing unsanitary conditions or odors on or about the premises of its owner by urination or defecation.

(cc) Owner shall mean any person who has a right of property in an animal, or who keeps an animal in his care, harbors an animal, acts as custodian for an animal, or who permits an animal to remain on or about his premises.

(dd) Person shall mean any person, firm, partnership, association, corporation, or entity of any kind.

(ee) Pet shop shall mean any person who obtains animals for sale, exchange, or barter, to the general public, or who grooms animals, as a principal or agent, or who holds himself out to be so engaged.

(ff) Primary enclosure shall mean any structure used to immediately restrict an animal or animals to a limited amount of space such as a house, room, pen, run, cage, compartment, or hutch.

(gg) Proper food shall mean providing each animal with daily food of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal.

(hh) Proper shelter shall mean providing each animal with adequate shelter from the elements as required preventing unnecessary or unjustifiable suffering by the animal.

(ii) Proper veterinary care shall mean providing each animal with veterinary care sufficient to prevent unnecessary or unjustifiable physical pain or suffering by the animal.

(jj) Proper water shall mean providing each animal with daily water of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal.

(kk) Vaccination against rabies shall mean the injection subcutaneously or otherwise by a licensed veterinarian, or by a person under his supervision, of animal rabies vaccine approved by the state health officer or the director.

(ll) Vaccination certificate shall mean a serially-numbered certificate on a form approved by the director, and signed by a veterinarian or his representative, stating the name of the owner of the dog or cat to which issued and a description of the dog or cat to which issued, indicating the year for which issued, certifying that such dog or cat was inoculated or vaccinated against rabies, and stating the date thereof.

(mm) Vaccination tag shall mean a suitable tag, bearing the same number as the vaccination certificate and indicating the year for which it was issued.

(nn) Vicious dog shall mean a dog which has:

(a) Attacked and caused severe and gross injuries or death to a human being; or

(b) Previously been classified as "dangerous" and subsequent thereto a violation of Section 14-10.1 (a) occurs.

(c) Has previously been classified as dangerous and is found to be at large two (2) or more times.

(d) Extenuating circumstances may allow the Director or Animal Advisory Board additional discretion in determining if an animal is vicious. No dog shall be deemed vicious simply by its

breed

(oo) Working days shall mean Mondays through Fridays, excluding legal holidays recognized by the Caddo Parish Commission.

Sec. 14-4. Authority and duties of director.

(a) The director shall administer the department, shall have the authority and duty to enforce the provisions of this chapter, and shall be authorized to represent Caddo Parish in all actions resulting from enforcement or attempted enforcement of this chapter.

(b) The director shall appoint animal control officers who shall have the authority to investigate complaints and to enforce the requirements of this chapter.

(c) The director shall exercise every reasonable care to prevent injury, illness, death, escape, or pilfering of an animal with which he deals in carrying out the provisions of this chapter.

(d) If, in the opinion of the director, the incidence of rabies or other disease transmissible by animals to man, either directly or indirectly, be such as to justify control measures more stringent than provided herein, the director shall determine and proclaim the existence of a state of emergency in the interest of public health. All parish departments and agencies and personnel therefrom shall be made available to assist in a carrying out necessary control measures during the existence of such emergency.

(e) The director shall grant, deny, revoke and suspend permits required by section 14-17 of the Code.

Sec. 14-5. Owner's responsibilities.

Owners of dogs and cats shall be responsible for compliance with the following:

(a) All dogs and cats, except cats which have been properly vaccinated for rabies, neutered or spayed and properly tagged except any dog that is being trained for, or being used for the common and accepted practices associated with the legal hunting of game, including birds and animals, and the herding of livestock, shall be kept from running at large and must be confined. The owner of a cat or dog which causes damage to another person's property shall be responsible for that damage. If a cat is shown to have damaged, with its claws, another person's property, the Director of Caddo Parish Animal Services may instruct the owner to either have the cat declawed or confine the cat indoors. If a dog causes damage to another person's property, the director may classify the dog as dangerous and enforce the guidelines as set forth in this code. Failure of the owner to follow the instructions of the Director may result in the animal being seized and humanely disposed of.

(b) Owners shall be responsible for practicing a flea and tick program.

(c) Owners of animals that bite an individual are responsible for notifying Caddo Parish Animal Services.

(d) It shall be the responsibility of the owner to confine outside animals in an enclosed area. The primary enclosure should contain a minimum of 64 square feet (8ft. x 8ft.) per animal. There shall be no tethering of animals with chains, cables, ropes or any other such device in lieu of a proper enclosure. Outside animals that reside in a neighborhood with fencing restrictions must be kept inside or confined in an outside kennel with the minimum square footage as stated above. Any animal found in violation will be seized. The Owner will have 5 days to correct the discrepancy or the animal will become the property of Caddo Parish Animal Services. Whether or not the animal is redeemed, the owner will be responsible for all fees. Whoever is found to be guilty of failing to provide the proper enclosure shall be fined not less than \$250.00 nor more

than \$500.00 or serve five days in jail. Imposition or execution of sentence shall not be suspended.

(e) The owner of any dog housed outside shall provide a proper shelter which will provide adequate protection from the elements. This includes but is not limited to a dog house, enclosure, or ready access to an already existing structure. The shelter must provide basic protection from the elements. In addition, the owner shall provide the dog access to an adequate water supply. The owner shall provide adequate food for the dog and must feed the dog at least once per each two (2) day period. Any fenced or walled enclosure will consist of a chain link, wood, brick, vinyl fencing or any other material deemed appropriate by the Director of Caddo Parish Animal Services. The barrier will be a minimum of four (4) feet high but at all times will be of a sufficient height to preclude the dog from escaping over the barrier. No fence or wall will have openings greater than 2 inches in diameter.

(f) No owner shall tether a dog to moveable object in which the dog must physically move the object in order to move about the enclosure.

(g) No owner shall position their dogs in a manner that would prevent emergency personnel from gaining safe and immediate access to main entrance to the residence.

(h) Any owner who legally tethers their dog must ensure:

(1) The dog is tethered within an enclosed area

(2) The dog is secured in such a way where the tether will not become wrapped or entangled as to restrict the original length of the tether.

(3) The tether must provide the animal a minimum of sixty-four square feet of space to freely move about

(i) It shall be unlawful for any occupant or owner of a dwelling to keep or allow to be kept outdoors on the premises of any dwelling more than four (4) dogs, except that a litter of pups may be kept for a period of time not exceeding five (5) months from birth. This provision shall not apply to any establishment where dogs are lawfully kept for breeding, sale, sporting purposes or boarding. In a case where the numbers of dogs exceed the legal limit, the owner may apply to the director for a non-commercial kennel permit. The directors will approval the permit if the following conditions exist:

(1) There is adequate space to house the dogs.

(2) The additional dogs not create a health risk for the humans or other animals which occupy the residence.

(3) The additional dogs not degrade the environment for the surrounding residences.

(4) All animals on the property have been properly vaccinated

(5) There is there an adequate tick and flea control program.

(6) The applicant is in compliance with all other portions of this chapter.

(7) The applicant and or owner/caretaker of the dwelling have not received any legitimate dog complaints from adjacent residences or the surrounding neighborhood.

If the director finds that all of the above conditions exist, he may issue a non-commercial permit. If the director finds that one or more of the conditions as listed above are in compliance, he may deny the permit and the applicant will be required to come into compliance. If the applicant disagrees with the decision of the director he may appeal that decision as stated below in sub section 14-5(j) (1)-(2).

(j) For indoor dogs, there shall be no limit unless those dogs create a nuisance. The director may enforce the maximum limits as stated for outdoor dogs for any owner who permits his indoor dogs to create a nuisance.

(1) If the owner disagrees with the decision of the director, he may appeal that decision to the animal services board. The director's decision shall be revoked only by a majority vote of the animal services board. If the board does not revoke the decision, the owner will have an additional ten (10) days to request an appeal. If an appeal is not requested the owner must comply with the director's decision and the number of dogs must be brought into compliance. The owner must be present or legally represented at the hearing or any right to the appeal will be deemed waived and the ruling of the director will be final.

(2) Any person aggrieved by any action of the animal services board may appeal said action to the City Council. Written notice of such appeal must be submitted to the Clerk of the City Council within three (3) working days of the action of the animal services board from which the appeal is taken or the right of appeal will be deemed waived and the ruling of the board will be final. The City Council shall hear the appeal at the first available regularly scheduled meeting after receipt of said notice of appeal by the Clerk. To overturn the rulings of the Animal Services Board, it will require a 2/3 majority vote of the City Council. An issue so appealed shall be taken to the First Judicial District Court by filing an appropriate petition within ten (10) days of receipt of notice of the decision of said body. Failure to timely file said petition shall constitute a waiver of the right of appeal and the decision of the City Council will be final.

(k) Must ensure any guard dog is registered with the CPAS.

(l) Owners of dogs that have been declared "dangerous" must register the dogs with CPAS and abide by the provisions set forth in Sec. 14-10.1

Sec. 14-6. Rabies tags required for dogs and cats.

(a) It shall be the duty of the owners of dogs and cats to obtain and retain at all times a rabies tag for each such animal. Tags containing vaccination numbers shall be securely fastened at all times to a collar or harness and worn at all times by the dog or cat for which the tags were issued. Hunting or stock dogs, show dogs and cats, and law enforcement dogs are excepted from wearing tags while being worked, conditioned or shown under the supervision of their owners or agents thereof.

(b) Fees for tags for dogs and cats shall be paid to the designated licensing agents by their owners.

(c) Rabies tags shall be renewed annually during their anniversary month.

(d) The requirements imposed by this section shall not apply to dogs or cats kept by regularly chartered medical schools, veterinary schools, veterinary hospitals and public animal control centers and tax-exempt humane organization shelters.

(e) Persons failing to obtain a rabies tag required by this section shall be subject to the penalty set forth in section 1-14.

(f) Any person who counterfeits or imitates the rabies tag provided by the licensing authority, or who shall put on a dog or cat any such counterfeit or imitation tag shall be subject to the penalties provided in section 1-14

(g) Rabies tags are not transferable.

Sec. 14-7. Vaccinations of dogs and cats.

(a) No person shall own, keep or have in his custody or possession any dog, cat or ferret over four (4) months of age which has not been vaccinated against rabies by a licensed veterinarian

within one preceding year.

(b) At the time of vaccination, the veterinarian shall issue the owner of the dog or cat a vaccination certificate and a tag, which shall be securely fastened to the collar or the harness of the dog or cat and worn in accordance with the provisions of Section 14-6.

(c) No owner or person having custody or possession of any dog or cat shall permit such dog or cat to wear any tag not issued to that particular dog or cat, nor shall any person having secured a tag for any dog or cat allow any other dog or cat to wear said tag.

(d) It shall be unlawful for rabies vaccine to be administered by anyone other than a licensed veterinarian, or a person acting under the direct supervision thereof.

(e) It shall be unlawful for anyone other than a licensed veterinarian to sell rabies vaccine except for livestock purposes.

Sec. 14-8. Impoundment of dogs and cats, identification and classification

(a) It shall be the duty of the director to seize and impound any at large stray dog or cat not tagged with the current official vaccination and license tags. Any dog or cat so seized and impounded shall be held for a period of at least four (4) working days during which time the owner may reclaim the dog or cat. The director may also seize and impound tagged dogs which are at large in violation of section 14-12. Any tagged dog which is impounded shall be held for a period of seven (7) working days during which time the owner may reclaim the dog. To reclaim an impounded dog or cat, the owner must pay redemption and board fees as provided in section 14-23, and provide satisfactory proof of ownership. If the dog or cat is not legally vaccinated and licensed, the owner shall be required to pay an additional fee as provided in section 14-23 to cover the cost of licensing and vaccination.

(b) Any dog or cat impounded by the department and not reclaimed by the owner within the prescribed time limits may be placed for adoption as a pet or humanely euthanized. A good faith attempt to notify the owner at his last known address shall be made first if the name of the owner is known. Upon notification, the owner shall have three (3) working days from such notice to redeem the animal after which it may be disposed of. If, upon notification, the owner does not wish to reclaim the animal and signs a release of his rights therein, the animal may be disposed of immediately.

(c) The director may order immediate euthanasia for any animal lawfully taken into custody at the animal shelter which, in the opinion of the director, is, by reason of age or temperament, crippled, diseased or injured or requires such action for humane reasons.

(d) Owners of unwanted animals may bring the animals to the animal shelter and release them to be disposed of at the discretion of the director. Should an owner want to redeem an animal which has been released, all impoundment, board, vaccination, and license fees as applicable, must be paid.

(e) It shall be the duty of the director to seize any domesticated animal, in addition to dogs and cats, found to be at large, and any non-domesticated (wild) animal that is a potential public health hazard, a nuisance, or is sick or injured.

(f) Domesticated animals other than dogs and cats will be held for a period of at least four working days during which time they may, after payment of impoundment and board fees, be claimed by their owners. If the owner does not claim any such animal, the animal may be disposed of at the discretion of the director.

(g) Non-domesticated animals shall be relocated or humanely euthanized at the discretion of

the director.

(h) Any person adopting an unspayed or unneutered animal from the department must sign an agreement to have the animal spayed or neutered within thirty (30) days or by six (6) months of age for a female or nine (9) months of age for a male, and must leave a deposit in an amount established by the director with the department to be applied toward such veterinary services. The department will issue a receipt for said deposit and the amount thereof will be paid to the veterinarian selected by the adopting party to perform the surgery, as a credit upon the charge for such service. The department shall perform follow-up investigations to confirm compliance with this section, and failure to comply shall constitute a waiver of all rights of the adopting party and in and to the animal, returning full custody of the animal to the department and shall further constitute forfeiture of all fees paid by said party in connection with the adoption.

Sec. 14-9. Animals which bite or scratch persons.

(a) If any person shall report to the police department, Sheriff's office, Caddo/Shreveport Health Unit or the Caddo Parish Animal Services and Mosquito Control Department that a dog or cat has bitten or scratched him or any other person, the director shall direct the owner of the dog or cat to confine it for a ten-day observation period in the rabies observation cages maintained on the premises of the department of animal services shelter or, should the owner prefer, in an established veterinary hospital. If the owner of the dog or cat having bitten or scratched a person cannot be determined, the animal will be observed for four (4) days, at which time the dog or cat will be euthanized and its head submitted to the laboratory for testing for rabies.

(b) When an owner chooses to confine his dog or cat within a veterinary hospital, the owner shall have twelve (12) hours from the time of the bite or scratch to do so. The animal must be confined in Caddo Parish. The owner shall advise the director of what veterinary hospital the dog or cat will be confined in and shall advise the veterinarian that the dog or cat is to be placed under observation for biting or scratching. If the dog or cat is not confined within twelve (12) hours, the director may issue a citation to the owner or the dog or cat shall be apprehended and confined by the department.

(c) Each veterinarian caring for a dog or cat quarantined for biting or scratching shall submit a report to the director as to the health status of the dog or cat observed by him at the end of the ten-day observation period.

(d) If any dog or cat dies during the ten-day observation period, whether at the veterinary hospital or at the Animal Shelter, the director shall have the head of such dog or cat submitted to the Louisiana Department of Health and Human Resources laboratory for examination for rabies.

(e) If any dog or cat placed under observation for biting or scratching has been injured or becomes sick, in such a state that its recovery is seriously in doubt, or if the sickness of such dog or cat endangers the health of other animals or persons, the director shall have said dog or cat euthanized and its head submitted to the Department of Health and Human Resources laboratory for examination for rabies.

(f) Home confinement for observation of a dog or cat involved in a bite or scratch may be allowed, at the discretion of the director, if the following conditions are met:

(1) The dog or cat is currently licensed and vaccinated with an approved rabies vaccine.

(2) The owner was in compliance with the applicable leash or confinement and restraint requirements of this chapter at the time of the bite.

- (3) The confinement and conditions thereof have specific approval of the bitten or scratched party, or his proper legal representative, as evidenced by a signed, written agreement, which agreement shall hold the director and the parish harmless for any loss or damage whatsoever which may result from the allowance of such confinement.
- (4) The dog or cat is examined by a licensed veterinarian after the bite or scratch and written certificate by said veterinarian that the animal appears to be in good health is supplied to the director within twenty-four (24) hours after the bite or scratch.
- (5) Immediately upon expiration of the ten-day observation period, a licensed veterinarian shall examine the dog or cat and certify to the director in writing the health and condition of the animal.
- (6) If the director determines that a dog or cat may be confined at the home of its owner, the owner shall notify the Caddo-Shreveport Health Unit's medical director or the department immediately if the animal shows any symptoms of sickness or abnormal behavior or escapes or dies during confinement. Persons having custody there shall surrender the carcass of the dog or cat which dies during confinement to the health unit or the department.
- (g) In order for an animal to remain impounded, the victim must have the bite or scratch verified by a licensed medical doctor. Proof of the visit must be provided to the CPAS.
- (h) Any doctor, hospital, clinic, or other medical facility within Caddo Parish that exams and or treats an animal bite of any nature must notify the CPAS.
- (i) Any certified enforcement dog belonging to a law enforcement agency is exempt from this requirement of this section. Vaccination status of all enforcement dogs shall be retained by the agency involved.

Sec. 14-10. Release of dogs or cats impounded for observation; fees.

- (a) The owner shall also be responsible for redeeming their animal as soon as the quarantine period is over. On the twelfth (12th) day, the animal becomes the property of CPAS.
- (b) Any owner redeeming a dog or cat impounded for a ten-day observation period shall pay an impounding fee and board fee as provided in section 14-23.

Sec. 14-10.1. Dangerous dog, vicious dog.

- (a) Dangerous Dog:
 - (1) The animal control center may investigate reported incidents involving dogs that may be "Dangerous". Upon such investigation, if the director finds the dog to constitute a dangerous dog as defined in this section, said dog shall be so classified. The owner shall receive written notification of the animal control center's classification of the animal. A record of the dog will be maintained in the dangerous dog data base and file system at CPAS.
 - (2) Appeal Process
 - (a) Any owner aggrieved by the director's decision to classify the dog as "dangerous" may appeal that classification to the animal services board within ten days of notification. The appeal must be heard by the animal services board within ten (10) days after the owner has submitted a notice of appeal. The classification of a dog as "dangerous" shall be revoked only by a majority vote of the animal services board
 - (b) Any person aggrieved by any action of the animal services board may appeal said action

to the City Council as stated in Section 14-5(j)(2) of this chapter

(c) If the owner fails to appeal the classification, all restrictions concerning the dangerous dog must be adhered to. Failure to abide by the restrictions will result in the seizure of the dog. Upon seizure, the dog will become property of animal services and disposed of as deemed appropriate by the director

(3) The owner of a dog that has been classified as dangerous shall abide by the following mandates within thirty (30) days after the dog has been so classified:

(a) A dangerous dog collar supplied by the animal control center shall be purchased and affixed to the dog to be worn at all times.

(b) A computerized micro chip will be surgically implanted by the CPAS at the owner's expense. If the dog already has a chip, that chip will be registered with the CPAS.

(c) The owner shall immediately notify the animal control center when a dangerous dog:

1. Is loose or unconfined;
2. Has bitten a human being or attacked another animal;
3. Was sold, given away, or died; or
4. Has moved to another address.

(4) A dangerous dog must be securely confined indoors or in a securely fenced enclosure and locked pen or structure, suitable to prevent the dog from coming into contact with either a human being other than the owner or any other animal, and designed to prevent the animal from escaping. The pen or structure must have minimum dimensions of eight (8) feet by eight (8) feet or an enclosure not less than sixty-four (64) square feet. Such pen shall have secure sides of sufficient design to prevent the dog from escaping over, under, or through the structure. The enclosures shall provide a humane existence for the dog and protection from the elements. The pen shall meet all of the requirements of a dog pen. The enclosures must be physical in nature, not invisible or electronic

(5) The owner shall prominently display a sign to be provided by the animal control center at the owner's expense on his premises at all entry points warning that there is a dangerous dog on the property.

(6) A dangerous dog may be off the owner's premises or out of its enclosure only if it is muzzled and restrained by a substantial chain or leash not exceeding four (4) feet in length and under the control of an adult (has attained the age of 18 years). The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

(7) The animal control center, in its discretion, may require a dangerous dog to be spayed or neutered.

(8) The animal control center, in the exercise of its discretion, shall have the authority to make whatever inspections are deemed necessary to ensure that the provisions recited herein are complied with.

(9) Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and phone number of the new owner to the animal control center. Each owner shall execute a document to be supplied by the animal control center, acknowledging that said owner is aware of the "Dangerous" dog classification, and that said owner shall comply with the requirements of this title.

(10) An owner of a dangerous dog shall have the option to have said dog humanely euthanized at his expense by the animal control center or licensed veterinarian if said owner is unable to comply with the requirements recited herein.

(11) It shall be unlawful for any person to keep, harbor or possess a dangerous animal on a porch, patio or in any part of a house or building that would allow the animal to exit or escape on its own volition. Screened windows or screened doors alone are considered inadequate.

(12) The animal control center shall have the right to inspect the premises of dangerous animals' enclosures to ensure compliance with this part.

(13) The owner or keeper shall sign a hold-harmless and indemnification clause in favor of the city and the parish.

(14) The owning, keeping or harboring of a dangerous animal in violation of this title.

(15) If the animal control center reasonably believes that an owner cannot or will not abide by the above requirements, the dog may be seized.

(16) Continuation of declaration as a dangerous dog:

Any dog which has been declared a dangerous dog by any agency or department of this parish, another parish, municipality, county or state shall be subject to the provisions of this chapter for the remainder of its life. The person who owns or possesses any dog declared a dangerous dog by any parish, municipality, county, or state government must notify Caddo Parish Animal Services, if so delegated, of the dog's address and restrictions of maintenance, within ten (10) days of moving the animal into the parish. The restrictions and conditions of maintenance of any dog declared dangerous by this parish, another parish, city, county or state will continue to remain in force while the dog is in this parish.

(b) Vicious Dog:

(1) A dog will not be classified as "vicious" if the threat, injury or damage was sustained by a person who, at the time, was unlawfully on the property with the intent to commit a crime or tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or if the dog was defending or protecting its owner from unjustified attack or assault, or was protecting or defending its young or other animals from harm or attack.

(2) The animal control center may investigate reported incidents involving dogs that may be vicious. Upon such investigation, if the animal control center finds the dog to constitute a vicious dog as defined in this title, said dog shall be so classified. The owner shall receive written notification of the animal control center's classification of the animal. Said notification shall include the procedure for appeal through the animal services board.

(3) Any dog that has been classified as "vicious" shall be impounded by the animal control center. The animal will be kept at the animal control center and placed in rabies quarantine, if necessary, for the proper length of time, or held for ten (10) days after the owner's receipt of notification, and then shall be euthanized unless the owner initiates an appeal procedure within this ten-day period.

(4) Appeal process:

(a) The animal will remain impounded at the animal control center until such time as the animal services board hears and decides the appeal of the owner. The appeal must be heard by the animal services board within ten (10) days after the owner has submitted a notice of appeal.

(b) The classification of a dog as "vicious" shall be revoked only by a majority vote of the animal services board. If the board does not revoke the "vicious dog" classification, the dog will be kept an additional ten (10) days pending a request for appeal by the owner. If an appeal is not requested the dog will then be humanely euthanized at the expense of the owner by the animal control center. If the animal services board revokes the "vicious" dog classification, such dog shall then be classified as "dangerous"; and its owner shall be required to comply with section 14-10.1(a). The owner must be present or legally represented at the hearing or any right to the

appeal will be deemed waived and the ruling of the director will be final.

(c) Any person aggrieved by any action of the animal services board may appeal said action to the City Council as stated above in Section 14-5(j)(2) of this chapter.

(d) The owner will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control center through the appeals process.

Sec. 14-11. Impounding or destruction of dogs and cats bitten or scratched by known rabid animals.

(a) When a dog or cat has been bitten or scratched by a known rabid animal and the dog or cat is currently vaccinated with an approved rabies serum:

(1) The owner shall have the dog or cat examined by a licensed veterinarian and revaccinated.

(2) The veterinarian shall submit a written report to the department as to the health of such animal.

(3) The owner shall place the dog or cat that has been bitten in strict isolation for a ninety-day period.

(4) The dog or cat may be isolated with a licensed veterinary clinic or at the owner's home with the approval of the director after inspection of the home isolation facility. If the owner elects to isolate the animal on his premises, the director shall inspect the security of the animal without notice at least once each week. If the security of the animal is not as approved by the director, the animal shall be seized and transported to the Caddo Parish Animal Shelter and the owner shall be subject to the penalties set forth in section 14-22 and applicable fees set forth in section 14-23.

(5) The owner shall have the dog or cat examined by a licensed veterinarian at the expiration of the ninety-day isolation period, and the veterinarian shall submit a written report to the director as to the health of such dog or cat.

(6) If the owner of the dog or cat does not desire to have it isolated, he may surrender it to the department for euthanization, after which the head of such animal shall be submitted to the department of health and human resources for analysis.

(b) When a dog or cat is bitten or scratched by a known rabid animal and the dog or cat is not currently vaccinated with an approved rabies serum:

(1) The owner shall have the dog or cat humanely euthanized by a licensed veterinarian or the department and the head of such animal submitted to the Louisiana Department of Health and Human Resources for analysis; or alternatively.

(2) The owner shall have the dog or cat placed in isolation for a period of six (6) months at a licensed veterinary clinic, which shall examine such animal, render a written report on the health thereof to the department. The department shall cause such dog or cat to be euthanized and the head of such animal shall be submitted to the department of health and human resources laboratory for analysis.

(c) If the dog or cat should become sick during a period of isolation after being bitten by a known rabid animal, the owner, if the dog or cat is isolated on the owner's premises, or the veterinarian, if the dog or cat is isolated at a veterinary clinic, shall immediately advise the department. The department shall cause such dog or cat to be euthanized and the head of such animal shall be submitted to the department of health and human resources laboratory for

analysis.

Sec. 14-12. At large dogs in municipalities, subdivisions, and other areas.

- (a) No person shall suffer or permit any dog in his possession, or kept by them about his premises, to run at large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another. (LA. RS 3:2771)
- (b) At large dogs not in compliance with the foregoing shall be subject to impoundment.
- (c) No dog at large in violation of this section shall be harbored or withheld from animal control officers by any person

Sec. 14-13. Nuisance; owner's responsibility.

- (a) No person shall willfully or knowingly harbor or keep on his premises or elsewhere any animal which causes an unreasonable disturbance of the peace of the neighbors or occupants of adjacent premises, or suffer or permit any animal to create a nuisance as defined in this chapter. This includes excessive barking. A person shall be deemed to have willfully and knowingly violated this section, if such person, having been notified by the department or law enforcement officers of such disturbances, shall have refused for a period of twenty-four (24) hours to correct same and prevent reoccurrence. In the matter of excessive barking, the remedy shall be immediate upon notification.
- (b) The owner of any animal shall maintain his premises in such a manner as not to constitute either a private nuisance to adjoining property or a nuisance to the public generally. Pens or yards in which animals are confined or maintained shall be cleaned regularly so that they are kept free from offensive odors which would disturb any person residing within a reasonable distance of said premises; and the animals themselves shall be restrained in such a fashion that noise emanating therefrom shall not be disturbing to such persons.
- (c) Premises on which animals are kept shall be maintained so as to prevent disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitoes, and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.
- (d) If any part of a public street or the private property of a person other than the owner of the animal shall be soiled by the excreta of that animal, whether such nuisance shall take place in the presence of the owner or not, the owner shall, upon becoming aware thereof, promptly remove such excreta and dispose of it in a sanitary manner.

Sec. 14-14. Cruelty to animals prohibited.

- (a) No owner shall, intentionally or with criminal neglect, fail to provide his animals with proper food, proper water, proper shelter, proper veterinary care, or with humane care and treatment.
- (b) No person shall beat, cruelly ill-treat, torment, overload, abandon, overwork or otherwise abuse an animal, or cause, instigate or permit any dog fight, bullfight, or other combat between animals or between animals and humans.
- (c) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop

at once and render such assistance as may be possible and shall immediately report the injury or death of the animal to the animal's owner, if the identify of the owner is apparent. If the owner cannot be ascertained or located, such motor vehicle operator shall report the accident to the department or the appropriate law enforcement agency.

(d) No person shall expose any known poisonous substance, whether mixed with food or not, so that it may be eaten by an animal, provided that it shall not be unlawful for a person to expose, on his own property, common rat poison mixed only with vegetable substances, nor shall any person in any other manner whatsoever intentionally poison any animal other than rats.

(e) No person shall color, dye, stain, or otherwise change the natural color of baby chickens, ducklings, other fowl or rabbits; nor shall any person possess for the purpose of sale any chickens, ducklings, other fowl or rabbits which have been so colored.

(f) No person shall allow any animal to be transported in the trunk of any vehicle at any time.

(g) Ponies used at concessions consisting of a wheel-like device to which they are attached, must be given sufficient resting time. Resting time shall be ½ hour after working 1 hour.

(h) No one previously convicted of cruelty to an animal shall be issued an animal establishment or kennel permit, or be permitted to adopt a pet pursuant to the provisions of this chapter.

Sec. 14-14.1. Seizure and disposition of animals cruelly treated and animals that are vicious.

(a) When a person is charged with cruelty to animals, said person's animal may be seized by the arresting officer and held pursuant to this section.

(b) The seizing officer shall:

(1) Notify the owner of the seized animal of the provisions of this section by posting written notice at the location where the animal was seized or by leaving it with a person of suitable age and discretion residing at that location within twenty-four (24) hours of the seizure.

(2) Contact Caddo Parish Animal Services to care for any such animal. CPAS shall retain custody of the animal or find a suitable location for the animal to be kept.

(c) The seized animal shall be held by the custodian provided for in subsection (3) for a period of fifteen (15) consecutive days, including weekends and holidays, after such notice of seizure is given. Thereafter, if a person who claims an interest in such animal has not posted bond in accordance with subsection (c), the animal may be humanely disposed of by sale, adoption, or euthanasia.

(d) A person claiming an interest in any animal seized pursuant to this section may prevent the disposition of the animal as provided for in subsection (b) by posting a bond with the Caddo Parish Animal Services within fifteen (15) days after receiving notice of such seizure in an amount sufficient to secure payment for all reasonable costs incurred in the boarding and treatment for any seized animal for a thirty-day period commencing on the date of initial seizure. Such bond shall not prevent the department, agency, humane society, or other custodian of the animal from disposing of the animal in accordance with subsection (b) at the end of the thirty-day period covered by the bond, unless the person claiming an interest posts an additional bond for such reasonable expenses for an additional thirty-day period. In addition, such bond shall not prevent disposition of the animal for humane purposes at any time, in accordance with subsection (e) of this section. The amount of the bond shall be determined by the department, agency, humane society or other custodian of the animal as authorized by the court in accordance

with the current rate for board and on the condition of the animal after examination by a licensed veterinarian.

(e) Upon a person's conviction of cruelty to animals, it shall be proper for the court, in its discretion, to order the forfeiture and final determination of the custody of any animal found to be cruelly treated in accordance with this section and the forfeiture of the bond posted pursuant to subsection (c) as part of the sentence. The court may, in its discretion, order the payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized animal prior to its disposition, whether or not a bond was posted by the defendant. In the event of the acquittal or final discharge without conviction of the accused, the court shall, on demand, direct the delivery of any animal held in custody to the owner thereof and order the return of the bond posted pursuant to subsection (c), less reasonable administrative costs.

(f) Nothing in this section shall prevent the euthanasia of any seized animal, at any time, whether or not any bond was posted, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of any physical condition. In such instances, the court, in its discretion, may order the return of any bond posted, less reasonable costs, at the time of trial.

Sec. 14-15. Importation of dogs and cats by public carrier.

(a) No dog or cat, four (4) months of age or older, shall be delivered in Caddo Parish from out of state by any public carrier unless there is a certificate of a licensed veterinarian at the point of shipment accompanying the dog or cat and the bill of lading therefore, showing that the dog or cat is in good health and has been currently vaccinated for rabies within six (6) months of the date of such delivery.

(b) All dogs or cats less than four (4) months of age brought into Caddo Parish from out of state by a public carrier shall be accompanied by a health certificate signed by a licensed veterinarian at place of shipment origin.

Sec. 14-16. Animal services board.

(a) The Caddo Parish Commission shall appoint an animal services board which shall serve without pay, meet not less than six (6) times per year and shall consist of seven (7) persons including a veterinarian actively practicing in Caddo Parish for a minimum of five (5) years immediately preceding his/her appointment, a law enforcement officer from a law enforcement agency located in Caddo Parish, an at large citizen representing a Caddo Parish municipality other than the City of Shreveport; a representative nominated by the Caddo Parish Health Unit, a representative from a tax-exempt humane organization; an at large member residing in the City of Shreveport and recommended by the parish administrator, and a permitted animal establishment operator. The director of the animal services and mosquito control department shall serve as an ex-officio, non-voting member of the board.

(b) The animal services board shall:

(1) Conduct hearings pursuant to duly adopted procedures to consider the director decision of declaring any animal vicious as specified in section 14-5 of the Code and to require owners of vicious animals to have the same destroyed or surrendered to the director to be humanely euthanized;

(2) Conduct hearings pursuant to duly adopted procedures to consider the director's decision

of declaring any dog as dangerous as specified in section 14-5 of the code and instruct the owners of the dangerous dogs to either adhere to the requirements as set forth, have the dog euthanized, or surrender it to the director

(3) Conduct hearings pursuant to duly adopted procedures to consider the director's decision to restrict the number of indoor dogs or his denial of a non commercial kennel permit as specified in section 14-5 of the code and instruct the owner to comply with restriction as set forth.

(4) Elect from its voting members a chairman whose term shall run from January 1 through December 31 of each year;

(5) Operate in all respects as a public body as contemplated by La. R.S. 42:4.2 and La. R.S. 44:1;

(c) The terms of the members of the board shall be four (4) years after December 31, 2005. With the respective terms to be determined by lot. Each member appointed shall serve for a term of four years. Upon the occurrence of any vacancy, the Caddo Parish Commission shall appoint a person from the same category as the person vacating the position to fill the unexpired term.

(d) Board members may be removed from office for cause. Such cause shall include but not be limited to failure to attend three (3) consecutive meetings of the board, or a majority of the meetings held by the board during a calendar year, or a clearly demonstrated conflict of interest.

Sec. 14-17. Animal establishment permits; standards.

(a) No person shall operate an animal establishment without first obtaining, and subsequently maintaining, a valid permit in compliance with this section. In the event any person shall own or operate more than one (1) facility, they shall be required to obtain a permit for each facility.

(b) Applications for such permits shall be made to the department on application forms provided by same.

(c) Upon receipt of a properly completed application, the department shall promptly investigate the applicant and the facilities sought to be permitted, to determine if they are in compliance with provisions and requirements of this chapter. They shall report its findings and recommendations to the animal services board which shall, within thirty (30) days of its receipt of same, issue or deny the permit applied for. If the permit is denied, the applicant shall be given written reasons for such denial.

(d) Each permit shall be initially effective from the date of issuance through December thirty-first of the year of issuance.

(e) Each permit shall be renewed annually and an application for renewal shall be filed with the department between October first and December first. Renewed applications shall be effective from January first to December thirty-first of the following year.

(f) Permittees must comply with the standards and regulations adopted by the department based on standards set forth in Title 9 of the Code of Federal Regulations. The department may amend such standards and regulations from time to time for purposes of public health and safety and the protection of animals. The standards and regulations shall be amended only after allowing permittees an opportunity to be heard on the proposed amendments. Notice of said hearing shall be mailed to each permittee at least ten (10) days prior to the hearing date and at least thirty (30) days prior to the effective date of the amendment. The notice shall set forth the amendment in its entirety and shall advise of the date, time and purpose of the hearing and the effective date of the amendment.

(g) The department shall provide a copy of applicable standards and regulations with each permit application. Each applicant shall acknowledge, in his application, receipt of said standards and regulations.

(h) Representative of the department shall have the right of entry, at reasonable hours, upon the premises of permittees and into all areas thereof where animals are kept and maintained, for inspection to ascertain whether the permittee is in compliance with the provisions of this chapter and the standards and regulations established under same. Failure of any owner to comply with said provisions, standards, and regulations, or allow reasonable entry and inspection by animal services and mosquito control department representative shall be grounds for revocation of the owner's permit.

(i) If, upon inspection, department representatives determine that a permittee is in violation of this chapter, the department shall advise said permittee in writing of the violation and shall inform the permittee that its failure to comply with the provisions of this chapter within fourteen (14) days of receipt of said notice shall constitute grounds for removal of all animals from the premises or area subject to violation. If the permittee fails to comply within said period, department representatives may, with the approval of the animal services board and pursuant to a proper court order, proceed to remove the animals from said premises or area. Extended periods for compliance may be granted by the department for good cause shown. In the event it shall become necessary for the department to remove any animal as provided herein, it shall return the animals to the permittee upon termination of the violation for which the animals were removed unless the director determines that the violation justifies revocation of the permittee's permit. Such return, however, shall be contingent upon payment by the permittee of board fees incurred by the removal as established by section 14-23. Removed animals will become the property of the department fourteen (14) days after removal unless the violation is terminated and the board fees incurred as paid or an extension is granted by the director. In the event that such an extension is granted, failure to terminate the violation and pay all boarding fees incurred, including fees for the period of the extension, by the end of said extension shall result in forfeiture of the seized animals to the department. The director may, however, waive all or any portion of the boarding fees incurred under this section for good cause shown.

(j) If the owner disagrees with the decision of the director to revoke the permit, he may appeal that decision to the animal services board. The director's decision shall be revoked only by a majority vote of the animal services board. If the board does not revoke the decision, the owner will have an additional ten (10) days pending a request for appeal by the owner. If an appeal is not requested the owner must comply with the director's decision to revoke the permit. The owner must be present or legally represented at the hearing or any right to the appeal will be deemed waived and the ruling of the director will be final. If the permittee disagrees with the decision of the animal services board he may request an appeal as stated in section 14-5(J)(2) of this chapter. The effect of any decision to revoke an animal establishment permit shall be suspended during the appeal period, except that the revocation shall take effect immediately where the board finds, and so states in its written decision, that immediate revocation is necessary for protection of public health or safety.

Sec. 14-17.1 Breeders, permits required

No private person shall breed a female dog for the purpose of selling any portion of the litter for

profit without first obtaining a permit from Caddo Parish Animal Services. The applicant will provide CPAS with the dogs breed, date of birth and a copy of registration papers, if any. Fees for permits are listed in Section 14-23. Any additional licenses and permits required by local, state, and federal law, if any, must be obtained prior to the issuance of a breeder's permit.

Sec. 14-18. Private persons offering animals for adoption.

No private person other than individual owners and breeders licensed under the provisions of this article shall be allowed to conduct a public offering of dogs or cats for adoption.

Sec. 14-19. Commercial livery stables.

In the operation of commercial livery stables:

- (a) No horse shall be let for riding purposes when it has any injury, illness, or sore which may be negatively affected by such use, or when it is suffering from overheating or exhaustion.
- (b) All sick horses shall be segregated so as to prevent illness or disease from being transmitted to other animals or to humans.
- (c) No condition which is injurious to the health of any horse shall be knowingly permitted or maintained.
- (d) All buildings and sheds used for the stabling and/or boarding of horses shall provide adequate light, ventilation, and protection from the weather, and shall be kept clean and in good repair.
- (e) All stable and corral areas where horses are kept shall be sloped and drained so as to keep the surfaces thereof reasonably dry.
- (f) All riding equipment furnished shall be in a safe condition and shall properly fit the horses and riders for which provided.
- (g) All horses shall have hooves kept properly cleaned and trimmed and shall be properly shod.
- (h) Horses shall not be worked in temperatures of ninety-five (95) degrees Fahrenheit or greater.

Sec. 14-20. Keeping of wild, exotic or vicious animals.

- (a) For the purpose of this section, the following shall be designated wild or exotic animals: tigers, lions, cougars, leopards, jaguars, cheetahs, lynx, bobcats, bears, wolves, chimpanzees, gorillas, orangutans, poisonous snakes, komodo dragons, African buffalo, hyenas, coyotes, deer, or any other member of crocodilian, including but not limited to alligators, crocodiles and gavials any other species of nonhuman primates, raccoons, skunks, squirrels, foxes, ratite birds, hybrid species consisting of wolves, coyotes, or jackals interbred with domestic dogs and ocelots or margestic cats interbred with domestic cats.
- (b) No person shall keep or permit to be kept on his premises any vicious, wild, or exotic animal for display or for exhibition purposes whether gratuitously or for a fee.
- (c) No person shall keep or permit to be kept on his premises any wild or exotic animal as a pet as defined in this section except such animals that were acquired prior to May 23, 1989.
- (d) No person shall take or possess any wild animal by illegal methods..
- (e) No person may offer for sale a wild or exotic animal as defined in this section, except

such animals that were purchased prior to May 23, 1989.

(f) Persons following state or federal regulations and holding such permits or licenses shall be exempt from this section. Cruelty and sanitation laws shall apply to all persons holding such permits and licenses.

(g) Qualified educational institutions, zoological parks, public-operated parks or displays, performing animal exhibitions, circuses, scientific organizations, veterinary clinics, law enforcement and commercial guard dogs shall be exempt from this section.

(h) Dual violations. Violations of this section shall be dual violations in reference to violations of Title 56 of the Louisiana Department of Wildlife and Fisheries.

Sec. 14-21. Keeping of Snakes

(a) Pythons and boas of any type in excess of three (3) feet must be registered with the Caddo Parish Animal Services

(b) Any pet store within Caddo Parish that sells a snake listed in Section 14-21(a) must notify CPAS within three business days of the sale. Information must include the new owners name, address, type and approximate length of snake.

(c) The owner/caretaker must notify CPAS if any snake covered in this section escapes, dies, or has a change of ownership.

Sec. 14-22. Hindering, molesting or interfering with officers.

No person shall hinder, molest, or interfere with any officer or agent of the animal services and mosquito control department engaged in, or because of, the performance of any duty provided for, directly or indirectly, by this chapter. Any person who violates this section shall be fined not less than two hundred (\$200.00) dollars nor more than five hundred (\$500.00) dollars, or shall be imprisoned for a term not to exceed thirty (30) days, or both.

Sec. 14- 23. Fees.

(a) All fees authorized and collected under this article for impoundment, board, and issuance of permits shall be dedicated and used for the operation of the Caddo Parish Animal Services and Mosquito Control Department.

(b) Redemption fees for dogs and cats confined for being improperly at large shall be as follows:

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| (1) Base fee | \$50.00 |
| (2) Per day boarding | \$10.00 |
| (3) Vaccination fee (if needed) | \$15.00 |
| (4) For second impoundment, base fee | \$60.00 |
| (5) For third and subsequent impoundment, base fee | \$120.00 |

(c) Observation fees for bite cases as follows:

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|-----------------------------|---------|
| (1) Base fee | \$45.00 |
| (2) Per day boarding | \$15.00 |
| (3) Vaccination (if needed) | \$15.00 |

(d) Permit fees shall be assessed on an annual basis for the calendar year. Anyone falling into more than one category shall be required to obtain permits in each category, but shall be charged only one fee, that being for the highest fee category applicable. Annual permit fees shall be:

- | | | |
|------|--|----------|
| (1) | For each pet shop | \$50.00 |
| (2) | For each dealer in animals | \$50.00 |
| (3) | For each commercial kennel with 1-49 animals | \$50.00 |
| (4) | For each commercial kennel with >50 animals | \$100.00 |
| (5) | For each commercial guard dog service with 1-49 animals | \$50.00 |
| (6) | For each commercial guard dog service with >50 animals | \$100.00 |
| (7) | For each grooming shop | \$25.00 |
| (8) | For each permanent zoo | \$100.00 |
| (9) | For each transient zoo, circus, or performing animal act, per day | \$50.00 |
| (10) | For each wild or exotic animal other than those in zoos, circuses, or performing animal acts | \$50.00 |
| (11) | For each commercial livery stable | \$50.00 |
| (12) | For each non commercial kennel | \$ 50.00 |
| (13) | For each Breeder's permit (each dog) | \$150.00 |
- (e) Miscellaneous Fees
- | | | |
|-----|--|---------|
| (1) | Initial fee for each dangerous dog registration (includes collar & micro chip) | \$65.00 |
| (2) | Annual fee for each dangerous dog registration | \$45.00 |
| (3) | For each dangerous dog sign | \$20.00 |
| (4) | Dangerous dog collar (replacement) | \$10.00 |

Sec. 14-24. Enforcement.

- (a) The department shall have the authority to appoint animal control officers and such other personnel as it deems proper for maintaining a public animal shelter and to enforce the provisions of this chapter.
- (b) The director shall appoint and duly commission animal control officers, who have successfully completed training offered by the [State of] Louisiana Animal Control Academy. Additionally, each animal control officer must receive euthanasia certification through the Louisiana State University Veterinary School.
- (c) The director and duly appointed animal control officers shall have authority to exercise the following limited police powers:
- (1) Issue citations for the enforcement of this chapter, as well as take action necessary to enforce state statutes regarding animals.
 - (2) Obtain warrants for such violations and assist law enforcement personnel in making arrests for such violations.
 - (3) Submit affidavits to the courts regarding such violations.
- (d) In enforcing the provisions of this Code, the director or his authorized representatives are authorized to enter private property without warrant to pursue, capture, or otherwise apprehend animals subject to impoundment or restraint under the provisions of this chapter. If an animal enters an uninhabited structure and the officer can safely gain entry in the same manner as the animal, the officer may enter the structure to capture the animal. If the animal enters the structure

through an opening such a window, hole in the wall or like entrance, the structure will be secured and the officer will obtain permission to enter from the owner/tenant or obtain a warrant to enter the structure. If human safety is a legitimate and immediate concern, the officer may enter the uninhabited structure to capture the animal. This authority to enter does not include inhabited structures unless other justifications dictate immediate entry.

(e) All Caddo Parish sheriffs, police officers employed by municipalities within Caddo Parish, and Caddo Parish Animal Control Officers have authority to enforce provisions of this section.

(f) For any prosecution of a violation of this chapter which results in a conviction, district attorney probation, or nolle contendere, there shall be an administrative fee of \$20.00 in addition to any other fees. This fee shall be dedicated to the operation of Caddo Parish Animal Services and shall not be waived.

Secs. 14-25--14-40. Reserved.

ARTICLE II. LIVESTOCK

Editor's note:

State law references: Stock laws, R.S. 3:2801 et seq.; general authority to regulate cattle, R.S. 33:1236(5)

Sec. 14-41. Running at large prohibited.

(a) It shall be unlawful for any horses, mules, cattle, hogs, sheep, goats or geese to run, roam or be at large or on any of the public highways or commons or on any land other than that of the owner of such animals, within the city.

(b) The owner of any horses, mules, cattle, hogs, sheep, goats or geese, who shall suffer or permit any of such animals to run, roam or be at large, or on any of the public highways or commons, or on any land other than that of the owner of said animals, within the city, shall be deemed guilty of a misdemeanor.

Sec. 14-42. Impoundment--Generally.

(a) It shall be the duty of any authorized sheriff, constable or justice of the peace of the parish to seize and impound any cattle, horses, mules or other stock running at large within the city. Any of the animals enumerated that may run, roam or be at large in violation of the provisions of this article may be taken up or confined by any resident or property owner, or any agent or employee of any resident or property owner.

(b) The person taking up or confining livestock running at large under provisions of this article shall, within twelve (12) hours thereafter, notify the sheriff, constable or justice of the peace of such taking up or confinement and shall thereupon notify the owner or owners of such livestock, if known, by posting in two (2) conspicuous places along the public road nearest the place of taking up or confinement for ten (10) days and by publication in the official journal of the city within one week following the day of such taking up or confinement.

(c) No person shall be liable for any injury which an animal may receive while it is being taken up as provided in this article.

Sec. 14-43. Same--Fees.

The person taking up or confining any of the animals as provided in this article shall receive fifty dollars (\$50.00 per head for the first impounded animal and twenty five dollars (\$25.00) per head for each additional animal impounded per trip for each head of horses, mules, cattle, hogs, sheep or goats so taken up, together with ten dollars (\$10.00) per head per day for keeping any horses, mules, cattle, hogs, sheep or goats, or geese so taken up.

Sec. 14-44. Same--Sale.

(a) At the expiration of one week following notice of taking up or confinement of animals as provided in this article, should the owner fail to come forward and pay the charges and penalties herein provided, it shall be the duty of the sheriff of this parish or of the constable of the ward in this parish wherein the animals are confined to sell said animals at public auction to the highest bidder for cash and without appraisalment, to pay all costs, charges and penalties as herein provided.

(b) Such sale shall be made after ten (10) days' notice by publication once in the official journal of the parish.

(c) Any funds that may be realized from said sale over and above the costs, charges and penalties shall be given by the sheriff or constable to the owner of the animals sold, if he is known; but if said owner is unknown, then such surplus funds shall be given by the sheriff or constable to the treasurer of the parish, subject to their being called for by the owner or until otherwise directed by the parish commission, as to its disposition; provided, however, that in all cases of such public sales, the sheriff, constable or justice of the peace conducting said sale shall, within ten (10) days after the date thereof, make a full written report of such sale to the parish treasurer, showing all sums realized from such sales and the disposition thereof.

(d) The fee of the sheriff or constable in the case of sale of impounded livestock under provisions of this article shall be five (5) percent of the amount of the sale and two dollars (\$2.00) for giving the notice.

Secs. 14-45--14-50. Reserved.

ARTICLE III.
NATIVE BIRDS

Sec. 14-51. Molesting, interfering with song or insectivorous birds.

It shall be unlawful for any person to molest, interfere with, trap, destroy, wound, shoot or shoot at any native song or insectivorous bird, or destroy or interfere with the nest or eggs of such bird; provided, however, that persons holding state or federal permits allowing such activity and persons legally practicing the art of falconry shall be exempt from the provision of this section.

ARTICLE IV.
MISCELLANEOUS PROVISIONS

Sec. 14-52 Applicability of chapter to existing conditions

All portions of this chapter shall become effective on October 15, 2005, with the exception of the following:

- (a) Owners whose property fail to meet the proper enclosure requirement will have ninety (90) days from the effective date of this chapter to comply with enclosure requirements set forth in Section 14-5(d).
- (b) Any owner whose possess an excess number of dogs allowed as set forth in Sec. 14-5(i) will have ninety (90) days to adopt out or otherwise come into compliance with the section.

Sec. 14-53 Severability.

Chapter 14, sections 14-1 thru 14-52 and each section, subsection and provision of said chapter thereunder, are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of this chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions are severable and would have been passed independently of such section or provision so known to be invalid.

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 which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this ordinance are hereby declared severable.

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

Amendment No. 1 to Ordinance No. 28 of 2005

Delete the ordinance as introduced and substitute the attached ordinance.

Amendment No. 2 to Ordinance No. 28 of 2005

In Section 14-14, delete subsection (c) and renumber the remaining subsections.

ORDINANCE NO. 116 OF 2005

AN ORDINANCE TO AMEND AND REENACT CHAPTER 6 OF THE CODE OF ORDINANCES RELATIVE TO ALARMS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Walford

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Sections 6-26 through 6-31 of the Code of Ordinances of the City of Shreveport are hereby amended and Sections 6-32 through 6-41 are hereby enacted to read as follows:

Section 6-26. PURPOSE.

It is the intent of this Ordinance to reduce the number of false alarms occurring within the City of Shreveport and the resultant waste of police resources. Through the responsible use of resources, the ordinance is designed to provide more effective police services to the public. This ordinance provides corrective administrative action, including the imposition of fines.

Section 6-27. DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ACTIVATION means making the alarm system operational for purposes other than testing that may result in a city police department or other law enforcement agency response to a site.

AGENT means any employee, sales, service, installation or monitoring person of an alarm business who is under the direction of or receives remuneration directly or indirectly from an alarm business.

ALARM means any and all types of Alarms and is used as a general term unless a specific type of alarm is used as a precedent.

ALARM ADMINISTRATOR means the individual designated by the Chief of Police as his/her authorized agent to enforce the administrative provisions of this Ordinance.

ALARM AUTHORITY means an employee of the city designated by the Chief of Police, usually the assistant chief over the alarm program, to act as an impartial arbitrator to hear appeals related to the enforcement of this Ordinance.

ALARM BUSINESS means the business of any individual or entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any Alarm System or in causing any Alarm System to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure or facility for profit. This definition includes but is not limited to all of the following: installation companies, maintenance companies and monitoring companies even if they are not the same company.

ALARM SITE means a single premises, structure or location served by an Alarm System or Systems, but excluding vehicles, vessels and aircraft not permanently located at the site. Each tenancy, if served by a separate Alarm System in a multi-tenant building or complex, shall be considered a separate Alarm Site.

ALARM SYSTEM means an assembly of equipment or devices which is designed, arranged or used for the detection of a hazardous condition or an unauthorized entry or attempted entry into a building, structure or facility, or for alerting persons of a hazardous condition or the commission of an unlawful act within a building, structure or facility and which emits a sound or transmits a signal or message when activated, to which annunciation, a law enforcement agency is expected to respond, but does not include alarms installed in conveyances or fire alarms.

For purposes of this article, an Alarm System shall not include:

- (1) An alarm installed on a motor vehicle.
- (2) Any device or system designed solely to detect or give notice of fire or smoke or alert of a medical emergency to the Fire Department.

ALARM USER means the person, occupant, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure, facility or

property or portion thereof, wherein an alarm system is installed. The definition shall include the owner of the real property on which the alarm system is located. The term as used in this Ordinance includes both Monitored Alarm Users and Non-Monitored Alarm Users unless otherwise specifically provided.

AUTOMATIC DIALING SYSTEM means an Alarm System that automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice-message or other signal indicating the existence of an emergency situation.

CALENDAR YEAR means from January 1st to December 31st.

DISPATCH RECORD means the event chronology, which lists the alarm as it is called in to the police department, is dispatched out and is closed out, including the date, times, officers and comments, if applicable.

EMERGENCY means the commission or attempted commission of a robbery, burglary or other unlawful act.

FALSE ALARM means the activation of an Alarm System under circumstances where no police emergency exists at the Alarm Site and when activation results in a response by a law enforcement agency. This definition includes signals activated intentionally in non-emergency situations and signals for which the actual cause is unknown.

HOLD-UP ALARM means an Alarm System designated for and intended to signal a robbery or attempted robbery in the area protected by such alarm.

KEY HOLDER means the Alarm User or a representative of the Alarm User having access to the Alarm Site, the ability to physically respond, and the capability of deactivating the Alarm System.

MONITORED ALARM means an Alarm System that is monitored by an Alarm Business.

MONITORED ALARM USER means an Alarm User with a Monitored Alarm.

NON-MONITORED ALARM means an Alarm System that is not monitored by an Alarm Business.

NON-MONITORED ALARM USER means an Alarm User with a Non-Monitored Alarm.

OFFICER means any sworn law enforcement officer who has the power of arrest.

PANIC ALARM means an Alarm System signal generated by a device designed to be manually activated by an individual at the Alarm Site intended to signal a life threatening emergency situation requiring law enforcement response.

Section 6-28. LICENSING REQUIRED OF ALARM BUSINESS.

A. Every Alarm Business which shall engage in the business of altering, installing, maintaining, moving, repairing, replacing, servicing, selling or leasing onsite, furnishing or monitoring Alarm Systems in the City of Shreveport shall be required to possess a state license under the alarm industry licensing act, R.S. 40:1662.1 et seq. and any applicable City ordinances.

B. Licenses shall be kept and maintained at the central station or office of an Alarm Business and shall be made available to city representatives, upon request, at any time during normal business hours.

C. All Alarm Businesses shall annually register with the Alarm Administrator.

Registration shall be on company letterhead, requires no fee and must be on file with the Alarm Administrator by January 31st of every year. Registration shall include the following information:

(1) The proper business or trade name, address and telephone number of the alarm business.

- (2) The State License Number and City Occupational License Number.
- (3) All of the names, addresses and telephone numbers under which the company or corporation conducts business.
- (4) If an unincorporated association, the name, addresses and telephone numbers of the owner and responsible associates.
- (5) If a corporation, the name, address and position of all officers, directors and registered agents.
- (6) A statement that the alarm business shall maintain a 24-hour emergency service, seven days a week, including holidays.
- (7) Federal tax ID number of business or social security account number of owner.

D. City representatives may inspect documentation relating to licensing. However, all information viewed or used shall remain confidential and shall be protected by the department. In accordance with the provisions of state law, including but not limited to, R.S. 44:3A(3), the information is confidential and any other information received by the police department through correspondence or communications with an Alarm User or Alarm Business shall be securely maintained and restricted to inspection only by law enforcement personnel. No person shall knowingly or willfully reveal information to any person for any purpose not related to this ordinance or official law enforcement matters.

Section 6-29. ALARM BUSINESS REQUIREMENTS TO ALARM USER.

A. Every Alarm Business altering, installing, maintaining, moving, repairing, replacing, servicing, selling or leasing onsite, furnishing or monitoring alarm systems shall furnish the Alarm User with written instructions and training that provides adequate information to enable the Alarm User to operate the alarm system properly and avoid false alarms. Proof of this instruction on a standard form established by the Alarm Administrator shall be kept and maintained by the Alarm Business and made available to City representatives, upon request, during normal business hours.

B. The Alarm Business shall provide each Alarm User with the following information:

- (1) A copy of this ordinance.
 - (2) The toll free or local number of the monitoring station.
 - (3) Instructions, to include written instructions, which provide adequate information to enable the Alarm User to operate the Alarm System properly and avoid False Alarms.
- C. When an activation of a user's monitored alarm occurs, the Alarm Business shall notify the Alarm User, or designated Keyholder, of every alarm as quickly as possible upon receipt of the alarm.

Section 6-30. GENERAL ALARM USER REQUIREMENTS.

- A. The Alarm User(s) are required to take actions to avoid False Alarms.
- B. The Alarm User shall pay all fines for False Alarms as provided by this Ordinance.
- C. The Alarm User shall ensure the Alarm System is in good working order.
- D. The Alarm User shall be responsible for displaying the correct numerical address of the protected property in such a manner as to be readily visible from the street by law enforcement officers responding to that address.
- E. The Alarm User shall maintain the Alarm Site in a manner that precludes confusion concerning criminal activity and allows responding officers to distinguish old damage from new damage. Broken glass should be replaced or shall, at a minimum, have tape on the damaged areas; screens should be attached at top and bottom. In general, questionable

areas of the Alarm Site shall be made unquestionable in order for the responding officer to determine forced entry.

F. An Alarm User shall maintain at each Alarm Site, a set of written operating instructions, quick reference card or Alarm User manual for each Alarm System. The user shall familiarize him/her with the particular system.

G. An Alarm User shall:

- (1) Maintain the premises containing an Alarm System in a manner that ensures proper operation of the Alarm System.
- (2) Maintain the premises and the Alarm System environment in a manner that will minimize or eliminate False Alarm dispatches.
- (3) Not manually activate an alarm for any reason other than the occurrence of an event for which the Alarm System was intended to be activated. However, the alarm may be activated for periodic testing provided a law enforcement response is not requested.
- (4) Instruct all personnel who are authorized to place the system or device into operation of the appropriate methods of operation.
- (5) Not modify the alarm system in such a manner as to cause a False Alarm or False Alarms.

H. The Alarm Site and Alarm System is the responsibility of the Alarm User and the activation of an Alarm System or an officer response to the site does not relieve the Alarm User of primary responsibility.

Section 6-31. ADDITIONAL MONITORED ALARM USER REQUIREMENTS.

A. The Monitored Alarm User, or a designated Keyholder, shall respond to all officer response alarms, as expeditiously as safety permits, but without unnecessary or unreasonable delay and shall keep the Alarm Business informed of current Alarm User and Keyholder information.

B. The Alarm User directly or indirectly hires the Alarm Businesses, including monitoring and maintenance companies. This private contractual relationship for mutual gain between the Alarm Business and the Alarm User is prima facie evidence that the Alarm Businesses are agents of the Alarm User and further evidence of the Alarm User's ultimate responsibility for activities including False Alarms at the Alarm Site.

Section 6-32. ADDITIONAL NON-MONITORED ALARM USER REQUIREMENTS.

A. Non-monitored Alarm Users, or a Keyholder, shall respond to the Alarm Site, as expeditiously as safety permits, but without unnecessary or unreasonable delay when requested by Police Dispatch.

B. Non-monitored Alarms shall be recorded as an alarm when reported to the Police Department by any citizen and verified as audible for a specific location by a responding officer.

C. Non-monitored Alarm Users shall ensure the Alarm Site does not cause a disturbance to other citizens due to multiple alarms or a continuous audible alarm.

D. All Non-monitored Alarm Users shall provide the Police Department's Alarm Administrator with a letter annually containing the address of the Non-monitored Alarm system and current names and numbers for the Non-monitored Alarm User and other Keyholders who shall respond to the location.

Section 6-33. ALARM BUSINESS REQUIREMENTS TO POLICE.

A. At the time of requesting an officer response to any alarm, the Alarm Business shall provide the law enforcement agency with the following:

- (1) Date and time of activation of the Alarm System.
- (2) Alarm User's name, including the name of the business if the Alarm User is a business.
- (3) Physical address of the Alarm Site which must be complete and include applicable building, apartment and suite numbers.
- (4) Telephone number at the Alarm Site.
- (5) Type of alarm.
- (6) Information about the specific common location of the activated alarm or alarms. Alarm Businesses cannot use terms, such as, Zone 1, Area 3, but must use common, understandable location terms, such as back door, east entry, etc.
- (7) A toll-free telephone number for contacting the Alarm Business monitoring facility and the name of the Alarm Business employee or the operator number calling.
- (8) Name of the Alarm User or Keyholder responding to the alarm site. The Alarm Businesses may call back with updated Alarm User or Keyholder information to include an estimated time of arrival to the Alarm Site and the responding individual's vehicle description.

B. Alarm Businesses shall maintain current and valid notification information for the Alarm User, and Keyholder(s) for each alarm site and shall inform the Police Dispatcher of changes when an officer response is requested.

C. Alarm Businesses shall inform the Alarm User of any and all officer response alarms in a timely manner.

D. An Alarm Business may attempt to cancel an alarm provided an officer is not on scene.

E. Alarm Businesses shall not call police dispatch for dispositions or information concerning specific alarm action. Alarm Businesses shall contact the specific Alarm User or Keyholder who responds to the alarm for such information.

F. Alarm Businesses shall not call Police Dispatch for Fire Alarms or for alarms in residences outside of the City police jurisdiction.

G. It shall be unlawful to maintain, operate, connect or allow any maintaining, operating or connecting, any Automatic Dialing Device, which automatically dials police in response to any alarm signal or other emergency. This section does not prohibit the installation of an alarm system that notifies the police department when a robbery or burglary has occurred, or is in progress, on a signal line directly to the police department when such a system is required by law.

H. It is the responsibility of the Alarm Businesses and their agents to prevent False Alarms during installation, system repairs or system service of Alarm Systems. It is a violation of this Ordinance to request an officer response during installation, system repairs or system service of an alarm system unless a bona fide emergency has occurred, which requires law enforcement response. If the officer responding to the False Alarm determines that an on-site employee of the Alarm Business caused the False Alarm, the False Alarm will not be counted against the Alarm User; the Alarm Business shall be fined.

Section 6-34. POLICE DEPARTMENT REQUIREMENTS

A. The Police Department shall provide the necessary administrative support and methods to track alarms and ensure accurate billing. The Alarm Administrator shall track false alarm occurrences in the City of Shreveport.

- B. The Police Department shall maintain the dispatch record for each alarm call.
- C. The Police Department shall ensure one responding officer's comments are included in the dispatch record always by the officer, if the officer is laptop capable, if not, then the dispatcher shall record the officer's radio comments.
- D. Police Dispatch shall call Non-monitored Alarm Users to notify them of an alarm and to respond to the specific location.
- E. The Police Department shall prepare a report on all valid Alarm Calls where criminal activity is detected.
- F. Police Dispatch shall cancel an alarm call reported as a False Alarm by the Alarm Business if no officer has arrived at the scene.
- G. The Police Department is not required to remain on scene for a Keyholder when manning and volume of calls dictate otherwise.
- H. The Alarm Administrator shall provide the Chief of Police with a quarterly report in April, July, October, and January of each year detailing the number of False Alarms by month.
- I. After each False Alarm or other violation of this Ordinance, the Alarm Administrator shall ensure that a bill stating the fine assessment is mailed to the Alarm User or Alarm Business responsible for the False Alarm or violation. The bill shall notify the Alarm User or Alarm Business that he has fifteen (15) business days from the date of the bill to appeal the fine in writing to the Alarm Authority. The Alarm Administrator shall work closely with Police Dispatch to ensure Alarm Businesses and Alarm Users violating this Ordinance are fined appropriately.
- J. The Alarm Administrator shall provide False Alarm documentation upon request for the Finance Department/Revenue Division to utilize in any civil or criminal court procedures.

Section 6-35. FALSE ALARMS PROHIBITED.

- A. No person shall cause the activation of a False Alarm. Activation of a False Alarm, intentionally or unintentionally, knowingly or unknowingly, shall constitute a violation of this Ordinance.
- B. An officer response is deemed to have occurred when an officer arrives on scene.
- C. Each alarm called in by the Alarm Business shall be counted separately regardless of the amount of time between alarms, provided the officer has cleared the call.
- D. Police records documenting the occurrence of a False Alarm are prima facie evidence that an Alarm System is in use and the date and time of that False Alarm shall be used for the purpose of determining the number of False Alarms during a calendar year.
- E. The Alarm User shall not be held accountable for a False Alarm caused by the following; however, the Alarm User shall have the burden of proof:
 - (1) Natural or manmade disaster
 - (2) Vandalism.
 - (3) Telephone line outage.
 - (4) A lightning strike, electrical surge or an act of nature that caused physical damage to the Alarm System. To assert this defense, the user must provide receipts or invoices for corrective work performed or written statements testifying to the stated cause of damage on letterhead of the licensed Alarm Business or agent who repaired the damage.
 - (5) The Alarm Business caused the false alarm.

Section 6-36. FINES AND PENALTIES.

A. The fines for False Alarms shall be based on the number of False Alarms which occur in a calendar year.

B. Alarm User fines shall be assessed as follows:

FALSE ALARM	FINE
1st	Warning Notice
2nd	\$25
3rd	\$75
4th	\$100
5th	\$150
6th	\$300
7th and over	\$500 each

C. Lack of Alarm User or Keyholder response is a \$100 fine.

D. Each Alarm User shall be entitled to fine waivers as follows:

(1) A fine waiver for any False Alarm that was the result of faulty or malfunctioning equipment, if the user provides receipts or invoices for corrective work performed or written statements testifying to the stated cause on letterhead of the licensed Alarm Business which repaired the equipment.

(2) One fine waiver per calendar year for a documented service call when no repairs were made to the Alarm System.

(3) For any such fine waiver, the service call must be within two weeks of the False Alarm, documented on Alarm Business letterhead billing and provided to the Alarm Administrator within one week of the service call.

E. Alarm Business fines shall be as follows:

(1) A \$100 fine for each incident for an Alarm Business requesting an officer response on a False Alarm that is the result of installation, system repairs or system service.

(2) A \$100 fine for an Alarm Business on each violation of this Ordinance.

F. All fines shall be appealed, if applicable, within fifteen (15) business days of issuance of the bill stating the fine assessment.

G. If the above fines are not paid within ninety (90) days of the date a final decision assessing the fine has been rendered by the Alarm Authority or, if the initial assessment is not appealed, within ninety (90) days of the date the time period for appeal ends, an additional penalty shall be added to the amount due. The penalty added shall be equal to the amount of the fine, so that the total amount due shall be twice the amount of the fine.

H. The City of Shreveport may use such lawful means as are available to collect such fines from Alarm Businesses and/or Alarm Users.

Section 6-37. APPEALS.

A. The Alarm Administrator shall have the authority to review the False Alarm at the request of the Alarm User or Alarm Business and determine whether a False Alarm has occurred and/or whether the defenses set forth in Section 6-35(E) are applicable. The Alarm Administrator may consider extenuating circumstances, such as documented repeated repair attempts, factory defective systems or other uncontrollable events. If the Alarm Administrator finds that no violation of this Ordinance has occurred or that a violation has occurred but one or more defenses set forth in this section is applicable, the Alarm Administrator may dismiss the fine and release the Alarm User and/or Alarm

Business from the liability thereunder or may reduce the fine associated therewith as the Alarm Administrator shall determine.

B. Any Alarm User or Alarm Business shall have fifteen (15) business days from the date of issuance of the bill for a False Alarm or other violation under this Ordinance to request in writing an appeal of such assessment to the Alarm Authority. Such appeals shall be filed in the office of the Chief of Police.

C. An appeal hearing with the Alarm Authority shall be conducted within ten (10) business days from the date of receipt of the written appeal request. At this time, the Alarm User or Business may present evidence and testimony. The Alarm Authority shall determine whether a False Alarm has occurred and/or whether the defenses set forth in Section 6-35(E) are applicable. The Alarm Authority may consider extenuating circumstances, such as documented repeated repair attempts, factory defective systems or other uncontrollable events. If the Alarm Authority finds that no violation of this Ordinance has occurred or that a violation has occurred but one or more defenses set forth in this section is applicable, the Alarm Authority may dismiss the fine and release the Alarm User and/or Alarm Business from the liability thereunder or may reduce the fine associated therewith as the Alarm Authority shall determine.

D. The Alarm Authority shall render a written decision to the Alarm User or Business, as applicable, on the appeal within thirty (30) business days after the appeal hearing has concluded. An assessment in the amount of twenty-five dollars (\$25) shall be charged for each case where the Alarm Authority denies the appeal. The decision of the Alarm Authority shall be final.

F. It shall not be a defense to any fine assessment that:

(1) A False Alarm was caused by electrical malfunctions, except as noted under allowable defenses.

(2) A False Alarm was caused by the fault of another person during a non-criminal incident.

(3) A False Alarm was caused by conditions of nature, which are normal for the area including, but not limited to, wind, rain and lightning.

(4) A tenant at an Alarm Site is responsible for the Alarm System.

G. Defenses, which may be considered to mitigate or dismiss a violation, shall include:

(1) The False Alarm signal for which the fine had been assessed did not originate at the Alarm Site of the Alarm User who has been assessed the fine.

(2) The False Alarm signal for which the fine was assessed was, in fact, not false, but was the result of an actual or attempted burglary, robbery or other emergency as defined by this Ordinance or state law.

(3) Such other mitigating circumstances, as may be determined by the Alarm Administrator or Alarm Authority.

Section 6-38. ADMINISTRATIVE PROCEDURES.

A. The City of Shreveport Finance Department/Revenue Division shall collect all fines.

B. To provide the Police Department the resources with which to administer this program, and to provide the Finance Department the resources with which to collect the fines due, any and all monies collected as a result of fines to either Alarm Businesses or Alarm Users shall be returned as follows:

(1) Seventy-five percent (75%) to the Police Department budget to fund the equipping and operations of the Alarm Administrator's office, and

(2) Twenty-five percent (25%) to the Finance Department budget to fund the collection of the fines.

Section 6-39. FALSE INFORMATION.

It shall be a violation of this Ordinance for any person to provide any false information when responding to incidents covered by this Ordinance.

Section 6-40. VIOLATIONS AND ENFORCEMENT.

A. Any person's actions in violation of or failure to act in accordance with the requirements of this Ordinance shall constitute a violation of this Ordinance.

B. In addition to any fine prescribed by this Ordinance, violations of this Ordinance may be prosecuted in the same manner as misdemeanors are prosecuted.

C. Such violations shall upon conviction be punished by a fine not to exceed five hundred dollars (\$500) or by imprisonment not to exceed sixty (60) days or by both such fine and imprisonment.

D. All remedies are cumulative and supplemental and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing this Ordinance.

Section 6-41. LIMITATION OF LIABILITY.

A. Nothing herein shall be construed to create a duty on the part of law enforcement agencies to respond to any alarm or to otherwise guarantee the safety of any member of the public.

B. The Chief of Police or his designee expressly retains the discretion to determine whether or not to respond to any alarm and to otherwise determine the most efficient deployment of law enforcement resources.

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

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

Amendment No. 1 to Ordinance No. 116 of 2005

Amend Section 6-29(C) and add Section 6-29(D) and (E) to read as follows:

C. Except as provided in subsection D, when an activation of an Alarm User's monitored alarm occurs, the Alarm Business shall attempt to contact the Alarm User by telephone to determine whether an alarm signal is valid before requesting law enforcement dispatch. For the purpose of this section, telephone verification shall require, as a minimum, that a second call be made to a different telephone number for the Alarm User or Key Holder if the first attempt fails to reach an Alarm User or Key Holder who can properly identify himself to determine whether an alarm signal is valid. After both attempts are made, the Alarm Business may then request law enforcement dispatch, whether or not actual contact with the Alarm User or Key Holder has been made.

D. When an activation of an Alarm User's monitored Hold-Up Alarm or Panic Alarm occurs, the Alarm Business may immediately request law enforcement dispatch. Thereafter, the Alarm Business shall attempt to contact the Alarm User by telephone to notify him of the alarm, and shall at a minimum make a second call to a different

telephone number for the Alarm User or Key Holder if the first attempt fails to reach a person who can properly identify himself as an Alarm User or Key Holder.

E. Within seven days after a False Alarm occurs, the Alarm Business shall mail a written notification to the Alarm User, which shall include the location, date and time of the False Alarm, and inform the Alarm User of the applicable fines. This requirement shall not apply if the Alarm Business notified the Alarm User or Key Holder by telephone contact at the time of the False Alarm.

F. The Alarm Business shall maintain a written record of its compliance with the verification and notification requirements of this Section, which shall be maintained for at least two years and shall be subject to inspection by the Chief of Police or his designee.

Amendment No. 2 to Ordinance No. 116 of 2005

Amend Section 6-34 by adding subsection (K) to read as follows:

K. The Alarm Authority shall hold a meeting every quarter for the first calendar year, then semi-annually thereafter, for the purpose of discussing ways to reduce false alarms. The Alarm Authority shall give notice of the meetings by telephone, mail or other means to such members of the Alarm Industry, Police Department, and City Attorney's Office as the Alarm Authority deems appropriate.

Amendment No. 3 to Ordinance No. 116 of 2005

In the last BE IT FURTHER ORDAINED paragraph, delete the date October 1, 2005 and substitute the date October 15, 2005

ORDINANCE NO. 127 OF 2005

AN ORDINANCE AMENDING CHAPTER 102-83 OF THE CODE OF ORDINANCES RELATIVE TO TAXICAB FARES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, City ordinance establishes maximum fares to be charged by taxicabs operating under the authority of a vehicle for hire license granted by the City of Shreveport; and

WHEREAS, the last fare increase for taxicabs was granted in 2000; and

WHEREAS, the price of fuel has increased significantly since then, resulting in cost increases for the operators of taxi cabs and threatening their profitability; and

WHEREAS, the City Council finds it reasonable to increase taxicab fares to offset a portion of these increased costs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Section 102-83 (a) (1) and (2) of the Code of Ordinances is hereby amended and re-enacted as follows:

Sec. 102-83. Taxicab Fares.

(a) *Metered rates.* The metered taxicab rates for taxicabs operating in the city shall be as listed herein. Rates shall not be adjusted more than once in a 365-day period and only with the approval of the city council.

(1) For the first mile or fraction thereof, a maximum of \$4.00.

(2) For each additional one-eighth mile or fraction thereof, \$0.25.

* * *

BE IT FURTHER RESOLVED 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 resolutions in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall become effective on October 1, 2005.

Amendment No. 1 to Ordinance No. 127 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In the final "BE IT FURTHER ORDAINED" paragraph, delete "October 1, 2005" and substitute in lieu thereof "October 15, 2005."

ORDINANCE NO. 130 OF 2005

AN ORDINANCE TO AMEND ORDINANCE NO. 40 OF 2003 RELATIVE TO CHANGING THE NAME OF THE SHREVEPORT BLANCHARD ROAD FROM THE ROY ROAD TO NORTH HEARNE AVENUE TO HILRY HUCKABY III AVENUE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Ordinance No. 40 of 2003 is hereby amended as follows:

1. Delete the paragraph which reads:

BE IT FURTHER ORDAINED that in accordance with Section 78-452 of the Code of Ordinances this ordinance shall not be adopted prior to July 8, 2003 and during said 90 day period the tasks delineated in Section 78-452 shall be performed.

2. Substitute the following:

BE IT FURTHER ORDAINED that for the reasons stated in the Whereas clauses above, the provisions of Section 78-451 and 452 are hereby waived for the purposes of this Ordinance No. 40 of 2003 only.

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

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

ORDINANCE NO. 138 OF 2005

AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND TO AUTHORIZE THE MAYOR OF THE CITY OF SHREVEPORT TO SELL THE CITY OF SHREVEPORT'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

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

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

WHEREAS, the City of Shreveport has received offers to purchase its tax interest in the herein below described properties as indicated below.

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

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

Property No. 1 Legal Description - W/2 of Lot 95, Oak Forrest Subdivision, Unit #1, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 800, Page 213 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181419-002-0106-00) Municipal Address - 3059 Gordonia Drive

AMOUNT OFFERED: \$500.00 APPRAISED VALUE: \$600.00 DISTRICT A

Property No. 2: Legal Description - Lot 30, City Park Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 3122, Page 397 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181434-007-0030-00) Municipal Address - 2855 Logan Street

AMOUNT OFFERED: \$250.00 APPRAISED VALUE: \$1,500.00 DISTRICT G

Property No. 3: Legal Description - The E. 30 Ft. of abandoned Arkansas Avenue adjacent to Lot 30, City Park Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 3122, Page 397 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181434-007-0046-00) Municipal Address -22771 None

AMOUNT OFFERED: \$200.00 APPRAISED VALUE: \$1,200.00 DISTRICT G

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including Acts of Cash Sale, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

BE IT FURTHER 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 which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this ordinance are hereby declared severable.

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

ORDINANCE NO. 139 OF 2005

AN ORDINANCE DECLARING A CERTAIN ADJUDICATED PROPERTY TO BE SURPLUS AND TO AUTHORIZE THE MAYOR OF THE CITY OF SHREVEPORT TO DONATE THE CITY OF SHREVEPORT'S TAX INTEREST

IN A CERTAIN SURPLUS ADJUDICATED PROPERTY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has a tax interest in the herein below described property which has been adjudicated for the non-payment of City property taxes; and **WHEREAS**, the herein below described property is not needed for public purposes and should be declared surplus property; and

WHEREAS, the City of Shreveport has received a request to donate its tax interest in the herein below described property as indicated below.

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

BE IT FURTHER ORDAINED, that the City Council of the City of Shreveport does hereby authorize the donation of its tax interest in the herein below described property.

Property No. 1: Legal Description - Lot 63, North Cedar Grove Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 50, Page 389 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171424-056-0063-00) Municipal Address - 6505 Tulsa

AMOUNT OFFERED: NONE APPRAISED VALUE: \$500.00 DISTRICT C

Property No. 2 Legal Description - Lot 26, Block 7, Currie Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 20, Page 413 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171402-027-0026-00) Municipal Address - 9343 None

AMOUNT OFFERED: NONE APPRAISED VALUE: \$1,300.00 DISTRICT A

Property No. 3: Legal Description - Lots 18, 19, & 20, Block B, Mandel Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150, Page 52 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171416-076-0018-00) Municipal Address - 4137 Ester

AMOUNT OFFERED: NONE APPRAISED VALUE: \$800.00 DISTRICT F

Property No. 4: Legal Description - Lot 27, Block 7, Currie Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book COB 20, Page 413 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171402-027-0027-00) Municipal Address - 1840 Walnut Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$1,300.00 DISTRICT A

Property No. 5: Legal Description - Lot 6, Block 10, Parkview Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in COB 10, Page 336 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171402-012-0006-00) Municipal Address - 1739 Laurel Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$1,300.00 DISTRICT A

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including an Act of

Donation, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

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

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

ORDINANCE NO. 141 OF 2005

AN ORDINANCE AMENDING THE 2005 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2005 Capital Improvements Budget to appropriate additional funds for utility 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. 153 of 2004, the 2005 Capital Improvements Budget, be further amended and re-enacted as follows:

In Program E (Water Improvements):

Increase the appropriation for **82nd, 83rd and Ray Street Water Mains (03E001)** by \$328,000. Funding source is 2005 URB.

Establish **SE Shreveport Water Distribution System Improvements (05E009)** at \$300,000.

Funding source is Water and Sewer Revenues.

Establish the following new projects, all of which are funded from 2005 URB:

Russell Road Water Main Improvements (05E001) at \$900,000.

Pickett Street Water Main Improvements (05E002) at \$130,000.

Fullerton Drive Water Main Extension (05 E003) at \$516,000.

Patzman Street Water Main Improvements (05E004) at \$181,000.

Murray Street Water Main Improvements (05E005) at \$275,000.

Vivian Street Water Main Improvements (05E006) at \$243,800.

Hearne Avenue Water Main Improvements, Phase II (05E007) at \$2,300,000.

City-Wide Water Main Renewal/Replacement (05E008) at \$3,500,000.

Gilbert Avenue Water Main Improvements (05E010) at \$915,000.

Andrew Avenue Water Main Improvements (05E011) at \$115,000.

Amiss WTP Improvements (05E012) at \$24,000,000.

McNeil Plant Improvements (05E013) at \$1,500,000.

West Laurel Water Main Improvements (05E014) at \$1,000,000.

Hope/Lawrence Street Water Main Improvements (05E015) at \$250,000.

In Program F (Sewer Improvements):

Increase the appropriation for **SSO Abatement Program (98F004)** by \$3,200,000. Funding source is 2005 URB.

Increase the appropriation for **Wallace Lift Station Improvements (01F003)** by \$11,000,000. Funding source is 2005 URB.

Increase the appropriation for **Woolworth Road Landfill Sewer Outfall (01F005)** by \$350,000. Funding source is 2005 URB.

Increase the appropriation for **Querbes Lift Station Force Main Repair (02F004)** by

\$2,400,000. Funding source is 2005 URB.

Increase the appropriation for **Corbitt Street W & S Main Improvements (02F009)** by \$5,000,000. Funding source is 2005 URB.

Establish the following new projects, all of which are funded from 2005 URB:

Agurs Lift Station Improvements (05F002) at \$2,100,000.

Broadmoor Lift Station Improvements (05F003) at \$1,380,000.

Cedar Grove Lift Station Improvements (05F004) at \$610,000.

Darien Lift Station Improvements (05F005) at \$810,000.

Dixie Garden Lift Station Improvements (05F006) at \$194,000.

Fannin Lift Station Improvements (05F007) at \$935,000.

Hardy Lift Station Improvements (05F008) at \$780,000.

Hattie Lift Station Improvements (05F009) at \$203,000.

LaCaze Lift Station Improvements (05F010) at \$120,000.

Legardy Lift Station Improvements (05F011) at \$423,000.

Long Lake Lift Station Improvements (05F012) at \$143,200.

Lucas Lift Station Improvements (05F013) at \$505,000.

Marjorie Lift Station Improvements (05F014) at \$130,000.

Pine Hills Estates Lift Station Improvements (05F015) at \$158,000.

Querbes Lift Station Improvements (05F016) at \$381,000.

South Highlands Lift Station Improvements (05F017) at \$800,000.

Oak Forest Lift Station Improvements (05F018) at \$228,000.

Mansfield Road Sewer System Improvements (05F019) at \$450,000.

City-Wide Sewer Main Renewal/Replacement (05F020) at \$3,150,000.

Bickham Lift Station/Pines Road Interceptor Improvements (05F021) at \$250,000.

Olive Street Sewer Main Improvements (05F022) at \$200,000.

Hearne/Midway/Westover Sewer Main Improvements (05F023) at \$600,000.

CIPP Sewer Main Rehab (05F024) at \$1,500,000.

Miscellaneous Lift Station Improvements (05F025) at \$515,000.

In Program I (Fire Improvements):

Increase the appropriation for **Construct Fire Station #22 (04-I001)** by \$190,000. Funding source is Disposal of Land.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 153 of 2004, 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.

Amendment # 1 to Ordinance No. 141 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In Program C (Street Improvements):

Establish a project entitled **2006 Concrete Panel Replacement (05C002)** at \$1,000,000.

Funding sources are 1996 GOB, Prop. 4 \$20,900; 1997 GOB, Prop. 4 \$488,200; 1998 GOB, Prop. 4 \$424,400 and 1999 GOB, Prop. 4 \$66,500.

Adjust totals and subtotals accordingly.

ORDINANCE NO. 142 OF 2005
AN ORDINANCE AMENDING THE 2005 GENERAL FUND BUDGET AND
OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

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

WHEREAS, the City Council finds it necessary to amend the 2005 General Fund budget, to appropriate additional funds, to transfer funds among expenditure categories 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. 154 of 2004, the 2005 General Fund budget, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Taxes and Special Assessments by \$1,835,000.

Increase Licenses and Permits by \$430,400.

Increase External Service Charges by \$270,000.

Decrease Prior-Year Fund Balance by \$2,735,400.

In Section 2 (Appropriations):

In Office of the Mayor, decrease Personal Services by \$21,000. Increase Materials and Supplies by \$1,000, Contractual Services by \$15,000 and Improvements and Equipment by \$5,000.

In Public Assembly and Recreation, decrease Personal Services by \$100,000. Increase Materials and Supplies by \$60,000 and Contractual Services by \$190,000.

In Finance, decrease Personal Services by \$100,000. Increase Contractual Services by \$290,000.

In General Government, increase Personal Services by \$50,000, Transfer to SporTran by \$275,000, Transfer to Water and Sewerage by \$10,000, Transfer to MPC Fund by \$28,200, Transfer to Fleet Services by \$50,000 and Transfer to Community Development Fund by \$129,700. Decrease Transfer to Golf Fund by \$17,600 and Operating Reserves by \$525,300.

In Police, decrease Personal Services by \$681,000. Increase Materials and Supplies by \$135,000, Contractual Services by \$40,000 and Other Charges by \$6,000.

In Fire, decrease Personal Services by \$585,000. Increase Materials and Supplies by \$70,000 and Contractual Services by \$15,000.

In Operational Services, decrease Personal Services by \$160,000. Increase Materials and Supplies by \$160,000, Contractual Services by \$280,000 and Transfer to Fleet Services by \$180,000.

In City Council, decrease Personal Services by \$50,000 and increase Contractual Services by \$50,000.

In City Courts, decrease Personal Services by \$12,000. Increase Materials and Supplies by \$10,000 and Contractual Services by \$2,000.

Adjust all totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 154 of 2004 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.

Amendment No. 1 to Ordinance No. 142 of 2005

AMEND THE ORDINANCE AS FOLLOWS:

In Section 1:

Increase Estimated Fund Balance as of 1/1/2005 by \$450,000.

Decrease Miscellaneous by \$450,000.

ORDINANCE NO. 143 OF 2005

AN ORDINANCE AMENDING THE 2005 BUDGET FOR THE FLEET SERVICES INTERNAL SERVICE FUND 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 2005 budget for the Fleet Services Internal Service, to shift funds among expenditure categories 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. 156 of 2004, the 2005 budget for the Fleet Services Internal Service Fund, be amended as follows:

In Section 1 (Estimated Receipts):

Increase Transfer from General Fund by \$230,000.

Increase Transfer from Water and Sewerage Fund by \$140,000.

In Section 2 (Appropriations):

Decrease Personal Services by \$60,000.

Increase Materials and Supplies by \$130,000.

Increase Contractual Services by \$300,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 156 of 2004, as amended, shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other sections of the 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.

ORDINANCE NO. 144 OF 2005

AN ORDINANCE AMENDING THE 2005 BUDGET FOR THE METROPOLITAN PLANNING COMMISSION'S SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

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

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Metropolitan Planning Commission's Special Revenue Fund, to shift funds among expenditure categories 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. 157 of 2004, the 2005 budget for the Metropolitan Planning Commission's Special Revenue Fund, be amended as follows:

In Section 1 (Estimated Receipts):

Increase External Service Charges and Fees by \$18,800.

Increase Transfer from General Fund by \$28,200.

In Section 2 (Appropriations):

Decrease Personal Services by \$1,000.

Increase Materials and Supplies by \$2,000.

Increase Contractual Services by \$28,000.

Increase Improvements and Equipment by \$18,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 157 of 2004, as amended, shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other sections of the 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.

ORDINANCE NO. 145 OF 2005

AN ORDINANCE AMENDING THE 2005 GOLF ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Golf Enterprise Fund to appropriate additional funds, reallocate funds among expenditure categories 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. 164 of 2004, the 2005 budget for the Golf Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Available Fund Balance as of 1/1/05 by \$80,000.

Increase External Service Charges and Fees by \$100,000.

Decrease Transfer from General Fund by \$17,600.

In Section 2 (Appropriations):

Increase Operating Reserves by \$116,400. Increase Materials and Supplies by \$15,000, Contractual Services by \$20,000 and Transfer to Fleet Services Fund by \$11,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 164 of 2004 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.

ORDINANCE NO. 146 OF 2005

AN ORDINANCE AMENDING THE 2005 AIRPORTS ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Airports Enterprise Fund to reallocate funds among expenditure categories 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. 165 of 2004, the 2005 budget for the Airports Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Decrease Estimated Available Fund Balance as of 1/1/05 by \$1,564,100.

In Section 2 (Appropriations):

Decrease Operating Reserves by \$1,589,100. Increase Materials and Supplies by \$25,000.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 165 of 2004 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.

ORDINANCE NO. 147 OF 2005

AN ORDINANCE AMENDING THE 2005 WATER AND SEWERAGE ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

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

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Water and Sewerage Enterprise Fund to appropriate additional funds, to transfer funds among expenditure categories 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. 166 of 2004, the 2005 budget

for the Water and Sewerage Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Fund Balance as of 1/1/2005 by \$1,595,200.

Increase Water Sales by \$1,600,000.

In Section 2 (Appropriations):

Decrease Personal Services by \$200,000.

Increase Materials and Supplies by \$425,000.

Increase Contractual Services by \$310,000.

Increase Operating Reserves by \$2,220,200.

Increase Transfer to Fleet Services Fund by \$140,000.

Increase Transfer to Capital Projects Fund by \$300,000.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 166 of 2004 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.

Amendment No. 1 to Ordinance No. 147 of 2005.

AMEND THE ORDINANCE AS FOLLOWS:

In Section 2:

Decrease Operating Reserves by \$770,000 and increase Transfer to Retained Risk by \$770,000.

ORDINANCE NO. 148 OF 2005

AN ORDINANCE AMENDING THE 2005 SPORTRAN ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

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

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the SporTran Enterprise Fund to provide additional funding 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. 167 of 2004, the 2005 budget for the SporTran Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase City of Shreveport by \$275,000.

Increase Bossier City by \$48,000.

In Section 2 (Appropriations):

Increase Contractual Services by \$323,000.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 167 of 2004 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.

ORDINANCE NO. 149 OF 2005

AN ORDINANCE TO AMEND AND REENACT PORTIONS OF CHAPTER 10 OF THE CODE OF ORDINANCES RELATIVE TO ALCOHOLIC BEVERAGES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Sections 10-80(c) and (d) of the Code of Ordinances of the City of Shreveport are hereby amended and reenacted and Sections 10-80(e) and (f) are hereby added to read as follows:

Sec. 10-80. Sales locations to conform to zoning ordinance; exemptions for private parties, private promotional parties and promotional tastings.

* * *

(c) The provisions of this section and of section 10-82 shall not apply to a bona fide private party or bona fide private promotional party, provided:

(1) It is held on the premises and within an enclosed building of a business establishment zoned commercial or industrial or SPI-2 and SPI-2/B3;

(2) The party is hosted and sponsored by the owner of the place of business where the party is to be held or by an individual, partnership, corporation or association having a written agreement with the owner of the place of business where the party is to be held;

(3) In the case of a bona fide private party, a legibly printed or typed and alphabetized guest list is prepared, invitations are distributed, and no one other than specific invitees thereto shall gain admittance;

(4) In the case of a bona fide promotional party, it is not open to the general public,

(5) No money, cover charge, dues, fee, or other emolument for food or beverage is charged or otherwise collected, either directly or indirectly, from guests, attendees or others, other than a fee for the use of the premises paid by the party host or sponsor to the owner of the place of business; and

(6) In the case of a bona fide private party, on-the-premises consumption of beverages of high or low alcoholic content is not used to induce or attract customers or

clients to show, explain or sell to them products or services.

(d) The provisions of this section and of section 10-82 shall not apply to a promotional tasting conducted in accordance with the following rules and restrictions:

(1) For the purposes of this section, promotional tasting means a tasting of alcoholic beverages for the purpose of allowing a consumer to try the taste of a product, conducted by an establishment holding a current alcoholic beverage retail dealer's permit.

(2) The location shall be limited to those sections of the city wherein package sale of the product to be tasted is permitted and has been approved in accordance with the applicable zoning ordinance.

(3) No retail dealer, wholesaler, or manufacturer shall furnish a sample of an alcoholic beverage in a greater quantity than two ounces per brand to each individual and no individual shall consume more than two ounces of each brand of alcoholic beverage provided at the tasting. Provided, however, the tasting of a beverage having an alcohol content of more than 23 percent by volume shall be limited to one-half ounce per brand per individual.

(4) All promotional tastings shall be limited in duration to one day. No more than two tastings per brand of beverage alcohol shall be conducted on the same licensed premises in any month.

(e) Any business desiring to hold a bona fide private party or bona fide promotional party, and any retail dealer desiring to hold a promotional tasting, shall first apply to the chief of police for an alcoholic beverage permit for that purpose and shall provide the following information:

(1) Date and location of the party or tasting.

(2) Identification and address of the host.

(3) In the case of a bona fide private party, a legibly printed or typed and alphabetized guest list.

(4) In the case of a promotional party, expected number of invited guests.

(5) Proposed hours of the party or tasting, which shall be limited to the hours such establishment could be open for business under the applicable zoning ordinances and which in no event shall exceed the hour of 12:00 midnight.

Such permit applications shall be submitted to the chief of police no later than ten days prior to the proposed time and date for the party or tasting. Any application or permit issued pursuant to this section shall be subject to denial, revocation or suspension for any grounds that a retail dealer's liquor application or permit may be revoked or suspended.

The provisions of 10-45 and 10-133 will be followed for any denials and appeals. The fee for such permit shall be \$25.00, which shall be paid in cash to the city prior to the issuance of the permit.

(f) The provisions of this section shall not apply to an event catered by a person holding a valid caterer's permit issued in accordance with section 10-53.

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

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

Amendment No. 1 to Ordinance No. 149 of 2005

Delete the ordinance as introduced and substitute the attached ordinance.

ORDINANCE NO. 151 OF 2005

AN ORDINANCE AMENDING THE 2005 BUDGET FOR THE COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO

BY:

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

WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Community Development Special Revenue Fund, to appropriate additional funds 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 2004, the 2005 budget for the Community Development Special Revenue Fund, as amended, is further amended as follows:

In Section 1 (Estimated Receipts):

Under "Fiscal Year 2005 Funds":

Appropriate National Emergency Grant at \$1,218,900.

In Section 2 (Appropriations):

Under "2005 Revenues":

In Workforce Development, appropriate National Emergency Grant at \$1,218,900.

Adjust totals and subtotals accordingly.

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

hereby declared to be severable.

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

UNFINISHED BUSINESS:

1. **Ordinance No. 93 of 2005**: To amend and reenact Section 3.01 of Ordinance No. 96 of 1980 relative to exemptions and exclusions from sales and use taxes and to otherwise provide with respect thereto. (Introduced- June 14, 2005/ Tabled on July 12, 2005)

Councilman Green: We have one item there and Mr. Gibson said that he has an item on Unfinished Business:

Councilman Gibson: Thank you Mr. Chair. At yesterday's City Council Meeting, I discussed an issue that involved a media report, not a criminal investigation - - -

Councilman Green: Mr. Gibson, hold on just a minute. Hold that cause when we get down to the Council Members, of course that's not item on the Unfinished Business. Lets do that when we move to - - -

Councilman Gibson: Mr. Chair, I would like your respect on the fact that it is something I discussed yesterday, and it is Unfinished Business.

Councilman Green: No it's not. Let me refer to the Clerk. If this Unfinished Business that he's talking about is not on our agenda, is it classed as Unfinished Business?

Mr. Thompson: That would depend on the Council. I think that could be a motion.

Councilman Lester: So moved.

Councilman Hogan: Second.

Councilman Lester: Lets get it over with. So moved to - - -

Councilman Green: Hold on just a minute.

Mr. Thompson: It is not there now, and it is not proper for - - - to discuss it, unless there is a motion by the Council to add it, or unless there is no objection to it.

Councilman Green: Okay, we'll just - - - we only got one more item to do, and then we'll come to yours. Just give me a minute to get this. We have a Council Member who - - -

Councilman Gibson: Mr. Chair, I have two items, but again, I'd like them be separate in nature, that's why I'm asking for your indulgence on that.

Councilman Green: Okay, we'll do that, but we have a Council Member who voted the wrong way from my understanding, and I told him that once we got here, and got to this item, I would yield the mic to him, so that he could tell y'all what he didn't vote on or he voted on that he didn't want to vote on.

Councilman Hogan: Thank you Mr. Chairman. If there is no objection from the Council, I hit the wrong button when I voted on Ordinance No. 130. It will not change the outcome of the vote, but to keep my word, I told a person that I would vote against it. And this is just a matter of housekeeping, I'd like that changed if there's no objection to it.

Councilman Green: And what do we need to - - - we have to call a - - -

Councilman Walford: If there's no objections, I believe Roberts allows - - -

Mr. Glass: If there's no objection.

Councilman Walford: If there is no objection, he can change his vote.

Councilman Green: We have one objection. So what does Roberts say about that?

Ms. Glass: So you would need to suspend the rules to go back to it and reconsider the vote.

Councilman Green: And how many votes we need to suspend the rules to go back to reconsider?

Ms. Glass: Two-thirds.

Councilman Lester: And it would have to be a member of the prevailing party?

Ms. Glass: Correct.

Councilman Hogan: So moved.

Councilman Carmody: Second.

Motion by Councilman Hogan, seconded by Councilman Carmody to reconsider.

Councilman Lester: And it needs two-thirds to pass.

Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Hogan, and Jackson. 4. Nays: Councilmen Lester, Gibson, and Green. 3. .

Councilman Green: It didn't make it.

Councilman Gibson: Mr. Chair, I'm going to go back to unfinished business, I'd like to make a motion.

Councilman Green: What he said, was that if we do an item that you're saying that's unfinished business and it's not unfinished business and it's not proper for us to do it, we are going to have to label it different.

Councilman Gibson: Hold on, I believe that if a motion and a second is approved by City Council it can be done. Is that not correct, Ms. Glass.

Ms. Glass: To suspend the rules to take up a matter that was not on the agenda.

Councilman Gibson: Yes.

Ms. Glass: Yes.

Councilman Green: You're going to – we're going to take that matter up it's just the matter that we're not doing it under unfinished business.

Councilman Gibson: Mr. Chair, I'm going to ask that we suspend the rules – a motion to suspend the rules.

Motion by Councilman Gibson, seconded by Councilman Lester to suspend the rules.

Councilman Jackson: Mr. Chairman, and I guess appropriately all of our question ought to be asked through the chairman, but my question is for my colleague Councilman Gibson, and I'm assuming that there's a reason why he wanted to do it under unfinished business rather than in the area where we have either miscellaneous or Council comments and I just wanted to see ascertain whether or not there was a rationale for that, I know

that he has more than one comment, but I don't think that the Council would have any problem with him making all of his comments at one time, whether it be two comments or one. In deference to his desire to speak twice, I wouldn't have a problem with him speaking in being that particular time period.

Councilman Green: Right, we are going to speak – here again I refer to the Clerk.

Councilman Jackson: No, I'm just asking – my question is if Councilman Gibson has a rationale for why unfinished business versus –

Councilman Gibson: I can't answer that question. I'd like it into the minutes of the meeting.

Councilman Jackson: Sir.

Councilman Gibson: I want it in the meeting of the minutes, please. And at the indulgence of my colleagues I would like that –

Councilman Green: Let me just say this, the Clerk, who we pay says at this time, if we do it under Unfinished Business we are out of order.

Councilman Gibson: No, she did not say that.

Councilman Green: The Clerk – what did you say?

Mr. Thompson: If there's a motion on the floor, I believe –

Councilman Green: Okay, so we'll suspend the rules to –

Councilman Gibson: We have a motion and a second Mr. Chair.

Councilman Green: To indulge the Unfinished Business. Motion by Mr. Gibson -

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Councilman Jackson: I want to clarify for the Council's consumption, Councilman Gibson desires to do it now, because he wants it written in the record and if he didn't – if we waited until the portion where Council could just speak freely it would not be in the record so the purpose I believe, I'm asking to get this all on record.

Councilman Gibson: Thank you.

Councilman Jackson: I didn't know that at first.

Councilman Gibson: Thank you, Councilman Jackson.

Councilman Green: Okay, all right.

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

Councilman Jackson: Mr. Chairman.

Councilman Green: Yes sir, Mr. Jackson.

Councilman Jackson: The rules have been suspended, I would just share with my colleague Councilman Gibson, while we are doing this we recognize that our option is to spend more money in this section, by doing it now we gather more that's got to be typed and paid for in the newspaper but I understand he needs to ask for our indulgence. So, in all typical scenarios I know this Council would suggest that this was not the most prudent decision, but in the indulgence of him and this being his last meeting then I'd want to be clear that when I don't go for it at the next meeting to my other colleagues just know that that's what it was.

Councilman Gibson: Thank you, Councilman Jackson.

Councilman Green: Thank you, Mr. Gibson.

Councilman Gibson: Thank you. Thank you, Mr. Chair. At yesterday's City Council meeting I discussed an issue that involved a media report on a criminal investigation by the Shreveport Police Department on allegations saying that I had two social security numbers. And that there was probably fraud use of those social security numbers. First, I have never had a second social security number. Second, my legal counsel and I have verified with the social security office here in Shreveport that my social security number belongs to me and that the second social security number belongs to a gentleman located in Brenham, Texas. That no documents, no loan applications, no nothing that I have put my – put this bogus secondary social security number on. The issue of the social security is not the story here, but residents of Shreveport should be concerned with. But instead the focus should be the Shreveport Police Department. I have a – a request was made by a - - - at a police investigation by a stranger and that Shreveport police investigation did “no”, I repeat did “no”, investigation because if they had they would have contacted the social security office, they would have contacted me and I would have asked them to get on speaker phone and done exactly what my legal counsel and myself had done. But there is no crime and even the Shreveport Police Department spokesperson has said that they are not the responsible party to do the investigation, the Federal Bureau of Investigation should have and it should have been referred to the FBI. And I will assure you that the FBI, which I have been in contact with would have done just what I have described, they would have called me, we would've got on a conference call and we would have put this to bed. In addition our Shreveport Police management or lack of management allowed for the confidential investigation and confidential documents to be leaked to the press. This leak of information involved my social security number, my date of birth, and other personal information (inaudible) of the City of Shreveport. This is not ID theft, this is blatant abuse of authority and blatant disregard for legal policies and procedures by the Shreveport Police Department and our Legal Department. Something about this whole situation stinks and I don't mean our City water. Yesterday I filed a complaint with the Shreveport Internal Affairs division. In addition I will be making a – filing an official complaint with the Federal Bureau of Investigation asking them to investigate the Shreveport Police Department management. I feel that Chief Campbell is a major responsible party in the fact that he's got responsibility for the Police Department. These Gestapo and mafia style tactics should not be tolerated and the City Attorney and the Chief of Police should be held accountable to the extent of the law. My personal opinion is this Administration should either put them on leave or remove them completely from their responsibilities. Their jobs are dependant on the trust of the public. If they will do this to me I can't imagine what they will do to you. No citizen should feel safe and confident that their records and their investigations are going to be done in a professional manner and I would just urge my City Councilmen to be very careful. This was treated with irresponsibility and maliciousness in a smear tactic against myself. Again, I am very disappointed with the lack of controls and with my confidential information, and I am very much looking forward to the results of the Internal Affairs review that's suppose to be coming back to me in October and also the results of the FBI investigation. This is a serious matter ladies and gentleman. If I can take two minutes of my time with my legal counsel and find out exactly what's going on because when it was brought to my attention by a media person, and I appreciate that information being brought to my attention. We all serve the citizens

of Shreveport, we do it in an honorable manner and I can assure you that normal procedure would have been that if somebody filed a complaint on a City Councilman or the Mayor's office they would have gotten the curiosity of a phone call. No phone call was received by me by anybody in this Administration or in the Police Department or Internal Affairs. I got a call from a media representative. Am I upset? You bet. I'm in the process of selling a house; I'm in the process of buying a new house where I'm relocating. I've got a social security number and my entire life history out there on the street right now and for the life of me I don't know why these Gestapo tactics and these mafia-style tactics are used in this town and I will assure you, we are going to get to the bottom of it. This Councilman will no longer be Councilman but I have attorneys. And again I will reiterate, I can see why the citizens of Shreveport are leery about coming forward and working with law enforcement management. I underscore management, not police officers, management. It's high time that this is dealt with and dealt with swiftly. If Internal Affairs isn't going to deal with it, I can assure you based on the conversations with FBI people they are going to deal with it. And they are going to deal with it harshly. Thank you very much gentleman I appreciate your indulgence. Thank you, Mr. Chair.

Councilman Green: Thank you, at this time we will move to the Clerk's Report.

NEW BUSINESS:

ABO Appeals

Ms. Shonta English, Circle K, 2540 Midway Street, Shreveport, La (F/Green)
(Remanded to ABO – September 26, 2005)

Mr. Travis Williams, Mr. Thrifty, 6704 Pines Road, Shreveport, LA 71129 (F/Green)
(Decision rendered – September 26, 2005)

Alcohol Permit Appeal

Mr. Darren Giddens, Legends Bar and Grill, 3044 Youree Drive, Shreveport, La 71104
(B/Walford) (Decision rendered – September 26, 2005)

Set time for October 10, 2005, meeting to accommodate the annual employee recognition event.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:

CLERK'S REPORT:

Councilman Green: Mr. Clerk, you have any report?

Mr. Thompson: No sir.

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 6:03 p.m.

//s// James E. Green, Chairman

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

