Council Proceedings of the City of Shreveport, Louisiana April 11, 2006

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Calvin Ben Lester, Jr. at 3:00 p.m. p.m., Tuesday, April 11, 2006, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Green.

The Pledge of Allegiance was led by Councilwoman Robertson.

Councilman Lester: Again, we'd like to welcome you to the Council Meeting, and we would ask that if you have any telephones, pagers or other electronic devices, that you would either turn them off or put them on silent or vibrate. Madam Clerk, would you please call the roll.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Robertson, Hogan, Green, and Jackson, (Arrived at 3:02). 7. Absent: None.

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Walford</u> to approve the minutes of the Administrative Conference, Monday March 27, 2006, Council Meeting, Tuesday, March 28, 2006, and Amendment No. 1 to Council Proceedings, March 28, 2006.

Councilwoman Robertson: Mr. Chairman, does that include the amendment? Councilman Walford: I was going to say, I would change my second to include the amendment if somebody cleared the motion with you.

Councilman Lester: Okay.

Councilman Green: Yes, my motion includes - - - yes sir.

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

Amendment No. 1 to the March 28, 2006 City Council Minutes as published on April 3,
2006 in the Official Journal.
Amend the March 28, 2006 minutes, as follows:
On Page 7B, Column 2, after the line which reads "Mr. Ken Krefft: (157 Archer Ave) I'd
like to address the Council today to speak in support of" strike the following:
"Having passed first reading on was read by title and on motion ordered
passed to third reading. Read by title and as read motion by Councilman seconded
by Councilman for adoption. The Clerk read the following amendment:
Amendment No. 1
Motion by Councilman, seconded by Councilman to adopt Amendment
No. 1. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody
Gibson, Hogan, Green, and Jackson. 7. Nays: None.

Motion by Councilman	n, seconded by Co	ouncilman to	adopt the ordi	nance
as amended. Approved by the	e following vote: Ayes:	Councilmen	"; and	
Insert the following:				
"Resolution No. 33"				

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Carmody</u> to approve City Council Meeting Minutes, March 28, 2006 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

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

Councilman Lester: Do we have any awards or any distinguished guests? Does any member have an award or distinguished guests?

Councilman Hogan: Mr. Chairman, I'd like to - - -, he didn't know I was going to do this, but I'd like to recognize my dad, he's sitting right here, dead center. Came down to see us today. Marvin Hogan's here.

Councilman Lester: Thank you, and welcome to the meeting Mr. Hogan.

Mayor Hightower: Nothing today Mr. Chairman.

Councilman Lester: Thank you Mr. Mayor. Councilman Green?

Councilman Green: I'm sure he's a guest, but I don't know who he is, but it seems as though Mr. Dark has a guest over with him.

Mr. Antee: Mr. Chairman, that's my shadow for this afternoon, and on Thursday, he'll be following me around. Caddo Middle Magnet student, Jason Salpietra, and part of their schooling is to follow people around. So, I think he got the short straw and has to follow me around.

Councilman Lester: Thank you Mr. Antee, Mr. Salpietra, welcome.

Reports:

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

Mr. Antee: As far as the Convention Center, we're getting closer to the finishing line. Sorry for not having the report last week, but Mr. Dark was on vacation and Spring Break, but that brings you up to speed through Change Order No. 13. I think we've got one more change order that's being processed for the Convention Center to bring our total amount of Change Order to less than \$2,000,000 which is far less than what was anticipated, and about one-fifth of what was predicted by former City Councilman in the construction business as to what the change order would be. But half of those change orders were as a result of a request from SMG and for us, because we had extra money, and there were extra items that we wanted to make the building more usable, and so when you look at what was construction driven, it was closer to \$1.2 (million) and that's phenomenal with a \$65,000,000 project. So, Yates has done a good job keeping the change orders in tack and hopefully by mid May, they will be completely out of here. As far as the Convention Center Hotel, they've got half of the

5th floor poured. I think sometime this week they'll have the second floor, so the fifth floor will be poured and then they'll start forming the sixth floor. We've got before you today the kitchen equipment contract that went out for public bid. It was \$5,000 below budget on the bids that came back. There was questions as to the way it was bid out with the Alternate No. 1 is to install the vent hood and the cooler. And let me explain to you what we did there. Under Louisiana's General Contractor Law, the contracting board in Baton Rouge, you can only have one general contractor on the site. If you have two that's contracted with the City, then they take the position that the City is acting as the General Contractor, which by law, we cannot do. What we wanted to do was put it out for bid for the equipment, and then also get a price for what it would be to install it. Our plan was to then take that price, take it to Walton, and have Walton execute a contract with them or with somebody else, and have Walton install the equipment. But at least then we knew what the cost would be, so that if we just bought the equipment and asked Walton to have somebody install it, and the cost is \$15,000, and they came back with \$45,000, we'd have no way of knowing if we had not bid it out. So, by getting that alternate price, we'd know exactly what it would cost, and then that way, we can pay Walton their percentage as well as their bond. And it was more for informational purposes, so that we wouldn't get taken advantage of with the installing in the form of a change order. And if anybody has any questions about that, we also have Marty Johnson here. Marty is with National Repair which is joint ventured with Pendleton Products. We had a request, I got this morning on email to have Dr. Pendleton here, but he is unable to be here, but we do have Marty who is doing the work, and available for any questions.

Councilman Jackson: Mr. Chairman, Mr. Antee, he may be able to restate it and give me a clear understanding. On yesterday you weren't here. There were questions asked as to the composition as of the venture if you will. And some of my colleagues had questions. And I remembered questions about the joint venture, what have you. What I assumed it was all contractual between the individuals per se, but we had asked questions about the fact that it was 93% it seemed to be reported, I think Mr. Dark told us yesterday it was 93% Fair Share, or 93% MBE, and you were saying there was a person who is here about who is actually doing the work. I guess the connotation there is that there is somebody involved who is not doing the work.

Mr. Antee: No, no, no. I can explain that.

Councilman Jackson: You have to be careful, you know to make sure the way we phrased that particular - - -

Mr. Antee: And Mr. Johnson's here. Pendleton actually acquires and is the purchasing entity that under this contract unlike the Convention Center Contract, the biggest majority of it is the equipment. National Repair actually is the installer of the equipment, and so the only thing being installed with the hotel contract is the vent hood, and the cooler. Is that correct?

Mr. Johnson: Well actually our contract - - -

Councilman Lester: Hold on a second. Could you please state your name and address for the record sir.

Mr. Johnson: Which one is on? My name is Martin Johnson, address is 325 Lister Street, Shreveport.

Councilman Lester: Okay, thank you sir.

Mr. Johnson: And actually what we got is two install contracts. Under the equipment contract we're to set, place and level the equipment to get it ready for the electricians and plumbers for hook up. And then the addendum is to actually install the hood and walk ins refrigeration complete so that they'd have one warranty person to look at, which would be us if in fact we do the job.

Mr. Antee: And the reason for the difference in the percentages is because on the Convention Center, I mean on the Hotel, there's not as much installation as in the Convention Center. Is that accurately reflected Marty?

Mr. Johnson: Yeah, actually on the hotel, it's basically (unclear) and installed would be in the \$20,000 range, where on the Convention Center, it's on the \$480,000 range.

Councilman Jackson: That was my concern with the statement of if this Mr. Johnson was doing the work, I was just concerned that, that was again a connotation again that somebody was not doing the work, and I just wanted to clarify what their relationship was if there are two parties in a joint venture, and somebody was doing work and somebody was not doing any work, and whether or not, I don't know Mr. Antee, if we clarified the Fair Share number, and perhaps the Councilman who brought it up yesterday, may want to ask about it. But the question was about whether or it would be Fair Share - - - denoted as Fair Share and what percentage of it since it was in fact a joint venture. It was the percentage of the Fair Share credit, for lack of a better term, congruent to the constitution, if you will, of the joint venture, for example if it's a 60-40 joint venture, minority to majority, then is it a 60-40 Fair Share computation or is it not just that simple, what in fact is the calculation, how we are crediting or how we are reporting it let me say.

Mr. Antee: I'll let Sam respond to that since he - - -

Mr. Sam Gilliam: In a very technical sense, it's really not Fair Share applicable because the entity of JV or joint venture, Pendleton Products is not Fair Share certified. They exceed the economic thresholds that we have. However, we looked at it in terms of MBE, which of course they are MBE, and of course that total project is something like \$1.5 (million).

Mr. Antee: And this is the hotel Sam, I think it's about \$460,000.

Mr. Sam Gilliam: But Pendleton appears to be dealing with just the supply end of it.

Councilman Lester: My question on that issue is this. As I appreciate it and in reading the documents on - - - that we were provided relative to the bids and that nine yards, it seems that the bid was supplied by Mr. Johnson's company, but in the documents where things were signed, in terms of insurance and things of that requirement, they're signed on behalf of Pendleton Products, L.L.C. And so I guess my question is whether or not there is - - how do we handle that? I understand, generally speaking when you have joint venture, the joint venture in and of itself is a new entity. It's a new juridical entity. It's not A Corporation and B Corporation, it's AB Corporation, (either Inc, or L.L.C.), and my question is do your documents reflect the composition of the joint venture? In other words, do your documents reflect whether or not the joint venture is a 60-40, 50-50, 70-30, 80-20, 90-10, or anything of that nature?

Mr. Sam Gilliam: Well, first of all, our first determination, let me back up. When we didn't make the actual award decision. We just dealt with the compliances part of it.

Councilman Lester: Right, and I'll reserve that question to Mr. Mattox.

Mr. Sam Gilliam: I was going to say, that probably would go to that person. Our concern was that the entities in the JV would meet two criteria basically. That each would be

able to address a commercial useful function, we thought that was the case. And the other was that each was making a real and significant contribution to the project. And of course, we labored with that to some extent. The percentage as we looked at is roughly on behalf of Pendleton was roughly about 77% of the JV, of the structure of the JV.

Councilman Lester: So they - - -

Mr. Sam Gilliam: Or projected I should say.

Councilman Lester: Okay, and that was communicated to you in what fashion? Was it a verbal situation? Do you have - - -?

Mr. Sam Gilliam: No, we actually wanted - - - we don't do anything on a verbal basis. We have to have something. It has to be on a compliance form and that's the basis upon which we determine that.

Councilman Lester: And that compliance form indicated that the joint venture was a 77% to Pendleton and 33 to - - - somewhere thereabouts, to National?

Mr. Sam Gilliam: National.

Councilman Lester: Okay, and that I guess my - - - I would like to see a copy of that document, when it's appropriate. That was one of my questions. And so, on the basis of that information, i.e., that indicates that there is a joint venture, that is 077% MBE and 33% majority. That satisfies, as I appreciate what you're telling us. That's satisfies your office in terms of MBE participation?

Mr. Sam Gilliam: In a practical sense.

Councilman Lester: But technically it does not because Pendleton is not Fair Share certified, because they are beyond the threshold of Fair Share certifiable clients.

Mr. Sam Gilliam: Personal new worth. And that was the reason. Now we could have looked at in terms of good faith effort. But if you'll note on this one, I think this was the sole responder on this particular contract. And we looked at our data base, we didn't have anyone else in our data base, Fair Share or DBE for that mater, who could provide this good or service.

Councilman Lester: Okay, well that definitely answers my Fair Share question, I may have others. Thank you. Does anyone else have a question for Mr. Gilliam?

Councilman Carmody: Mr. Chairman?

Councilman Lester: Okay, well I tell you what. Lets go to Councilwoman Robertson, and then I'll go to Councilman Carmody.

Councilwoman Robertson: I don't have a question for you, thank you. But I've got a couple of questions in regards to the contract. 1) on the addendum that was made, alternate no. 1 and I understand your explanation that you had to get it so you (unclear) but in the building bid, they didn't have in there for putting in the kitchen equipment and all?

Mr. Antee: No, that's what the alternate was. We did the equipment and then the alternate was to install those two pieces.

Councilwoman Robertson: But in the original for building the hotel, they didn't have any provisions made for putting in equipment?

Mr. Antee: No, that was going to be handled on the FFE side.

Councilwoman Robertson: Okay, and No. 2, I have question concerning the contract and you may be able to help me with this. Mr. Salpietra signed it as a member of Pendleton?

Mr. Antee: Correct.

Councilwoman Robertson: Okay, I've not seen that he is a member of Pendleton Products, L.L.C according to the Secretary of State. Do you know how that's - - -?

Mr. Antee: Well probably when that L.L.C. was formed, the law did not require that all members be listed. I think in the last year or so, or maybe two years, they changed the law to where when you incorporate an L.L.C, all members are listed. But Mr. Salpietra is a minority stockholder in the L.L.C. To what extent, I don't know. There are several partners. There's Dr. Pendleton, Mrs. Pendleton, their daughter, Mr. Salpietra, his wife, and maybe a couple of others that I'm aware of.

Councilwoman Robertson: Is he an officer maybe, and not a member, do think he's a member, cause I'm looking at information from September '05.

Mr. Antee: I don't know that he's an officer.

Councilwoman Robertson: Okay, is there anyway that we may be able to get some type of documentation stating that he is a member in there or what took place with it?

Mr. Johnson: Well, we have documentation on file for the Convention Center contract that lists both myself and Mr. Salpietra is authorized signatory for both companies. And it's on file with the Caddo Courthouse. We'll gladly get you a copy of that if you'd like.

Councilwoman Robertson: Yes, I would. Okay, that's the only questions I have concerning this particular contract. But do have some questions for Mr. Carrier when he comes up later.

Councilman Carmody: Thank you Mr. Chairman. Mr. Antee, I 'm just going to ask if the reason you're being followed today was to make sure we got this contract through for Mr. Salpietra?

Mr. Antee: Actually, it was coincidence, and when this was coming up, there was a question as to whether or not it would be appropriate. But I don't see why it would not be.

Councilman Carmody: He just seems to be a little young.

Mr. Antee: Yeah, he's better looking than the other Salpietra. Mr. Chairman, if there are no other questions for Mr. Johnson, I'd like for him to get back to work on the Convention Center so that we can get that project done.

Councilman Hogan: Thank you Mr. Chairman, I do have a couple of questions on the hotel, and I have a couple of questions on the Convention Center. So, since we're talking about the hotel I'll go with that first. It's in regard to the food service contract. In our Work Session meeting, we didn't have the information. I appreciate y'all getting the information to us today over what we discussed yesterday, but it is confusing to me because I'm reading the letters in here. First of all, the top - - - this question No. 1, it says 'has the city gone out for bids before, regarding the food service equipment for the Convention Center hotel? No.

Mr. Antee: I'm not sure what you're seeing. But yes, we did go out for bid and this contract is based on the low bid for the kitchen equipment that was completely a public bid process.

Mr. Thompson: Mr. Chairman? Yesterday, you asked the question as to whether or not we had rejected bids for this particular equipment before?

Councilman Hogan: Right.

Mr. Thompson: So, these were - - - Sharon did these questions that you were looking at. She went up and researched this. And this particular equipment had not been bid before and you did not reject it before, that was the hotel. And this is the - - - so that's what - - - she's trying to answer those questions for you.

Councilman Hogan: I see. It was for the hotel?

Mr. Thompson: The Convention Center.

Councilman Hogan: For the Convention Center?

Mr. Thompson: Yes. The Convention Center equipment was rejected at one time, but never - - -

Mr. Antee: Last meeting?

Councilman Hogan: Wait, wait, just a second. Park on that just a second because as I remember, two or three months ago, we voted on something that Buckelews this company, the other company was the higher bidder, and they were over budget, and we rejected it. Did y'all find where we voted on that and what that was about?

Mr. Thompson: Yes.

Councilman Hogan: That was for the Convention Center?

Mr. Thompson: That's correct.

Councilman Hogan: I knew I remembered that, I just couldn't remember if it was for the hotel or the convention Center. Okay, so I'm clear on that. The other thing is the letters back and forth. The correspondence from Tom Mattox in purchasing and Mr. Henry Hunsiker with Buckelews, and this stack of papers here and Sharon, you did get this for us?

Mr. Thompson: That's correct.

Councilman Hogan: And Mr. Antee, I don't know if you've seen this information or not - - -

Mr. Antee: I haven't seen any of it.

Councilman Hogan: But, well - - - I'm not going to take time to read all of it, there's three letters here. But basically - - -

Mr. Antee: Are you referring to the letters from Tom Mattox regarding Mr. Hunsiker's rejection?

Councilman Hogan: For the hotel? Mr. Antee: Yes, I have seen those.

Councilman Hogan: Well, and specifically here, Mr. Hunsicker's letter here, he responded in a protest from his original bid. And I don't see a copy of his original bid in here, but what's confusing to me is it says after Tom Mattox had written him before and said that his bid was under budget, he wrote back and said that 'I note that you stated in your bid is "under budgeted" according to the food service consultant's budget of \$400,000 the bid is \$64,300 over budget. Hold that thought for just a second. Now, we turn over here to where the bid came in from National Repair Service, and it says base bid and figures - \$464,300. I'm assuming that's the bid that was - - -

Mr. Antee: The bid was \$464 something thousand dollars. I don't know where Mr. Hunsicker comes with his \$400,000 number. It's not unusual for him to be way off from things like this. We've got the copy of the hotel budgets that have been carried on and updated and for several months prior to ever going out for bid, the actual kitchen equipment for the Convention Center, once they came in and speced out what all was going to be bid was about \$470,000. I think \$469,000 - - - it was about \$4,500 more than what the bid actually came in as. So, I don't know where he got the \$400,000.

Councilman Hogan: Well, I can't put a lot of stock in this letter, but it does say it appears that his bid was the same as the other person.

Mr. Antee: He didn't bid. Buckelews and Mr. Hunsicker did not bid on the hotel.

Councilman Hogan: Would it be a case Mr. Thompson, where it this letter could be in regard to the Convention Center bid?

Mr. Thompson: No, he did not - - - he protested and did not bid on the Convention Center Hotel equipment.

Councilman Hogan: Well, what did he bid on then? It's unclear to me what he bid on?

Mr. Thompson: He bid originally on the Convention Center. But he did not bid on the Convention Center Hotel. He protested and did not bid. These letters relate to his protest.

Councilwoman Robertson: On the hotel?

Mr. Thompson: On the hotel. Councilman Hogan: Our hotel.

Mr. Antee: If it would help Mr. Chairman, I could give a brief history of the difference in where I think the confusion maybe coming in to play. When we went out for the kitchen equipment bid which I think was a \$5 or 6,000,000 bid, several months ago for the Convention Center, we got one bid in and that was Buckelews and that was about \$500,000 over budget. That was what you recall when we rejected. We rejected the bids, then we went through and we deleted out items, we added items and then came back and put back out for bid. At that point and time, National Repair/Pendleton was the low bidder with that public bid and Buckelews was about \$50-55,000 above that.

Councilman Lester: Now, this is a re-bid - - -

Mr. Antee: Of the Convention Center.

Councilman Lester: Of the Convention Center, installation and equipment, Bid #, and I'm just trying to keep the record clear, Bid # IFB-05-122, that was opened November 10, 2005?

Mr. Antee: That's correct.

Councilman Lester: I just want to make sure so we can follow all of that.

Mr. Antee: Now, we saved, and when you compare the apples to apples, and I've got all these numbers, bid from Buckelews' first bid, and when you take what they bid, you take the items that were deleted. You add back the cost of the items that were added. Buckelews' bid was about \$270-300,000 below their original bid. And the only thing that changed was there was two bidders rather than one, and still they were \$50,000 higher than National and Pendleton. Now, we come forward to the hotel kitchen equipment bid. We've put that out for bid. Buckelews came with a protest and what they were protesting was from my understanding was the fact that we had an alternate for the installation. Rather than just bidding the whole thing with the installation. Well, the reason why we had that alternate is what I explained earlier. We could not contract directly with them to install it, because you have to have specific license, and that license would then create a conflict with the State Licensing Board by having two general contractors on the site. So, we wanted to get the information as to what a competitive cost of installing it would be, so that we could then go to Walton and say hey, we'll pay you this, plus your bond, plus your 10% and all that, and you contract with these people or you contract with somebody to come install it at this price. And they were at the pre-bid, Buckelews was at the pre-bid. They didn't ask any questions as I understand, and Mr. Mattox is here to explain all that. And had they asked the question, that would have been explained. It was more for informational purposes, so that we wouldn't get taken advantage of when it came time to do a change order to install it, not to say Walton would, but if you know what your cost is, then you know how to negotiate with them, hopefully that clears up the two different projects and the two different bid processes.

Councilman Hogan: Okay, well - - - somewhat. Anyway on to the - - - I have another couple of questions on the Convention Center. Could you give us an update on

where we stand on the issue of a few weeks ago, where there were some Subs that were not paid that were trying to file a lien against the property. Has that been satisfied?

Mr. Antee: I don't have a breakdown I know some have been satisfied, some I'm sure we'll still get more. We're holding \$3 and a half million in retainage to satisfy. We're getting to the point where they'll finish the punch out list and punch out items, and then they'll present us with a clean lien certificate showing that all liens have been resolved before we release any of the retainage.

Councilman Hogan: Okay, and the problems with the roof leaks that we discovered recently at our first show, has that been fixed?

Mr. Antee: For the most part, but I'm sure the next rain storm, we'll find some more. It's just a process over the first few months of it being open to find all of them. But they have been very responsive when we see 'em and find 'em in getting them repaired.

Councilman Hogan: Okay, and yesterday, Councilman Walford had mentioned he was disappointed that he didn't get to go to the ribbon cutting. So, I was just kinda wondering has this been rescheduled, or is there an official date for the ribbon cutting or something?

Mr. Antee: I'll leave that to the PR people. I'm just trying to get the building finished. I'm not sure what the date is on that.

Mr. Carrier: We don't have one yet.

Councilman Walford: Mr. Chairman, I don't believe that was me who was disappointed, I think it was my neighbor here.

Councilman Carmody: Wasn't disappointed, just wondered whatever happened. I thought the ribbon cutting was going to take place in March.

Mr. Antee: We want 'em out before we actually - - - so it'll be completely done.

Councilwoman Robertson: Mr. Carrier, if you could come up, I've got a couple of questions. I know that just about every session we have since the Convention Center opened, one of us in our areas had been contacted by someone who didn't feel that they were maybe talked to as courteous or handled as maybe we might want them to be handled. But I do have some specifics on a few things to try to find out. Do y'all now have in place where if someone calls, there is only one person that they talk to, and one person that they get bids from as far as or giving to them telling someone how much it's going to be if they want to lease the facilities or - - -

Mr. Carrier: No, it depends on what they are asking for. There are three people in our Sales Office. Depending on what they are, what the group is, whether it is a catering only event, whether it is a multi-day convention- - - they can talk to anyone of the three folks, depending on what their specific needs are. We then turn around those. They all go back through our Director of Sales for final approval before they go out.

Councilwoman Robertson: Okay, so if - - - lets say they called and they talked to one person that was in one division of it, and they talked to them and find out some information, then they find out 'oh well, it's going to be bigger than what I can handle, I need to get you to talk to another person.' Is that - - - I mean they kinda - - -?

Mr. Carrier: Each case is a little bit different depending on what the group needs. Sometimes there are issues where we need to get a second person involved because of it being a multi-day event or specifically what the needs are. Someone perhaps has more experience in Convention Center operations, than someone else.

Councilwoman Robertson: Well, I have a particular group that at one time was quoted \$7500 for a six day event, and that they could have the rent waived if there were a minimum of a food and beverage. Then they got turned over to someone else say three weeks later, and got a bid at \$19,250 for the facility for the same six day period, and they were going to have to have additional fees for outlets, for stage rentals, and for food and drink and you can't have like a minimum of food and beverage to offset your room rate or however that stipulation would be. And that they could be bumped because they are not a priority. Do y'all have first priority? Do y'all have like particular - - -?

Mr. Carrier: No, no. I'm not knowing what that event is and not having all the information, I'd like to talk with you about it after the meeting or tomorrow or something to deal with it because that's not a - - - depending on what that event is some other things, that's not an event that we would look at bumping. We would look at the bumping only something that would be a one day event, in case would be able to book a multi-day event. That's the way the priorities go. Obviously (unclear)

Councilwoman Robertson: So y'all do have priorities set up as far as types of conventions or types of events?

Mr. Carrier: Yes Ma'am. And so I'd like to talk with you about the specifics of that, and find out what the group is and look into it, because that's not something that based on what you've told me already (unclear).

Councilwoman Robertson: I've got letters, so I've got the documents from your building.

Mr. Carrier: I'd love to see 'em.

Councilwoman Robertson: Another thing is, is there a way, because I know when the Expo Hall was being used, that a lot of the Non-Profits in our city used them, and they would have restaurants from our community would donate food and beverage for their events. With the Convention Center, is there going to be a way for that to still be able to take place?

Mr. Carrier: No Ma'am.

Councilwoman Robertson: Now, can they work in the food and beverage with the Convention Center, work with bidding with the locals to get their food and beverage or - - -?

Mr. Carrier: Well, we're already working with a number of groups, Le Boutique De Noel as a prime example. We've already worked with them to resolve that very type of an issue for their program next year. So, it's a matter of sitting down, discussing with them and being able to provide for their needs. So, those are things we can accomplish what they want to accomplish, we'll just have to do it a different way.

Councilwoman Robertson: Okay, well okay, I'll get with you on some information.

Councilman Carmody: Mr. Carrier, this morning I received a call and I'll pose to you in the form of a question. And that is if a group is going to be booking and using the Convention Center facility for a morning event, okay breakfast? And in order to facilitate the movement of the people into the event, they're amenable to basically paying whatever the consideration is for the parking garage, but not wanting to inconvenience their attendees by having to stop take a ticket, turn around and then come back out. Is there someone that they can talk to in order to

Mr. Carrier: Yes.

Councilman Carmody: In order to make sure that the normal process by which I guess people enter into the parking garage and have to take a ticket, and then come back at the end of the vent - - -

Mr. Carrier: That's not a problem. We can accommodate that very easily. We've done that with some groups already. So that can be done just as easy.

Councilman Carmody: Okay, could I then refer them to call you directly?

Mr. Carrier: Yes sir. Just have them call me and we'll be glad to take care of them.

Councilman Jackson: Thank you Mr. Chairman. Mr. Carrier, a couple of things, and you can just get it all back to us I guess at our next meeting so that we don't have to take up anymore of this time doing it. I'd like to know do we have a copy of your pre-emption policy. You just spoke of how you pre-empt one group. And I'm assuming it's not arbitrary obviously, so I was assuming you have a policy for pre-emption.

Mr. Carrier: Yes sir.

Councilman Jackson: Could we get a copy of pre-emption policy? Secondly, if we could get a rate sheet, a copy of all the rates that the Convention Center charges for all of the events you may have. I'm assuming you have a rate schedule or something like that?

Mr. Carrier: Much like a hotel, there is what we would refer to as a 'rack rate.' Each event we look at individually, there could be some negation depending on what the event is, what time. A variety of facts. If it's multi-day, a variety of thing. We'll provide you with a rate sheet and the rates for all the ancillary cost also.

Councilman Jackson: Just an aside based on what you just said, if you do have rack rates or comparable type rates, the hotel's rack rate, then negotiation happens to go lower than the rack rate or is it that rates are often higher than the rack rate as a norm?

Mr. Carrier: No sir. The rack rates, what we refer to as the rack rates, that's the rate to rent the base facility, four walls, basically is what we talked about, the four wall rent. That's the maximum. Depending on what you are doing, depending on what type of a package program, we can put together, it may wind up costing more because of ancillary services that are needed in addition to the rent of the building. Or it may come down to, depending on a variety of other factors. That's why what we try to do is meet with each client and put together a package for them that meets their needs once we know. The more information we know about it, the tighter we can give them a cost to satisfy all of their needs.

Councilman Jackson: And then, and maybe the Administration may already have this. And I think it may be good because you get people who complain, or people who just talk. And I think one of the things we need to be able to justify and prove is that we are trying to be competitive, and that we want to be a leader in our market size. And I wondered if you have comp rates for our region and for similar size cities around the United States comparable, Convention Center rates comparable to our rates?

Mr. Carrier: Mobile, Baton Rouge, Memphis, Oklahoma, Savannah, primarily looking at things within this geographic area, not so much - - - you know Savannah is a little bit outside of our geography. Yes sir, we do have that and our rates are based on what we found in those other cities.

Councilman Jackson: Now, do you have rates, I'm assuming these are rates, outside of Centers or facilities that you manage, that your company manages?

Mr. Carrier: Yes sir, we have rates from some other centers also.

Councilman Jackson: Okay. If you could, if we have that kind of information, we'd like to see that as well. And then finally, in most of the Council Meetings of recent, most of the issues that individuals of Council's, my colleagues have been about customer service and the people at the Convention Center. I wanted to see maybe if you could just document. I know you usually do a report for the meeting. You could just document how you have or

SMG has addressed these problems pointed out by the Council, whether it was through training or whatever the case may have been, how you have addressed the customer service issues that the Council has pointed out over the course of the last few months.

Mr. Carrier: Certainly.

Councilman Carmody: Well I'm curious, thank you Mr. Chairman, when HRI comes on board with the hotel, are we going to be asking our hotel Manager the same questions regarding the complaints that we've received from guests in our hotel?

Councilman Jackson: I hope so since we own it.

Councilman Carmody: Okay, I just wanted to make sure that we're consistent. Thank you Mr. Chairman.

Mr. Antee: Mr. Carmody, you and I probably won't have to worry about it.

Councilman Carmody: No, no. But I'll be tuned in to listen.

Mr. Carrier: Mr. Chairman if I may address one thing in regard to that. One of the things that I would appreciate very much is if you do get a call or a question from someone, that you refer them to me. It's very difficult for me to deal with issues when I get information second and third hand. Very often I find when I talk to people and am able to get the information first hand, I can resolve issues very quickly, and very efficiently. But if I have to go through second and third hand information, it makes it much more difficult. So, I would strongly encourage you all that if you do get a question or a comment, that you'd ask the individual if they have talked with me. And if they haven't, then I would ask you to have them call me. I answer my phone calls. I don't hide from things of that nature, because I don't like that. So, I want to deal with those kinds of issues when they do come up. It's the only way we're going to improve. And so, I would simply ask you to have them call me at 841-4000. When we get our offices moved into the building, and I have a direct phone number, I'll give you that number also. But I would appreciate it if you'd do that because it will make our lives a whole lot easier, and hopefully yours too by allowing me to deal with issues of this nature first hand and immediately and instead of them being dragged out over any period of time, so I appreciate that.

Councilman Green: Thank you. Mike, I hope this doesn't shock you, but I'd just like to say that I had an incident, and certainly I can appreciate it that you handled it very professionally, and (unclear). I really appreciate that.

Mr. Carrier: That's why I asked the question I asked. I'd appreciate knowing those things so I can handle it.

Councilman Jackson: Mr. Chairman, I just wanted to say that I think one of the things we do not need to forget is while SMG will do what I hope will continue to do what is a good job for us that ultimately it's our stewardship responsibility to be concerned about this, the hotel, the Expo Hall, the Bilberry Park and everything else we own in the City of Shreveport and so to the degree that it may seem cumbersome, I certainly am not apologetic for that. I think that's one of our incumbent responsibilities. And Mr. Mayor and CAO, perhaps you can work ahead of time and ask HRI can they give us some comp rates for the region and similar sized cities for Convention Center Hotels. Do they have a pre-emption policy with regards to booking rooms and can in fact they give us a copy of their rate sheets as well so that we know what the schedule of rates will be at our hotel, so that we are sure that we are being as competitive as we can, or at least have a sense that we're being as competitive as we can be. So as to not make it seem as if we're picking on you. I mean, heavy is the head that wears the crown.

Mr. Antee: We do have the General Manager hired and in Shreveport working actually he's working out of this building until we get the space. And when it gets to that point, we'll be glad to present that information.

Property Standards Report

Councilman Lester: I believe we had a Property Standards Report on yesterday. Are there any questions for Property Standards and Mr. Bowie at this time? Alright hearing none, that takes us to - - -

Councilman Jackson: Mr. Chairman, we had talked and I think the Administration passed out on yesterday some information with regards to Economic Development?

Councilman Lester: Yes.

Councilman Jackson: And we had talked on yesterday in this section, I didn't know if this was appropriate time to talk about that now.

Councilman Lester: I would rule that it would be since this is reports. So if you have any questions or comments regarding the report that was submitted by the Administration, we can deal with those now.

Councilman Jackson: Thank you Mr. Chairman. Mr. Mayor and Mr. Antee, I assume that you had gotten the message from Mr. Dark with regard to what I was asking and as I guess Ms. Acree is not here right now, I wanted to say that if we could get prepared at the next Council Meeting, or what have you, because what I did is, Mr. Dark wasn't sure yesterday about exactly how much time it would take, and I think he had to go through the ledgers, if you will, and pull out certain things and to make that sheet that he gave to me yesterday and what I've done is just gone out on my own and found the information myself, so that he wouldn't have to go through all of that. And I've got a copy as I understand it, the contract goes back to 2001? And there's some numbers from 2001, 2002, 2003, 2004 and 2005 and just some general questions with regard to some of the specifics that are listed under line items and I wanted to talk about that. But I guess if the Administration would prefer to, we could do it in a couple of weeks if you'd like? Mr. Chairman is gone.

Mayor Hightower: Either way. If you want to --- if --- and I know when you're looking at 4 or 5 years worth of itemized expenses, we'd probably be better off if you got some specific questions, if you would either highlight them or submit them in writing and we can fire them back in writing. Because if you asked what check number such and such was for that was written to whoever it might have been, I don't think anybody is going to know off the top of their heads what each and everyone of those might be.

Councilman Jackson: Okay.

Mayor Hightower: If there are concerns you have, we'll certainly do our best to get those answered for you.

Councilman Jackson: Okay, now seeing as I - - - I guess because I just got this on yesterday, the one you all submitted to us on yesterday, and just the prior years today that it may be at least more prudent on my part to put together those questions and specifically, and then allow you all to address them, so that we can perhaps be in a better position to talk about it the next time.

Mayor Hightower: That'd be great.

Councilman Jackson: Alright thank you Mr. Chairman.

Public Hearing: None.

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

Confirmations and/or Appointments Adding Legislation to the Agenda

- 1. <u>Resolution No. 59 of 2006</u>: Resolution authorizing the Mayor to execute grant documents with United States Department of Justice and otherwise provide with respect thereto (PSN)
- 2. **Resolution No. 60 of 2006**: Resolution authorizing the Mayor to execute grant documents with United States Department of Justice and otherwise provide with respect thereto (Anti Gang)
- 3. **Resolution No. 61 of 2006**: A Resolution affirming that the Red River Film Society has met the fund-raising requirements established by the City Council, approving the disbursement of 2006 funds to the Society and otherwise providing with respect thereto.
- 4. **Resolution No. 62 of 2006**: A Resolution to request the Louisiana Legislature to defeat Senate Bill Number 1 of the 2006 regular session of the legislature, and all bills which prohibit the expropriation of adjudicated properties and properties in slum and blighted areas for the purpose of redeveloping said slum and blighted areas and to otherwise provide with respect thereto
- Ordinance No. 36 of 2006: An ordinance amending Chapter 106 Of The Code Of Ordinances, The City Of Shreveport Zoning Ordinance, By Rezoning Property Located On The Northerly Side Of Dee Street At Its Intersection With South Pointe Parkway, Shreveport, Caddo Parish, Louisiana, From R-3, Urban, Multiple-Family Residence District To B-2-E, Neighborhood Business/Extended Use District, Limited To "All B-2 Uses-By-Right And The Listed B-3 Uses", Only, And To Otherwise Provide With Respect Thereto
- 6. Ordinance No. 37 of 2006: An Ordinance to amend Section 24-42 of the City of Shreveport Code of Ordinances relative to the Department of Community Development and to otherwise provide with respect thereto.
- 7. Ordinance No. 38 of 2006: An Ordinance to repeal Section 74-58 of the City of Shreveport Code of Ordinances relative to the Comprehensive Solid Waste Board of Appeals; to amend Chapter 2 of the Code of Ordinances to add provisions relative to the creation, duties and responsibilities of the Comprehensive Environmental Board of Appeals; and to otherwise provide with respect thereto.

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Green</u> to add Resolution Nos. 59, 60, 61, and 62 of 2006 and Ordinance No. 36, 37, and 38 of 2006 to the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Hogan. 1.

Public Comments (Agenda Items to be Adopted)

CONSENT AGENDA LEGISLATION

TO INTRODUCE RESOLUTIONS AND ORDINANCES:

RESOLUTIONS: None **ORDINANCES:** None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

The Clerk read the following:

1. <u>Resolution No. 52 of 2006</u>: Authorizing Rossi Enterprises, L.L.C., located at 1850 Leonard Rd to connect to the Water and Sewer System of the City of Shreveport and otherwise providing with respect thereto. (Near D/Robertson)

Read by title and as read, motion by Councilman <u>Robertson</u>, seconded by Councilman <u>Carmody</u> to adopt.

Councilwoman Robertson: I was wondering and I know that yesterday I talked with Mr. Norwood. It's Lots 70 and 71. Is there some way we can stipulate that or are we sure that 1850 Leonard Road are just those two lots, 70 and 71?

Councilman Lester: Is that a question for - - -

Councilwoman Robertson: Well, I don't know who maybe would need to answer that.

Councilman Lester: Mr. Strong.

Mayor Hightower: Make an amendment to that affect, and that way, we know we'll be covered.

Councilwoman Robertson: Okay, and so - - -

Councilman Lester: As I appreciate it, amendments have to be in writing. So, would you want to- - - I think the thing to do, would you want to postpone it and then offer a resolution?

Councilwoman Robertson: Okay, I ask to postpone on Number 52.

Read by title and as read, motion by Councilman <u>Robertson</u>, seconded by Councilman <u>Jackson</u> to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Hogan. 1.

Ms. Glass: :Mr. Chairman, could I ask two questions? Was the intent to just postpone it until later in the meeting so that we could write an amendment? Or is it to postpone it until the next meeting?

Councilwoman Robertson: Well, we could do it either way. Do you think that - - - Ms. Glass: I think that we could write one if that was your intent. My other question was what were the - - -?

Councilwoman Robertson: 70 and 71.

Ms. Glass: Lots 70 and 71

Councilwoman Robertson: Which are showing as the municipal address of 1850 Leonard Road. And it looks like it's in a subdivision type format, and so I want to make sure that it's just those two lots.

Councilman Lester: Right. The two highlighted lots on the map. Alright, thank you Ms. Glass.

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. 46 OF 2006

A RESOLUTION AUTHORIZING THE DONATION OF SHREVEPORT POLICE DEPARTMENT PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO

BY:

WHEREAS, the City desires to donate Shreveport Police Department Mounted Patrol horse "Eyecatcher Bound (Icie)" to Chuck Andrews which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and, WHEREAS, Chuck Andrews has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, due to instability and failure to complete annual certification tests, the horse described herein is unable to perform his duties as a mounted patrol horse for the Shreveport Police Department and is hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation, under these circumstances, provides for the most humane and dignified way to retire the animal.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Chuck Andrews donating Shreveport Police Department Mounted Patrol horse "Eyecatcher Bound (Icie)".

BE IT FURTHER RESOLVED that if any provision of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this Resolution which can be given affect without the invalid provisions, items or application and to this end the provisions of this Resolution are hereby declared severable. BE IT FURTHER RESOLVED that all resolutions or parts in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Walford</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Hogan. 1.

RESOLUTION NO. 47 OF 2006

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE GRANT DOCUMENTS WITH THE LA HIGHWAY SAFETY COMMSSION (LHSC) FOR "100 DAYS OF SUMMER HEAT", AND OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Louisiana Highway Safety Commission (LHSC) has invited the City of Shreveport Police Department to file an application for grant funds under the "100 Days of Summer Heat" speed campaign and

WHEREAS, the award, if approved will be for approximately of \$8,000.00 and requires no cash match by the City of Shreveport and

WHEREAS, the City of Shreveport shall make the application to receive an award as part of the "100 Days of Summer Heat" speed campaign to reduce the number of speed –related fatal & injury crashes in Louisiana. The funds received by the Shreveport Police Department will be used in an overtime capacity from June 5, thru September 12, 2006.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Keith P. Hightower, Mayor, those grant documents necessary to apply and receive funding established within the program administered by the Louisiana Highway Safety Commission. BE IT FURTHER RESOLVED that if any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Resolution which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Resolution are hereby declared severable.

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

Read by title and as read, motion by Councilman <u>Robertson</u>, seconded by Councilman <u>Walford</u> to adopt.

Councilman Carmody: Mr. Chairman, I guess I started this, so I'll slap myself on the wrist. I think that if we could wait and allow the Clerk to go ahead and read these for the persons that are listening. I think that we're jumping ahead and not allowing the public to hear exactly what we're voting on.

Councilman Lester: Point taken Councilman Carmody.

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

RESOLUTION NO. 48 OF 2006

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE GRANT DOCUMENTS WITH THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES AND OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives has invited the City of Shreveport Police Department to apply for reimbursement of overtime salary costs incurred while assisting ATF.

WHEREAS, ATF agrees to reimburse the Shreveport Police Department funds not to exceed \$14,000.00 as outlined in the Memorandum of Agreement. The funds will require no cash match from the City of Shreveport. These funds will be used by the City of Shreveport Police Department strictly for personnel overtime hours.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Keith P. Hightower, Mayor, those grant documents necessary to apply and receive funding established within the program administered by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

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

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

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

RESOLUTION NO. 49 OF 2006

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND THE FRIENDS OF THE BARNWELL, INC., AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City of Shreveport ("City") desires to support cultural, educational and leisure activity programs which serve the public and render a public service; and WHEREAS, the Friends of the Barnwell, Inc., ("Friends") proposes to support the R.S. Barnwell Garden and Arts Center ("Barnwell Center") in partnership with City Shreveport; and

WHEREAS, the Friends' support of the Barnwell Center will serve a public purpose; and WHEREAS, City and Friends desire to support and provide services as identified under the terms of this agreement to operate the R.S. Barnwell Garden and Arts Center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City Shreveport in due, legal and regular session convened that Keith Hightower, Mayor, is hereby authorized to execute a cooperative endeavor agreement with Friends of the Barnwell, Inc., substantially in accordance with the draft thereof which was filed with the original copy of this resolution for public inspection in the Office of the Clerk of Council on March 28, 2006.

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

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

RESOLUTION NO. 53 OF 2006

A RESOLUTION PROVIDING FOR CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA, ON SATURDAY, APRIL 1, 2006 RELATIVE TO AUTHORIZING THE RENEWAL OF THE LEVY AND COLLECTION OF THE ONE-FOURTH PERCENT SALES AND USE TAX AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

SECTION 1. <u>Canvass</u>. This Governing Authority does now proceed in open and public session to examine the official tabulation of votes cast at the special election held in the City of Shreveport, State of Louisiana, (the "City"), on SATURDAY, APRIL 1, 2006 relative to authorizing the renewal of the levy and collection of the one-fourth percent sales and use tax and said Governing Authority does further proceed to examine and canvass the returns and declare the results of the special election.

SECTION 2. <u>Proces Verbal</u>. A Proves Verbal of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerks of Court and Ex-Officio Recorder of Mortgages in and for the Parishes of Caddo and Bossier who shall record the same in the Mortgage Records of said Parishes; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. <u>Promulgation of Election Result</u>. The results of said election shall be promulgated by publication in the manner provided by law.

** * * *

PROCES VERBAL OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA ON SATURDAY, APRIL 1, 2006

BE IT KNOWN AND REMEMBERED that on Tuesday, April 11, 2006 at three (3:00) o'clock p.m., at its regular meeting place, Government Plaza, 505 Travis St., Shreveport, Louisiana, the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "City"), and being the authority ordering the special election held therein on Saturday, April 1, 2006 and with the following members present:

Lester, Walford, Carmody, Robertson, Hogan, Green, Jackson There being absent: none.

did, in public session, examine the official certified tabulation of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following proposition, to wit:

PROPOSITION

SUMMARY: SIX-YEAR, 1/4 PERCENT RENEWAL SALES TAX TO BE LEVIED WITHIN THE CITY OF SHREVEPORT, TO BE EXPENDED BY THE CITY OF SHREVEPORT FOR SALARIES, BENEFITS, EQUIPMENT AND PERSONNEL FOR THE POLICE AND FIRE DEPARTMENTS.

Shall the City of Shreveport, State of Louisiana (the "City"), under the provisions of La. R.S. 33:2711.15 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, a renewal tax of one-fourth of one percent (1/4 %) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services, all as presently or thereafter defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 within the corporate limits of the city of Shreveport for a term not to exceed six years from and after the date such renewal tax is first levied, with the avails or proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax) to be dedicated and used solely and exclusively for salaries, benefits, equipment and personnel for the Police and Fire Departments of the City of Shreveport?

There was found by said count and canvass that the votes had been cast at the said special election IN FAVOR OF and AGAINST, respectively, the aforesaid proposition at the respective polling places as set forth in Exhibit A hereto, such exhibit being incorporated herein by reference the same as if it were set forth herein in full. The polling places specified on said Exhibit A, being the only polling places designated at which to hold the said election, it was therefore shown that the following votes were cast in favor of and against the proposition:

For 6856 Against 904 Majority for 5952

THEREFORE, the Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the City, did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly CARRIED by a majority of the votes cast by the qualified electors voting at the said special election held in the City on April 1, 2006

THUS DONE AND SIGNED at Shreveport, Louisiana, on this, the 11th day of April, 2006.

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

RESOLUTION NO. 54 OF 2006

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTY WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE OAK FOREST LIFT STATION & FORCE MAIN PROJECT NO: 98-E013, PARCEL NO: P-1, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the Oak Forest Lift Station & Force Main project as part of the Waste Water Collection System Rehabilitation, Project No: 98-E013; and

WHEREAS, the property described in the legal description, and more fully shown on the plat map marked as Exhibit AA@ attached hereto, is situated in said development; and

WHEREAS, all attempts to amicably acquire fee title to the property comprising Parcel No: P-1 have failed; and

WHEREAS, public necessity dictates that this property be owned by the City of Shreveport for the construction of a sewer lift station; and.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of this property is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the property described in Exhibit AA@ attached hereto as Parcel No: P-1, to be acquired in fee title for use by the City of Shreveport.

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

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

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

RESOLUTION NO. 55 OF 2006

A RESOLUTION TO REQUEST THE ATTORNEY GENERAL OF THE STATE OF LOUISIANA TO DETERMINE WHETHER THE CONTRACT WITH BIOSET OF SHREVEPORT, LLC WAS A CONTRACT FOR SERVICES OR A PUBLIC WORKS CONTRACT THAT SHOULD HAVE BEEN BID AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: COUNCILMEN JACKSON AND HOGAN

WHEREAS, the External Auditors Management Letter to the City of Shreveport from KPMG LLP, dated April 29, 2005, containes the following paragraphs concerning the contract between the City of Shreveport, and Bioset of Shreveport LLC:

The City entered into a contract with Bioset of Shreveport LLC, to process sludge from the Lucas Water Treatment Plant and grow sod, which is sold back to the City. The City donated

approximately 450 acres to Bioset on which Bioset would be responsible for building the facility and maintaining a sod farm. The City agreed to provide Bioset with at least 15 dry tons of sludge per day and pay Bioset a minimum of \$112,500 per month for 25 years for processing the sludge.

While the City followed internal procedures for a service contract and did not place this transaction out for bid, a complaint alleges the City circumvented the bid law by portraying the contract as a service rather than as a public works project given that it involves construction of a facility on public land among a number of other issues. Recently, Bioset has abandoned the facility and the City is exploring its legal options in connection therewith. Based on the complaint and the number of issues involved, the City should consider the need to obtain an attorney general's opinion in this matter. While ultimately the City may have complied with the bid law consideration should be given to the benefits of placing transactions out for bid which allows for competition among bidders, helps to eliminate the possibility of fraud and favoritism and avoids undue or excessive costs.

Management's response – The contract with Bioset was a professional services contract. Bioset was hired to process sewerage sludge from the City's Lucas Wastewater Treatment Plant into "Class A" material; suitable for most any use without restriction. Under the contract, Bioset was also required to develop a sod farm using the bulk of the processed material as a soil conditioner, and the City would receive a portion of the sod for its needs. Other service proposals were considered and rejected prior to Bioset's selection, including a proposal for the processing of sludge into a fuel product in conjunction with a proposed power plant at the Port, and the trucking of raw sludge to a composting facility. Payment to Bioset for services performed was made by volume-based "tipping fees". The City granted Bioset a right of use (not a donation, as stated in the comment) of its sludge farm so that it could construct facilities to perform these services. These facilities are owned, maintained, and operated by Bioset without direction or control by the City. Bioset has defaulted on its obligation under the contract (primarily, the obligation to develop a turf farm and provide the City with turf) and has recently filed for bankruptcy. Because of the imminent need of uninterrupted operation of the facility, the City is currently operating the facility as "keeper." The City is now considering all options available to it for the long term handling of its sludge; including identifying new service providers to operate the plant, acquisition, and operation of the plant itself, and other possible alternatives.; and

WHEREAS, said Management Letter recommends that the City obtain an opinion from the Attorney General to determine whether the Bioset contract was subject to the state bid law and should have been bid; and

WHEREAS, because an opinion from the Attorney General had not been requested or received, the Report to the City Council by the City Internal Auditor, dated December 30, 2005, reads in part "...no progress is the status for the recommendation..."; and

WHEREAS, during its meeting on March 28, 2006, the City Council's Audit and Finance Committee discussed the External Auditor's recommendation to seek an opinion from the Attorney General, and the City Internal Auditors report of "no progress" concerning this recommendation; and

WHEREAS the members present at the March 28, 2006, Audit and Finance Committee meeting agreed to author a City Council Resolution requesting an opinion from the Attorney General in this regard.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport in legal session convened, that the Attorney General of the State of Louisiana is requested to issue an opinion to the City of Shreveport which states whether the contract between the City of Shreveport and Bioset of Shreveport LLC, to process sludge from the Lucas Water Treatment Plant, to grow sod, to maintain a sod farm, and to build the facility to carry out these activities, was a contract for services, or whether said contract, or any part of said contract, was subject to the Public Bid Laws of the State of Louisiana, and should have been bid.

BE IT FURTHER RESOLVED that the Clerk of Council is directed to forward this resolution to the Attorney General of the State of Louisiana.

Read by title and as read, motion by Councilman <u>Jackson</u>, seconded by Councilman <u>Hogan</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Robertson, Green, Hogan, and Jackson. 5. Nay: Councilman Walford. 1. Nays: None. Out of the Chamber: Carmody. 1.

8. **Resolution No. 56 of 2006**: Authorizing the Mayor to execute a contract for food service equipment for the Convention Center Hotel and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Green</u>, seconded by Councilman <u>Hogan</u> to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Robertson, Green, Hogan, and Jackson. 5. Nay: Councilman Walford. 1. Out of the Chamber: Carmody. 1.

RESOLUTION NO. 61 OF 2006

A RESOLUTION AFFIRMING THAT THE RED RIVER FILM SOCIETY HAS MET THE FUND-RAISING REQUIREMENTS ESTABLISHED BY THE CITY COUNCIL, APPROVING THE DISBURSEMENT OF 2006 FUNDS TO THE SOCIETY AND OTHERWISE PROVIDING WITH RESPECT THERETO. BY:

WHEREAS, the City Council appropriated \$200,000 to the Red River Film Society in the 2006 budget for the Riverfront Development Special Revenue Fund: and

WHEREAS, it was the intent of the Council that these funds were not to be disbursed to the Film Society unless the Film Society received \$263,000 in new pledges and contributions toward the construction of a downtown theater between November 15, 2005 and April 1, 2006; and

WHEREAS, the Film Society has provided evidence that the fund raising requirement has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, that it hereby approves the disbursement of the \$200,000 in 2006 Riverfront Development Funds to the Red River Film Society, pursuant to the execution of a contract amendment in a form acceptable to the City Attorney.

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

or 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 <u>Jackson</u>, seconded by Councilman <u>Robertson</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Robertson, Green, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Carmody. 1.

Councilman Lester: Mr. Thompson: If you could, could you read this on into the record, because I want us to be clear on this one. This resolution.

Mr. Thompson: I've already read the title by Councilman Lester. *The Clerk read the following:*

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Walford</u> to adopt.

RESOLUTION NO. 62 OF 2006

A RESOLUTION TO REQUEST THE LOUISIANA LEGISLATURE TO DEFEAT SENATE BILL NUMBER 1 OF THE 2006 REGULAR SESSION OF THE LEGISLATURE, AND ALL BILLS WHICH PROHIBIT THE EXPROPRIATION OF ADJUDICATED PROPERTIES AND PROPERTIES IN SLUM AND BLIGHTED AREAS FOR THE PURPOSE OF REDEVELOPING SAID SLUM AND BLIGHTED AREAS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO. BY: COUNCILMAN LESTER

WHEREAS, Senate Bill No. 1 of the 2006 Regular Session of the Louisiana Legislature is a constitutional amendment to prohibit the expropriation of property for use by, or transfer to a private person; and

WHEREAS, the Shreveport Redevelopment Agency (composed of members of the Shreveport City Council) expropriates property (primarily adjudicated property) in slum and blighted areas, designated as Redevelopment Areas by the Shreveport City Council, and in accordance with a Redevelopment Plan approved by the City Council; and WHEREAS, at the end of 2005, the City of Shreveport had 6,210 (down from 7000+) adjudicated (abandoned) properties located primarily in inner city neighborhoods; and WHEREAS, the management of adjudicated properties (cutting the grass, boarding and removing buildings) and providing infrastructure and services for those non-tax paying properties, places a strain on city resources. The Property Standards Division has a budget of \$2,618,800 in 2006, dedicated primarily to managing dilapidated and abandoned properties. Of that amount, \$640,000 is budgeted to demolish substandard structures, and \$915,500 is budgeted for weed control on overgrown lots, to secure abandoned structures, to remove inoperable vehicles, etc. The rest of the budget is used to employ persons to inspect properties, to search property titles, to perform clerical functions, and for supervision and administration. Shreveport also expends additional resources to support this division,

including services provided by the office of the City Attorney, data processing, finance, and other city departments.; and

WHEREAS, Shreveport is beginning to make progress in building new houses in some of those slum or blighted areas, by using every tool at its disposal, including the expropriation of properties when a merchantable title is required; and

WHEREAS, while the Shreveport Redevelopment Agency (SRA) has only expropriated adjudicated properties to date, the SRA may be asked to expropriate vacant lots and dilapidated rental houses to make housing projects feasible in slum and blighted areas; and WHEREAS, the SRA needs to be able to use expropriation as a tool to assemble property in slum and blighted neighborhoods in order to rebuild inner city neighborhoods; and WHEREAS, if the ability to expropriate property for redevelopment purposes is taken away from cities, and an exemption for redevelopment agencies to expropriate property in slum and blighted neighborhoods is not retained, cities like Shreveport can write off any hope of revitalizing entire communities for the foreseeable future.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, that it requests the entire North West Louisiana Legislative Delegation and each member of the Louisiana Legislature to vote against Senate Bill Number 1 of the 2006 Regular Session of the Louisiana Legislature, and all bills which prohibit the expropriation of adjudicated properties and properties in slum and blighted areas for the purpose of redeveloping said slum and blighted areas.

Councilman Lester: Thank you. Questions?

Councilman Walford: Not a question Mr. Chairman, but I've made two phone calls to the Senator representing my district today, and I haven't gotten a call back. But I would like very much to discuss this, and I think it's important enough that they certainly owe us the courtesy of hearing us, but I'm getting a real bad message on this. Thank you Mr. Chairman.

Councilman Jackson: Mr. Chairman, I want to just be sure that - - - I have this in context. As I understand it, this Senate Bill 1 comes as a reaction to the Supreme Court's decision sometime, I guess it was last year, with regards to expropriation of property and eminent domain more specifically. And there are many other states around the United States have rushed to do the same thing that Senate Bill 1 does, which I appreciate, which is seen by many Americans, I might add as a way to protect property rights. And that the eminent domain decision by the Supreme Court was allowing encroachment on the most basic and fundamental right which is property rights. I think that the State, whoever, I don't know if McPherson or whoever the author of the bill was, the Senator from Alexandria decided to do the same thing. So, what our vote is today is really to be a lot more in step with the Supreme Courts decision with regards to a public use, and being able to take that property or being able to expropriate that property if there is a public purpose and obviously as a city, we are where the rubber hits the road, if will, and can see a lot better sometimes on some of these issues than perhaps others may be able to, but I will say Mr. Chairman, that I think that this particular resolution speaks to prohibiting expropriation of adjudicated properties in slum and blighted areas, but we're just talking about property in general. Shouldn't we - - - is this - - -I guess my question is, I mean, I support the resolution, just whether or not it's too narrow in its focus because I think the Senate Bill 1 doesn't just address blighted areas. But it just talks about expropriation in general.

Councilman Lester: Well, if I could just answer that question, my response would be this, and in talking with some members of our legislative delegation, and I like Councilman Walford called both my State Senator and my State Representative, but I guess unlike Councilman Walford, I got return phone calls, for whatever that's worth.

Councilman Walford: Yours is (unclear) term limited.

Councilman Lester: Well, we have to - - - one of them is. But the reason why I'm asking for this body to speak on this particular issue is quite obviously, the resolution or the bill, Senate Bill 1 by Senator McPherson is broad and all encompassing. It would remove literally every exception for expropriation of properties. It does not contemplate laws that are already on the books like the Parish Redevelopment law that allows us if we have a redevelopment plan for an area to be able to go in and expropriate properties for a public use that is consistent with a plan that has been passed by that local municipal authority. It strips that authority away. It also puts in some draconian measures in terms of only for health and safety issues which are innocuous at best because it's kind of hard to determine what is for a safety purpose. Under his legislation, and I don't subscribe to the folks that frequent the (unclear) show, but as I was listening this morning, he was interviewed and to say he was recalcitrant in terms of being amenable to amend the legislation to consider issues like we have in Shreveport would be an understatement. We've gotten some communications from the Louisiana Municipal Association, the Police Jury Associations around the state and they have all spoken literally with one voice saying 'if you must tighten up the rules as it relates to what is a public purpose, do not throw out the baby with the bath water,' particularly in those areas that have shown an ability to revitalize things, and as the resolution indicates, we started when we were elected, there were over 7,000 plus pieces of adjudicated property, and this Council, we get (unclear) for doing bickering, but the reality is we have reduced that stock significantly. I would say and are continue to make progress through initiatives like have been done in your district, and that have been supported by the Administration like Model Block and things of that nature. We're being able to take these properties that have been abandoned, blighted, adjudicated that are ground zero for burning, Code Enforcement problems, drug dealers, the whole range of negative outcomes, taken these properties and given them to a number of for profit and non profit developers that are building houses. In my district, you look at what's been done in Allendale that's starting to make some differences. Our concern and my concern and this Council's concern should be a senate bill that is a knee jerk reaction to the New London case, Kilo v. New London, which is a Connecticut case where the city wanted to expropriate some properties and took properties that belonged to an individual who is living in the home, for the purpose of building a WalMart. And the Supreme Court believed that, that was for a public use. Because it expanded the definition of public use to bringing in some economic development components. But from where I sit as the representative of District A, and I would imagine many of us would sit, if WalMart wanted to come into Allendale, we're going to have a party, we're going to have a parade, and we're going to make whatever tools available from a property standards standpoint available. And so for us to sit idly by where a State Senator in Alexandria passes a piece of legislation that looks good for some, whatever you know conservative property rights groups that contribute to him and apparently local folks that are of that idea that don't have areas, that they're trying to redevelop, we cannot stand idly by and just say nothing. So, I'm hopeful that if we pass this resolution, and that it's communicated to at least those members of our delegation, that will let them know that at the

end of the day, yes it sounds good from a - - -you know, I was for property rights in Baton Rouge, but where the things are happening at the City Council at the municipal level, we need every tool that we can muster to revamp these neighborhoods. Because you and I both know that more often than not, that the people that are for protecting property rights on one side of town could care less about the property that they own on another side of town that they have derived an economic benefit from that sucked the life blood out of that community. And so that's what we're trying to communicate. We've been in good communication with our City lobbyist Mr. Michael Wainwright, and as I appreciate it, even as we speak, that bill is being considered on the floor of the senate right now. And so, we're hopeful that if it's not killed, it is certainly amended to allow municipalities to do some things that our constituents expect us to do. And so that's why we're looking at it in that narrow sense. Obviously, we could get into a whole discussion about the propriety of public use, but I think when we look at what our experience has been from the Shreveport Redevelopment Authority and the things that we've been able to do here, Senate Bill 1 would just literally doom whole portions of Allendale, and Martin Luther King, and Queensborough, and Mooretown and Stoner Hill and Little Texas, and Cedar Grove. Areas that we have spent a lot of money putting together - - - just in Martin Luther King and Cedar Grove, we've just finished a Master Plan that will allow us to take advantage of the Parish Redevelopment law. And for them to pass this bill in Baton Rouge, would just basically wipe away and condemn people to a very negative situation, and it's very short sighted, but apparently that - - - apparently the farther you get away from the municipal level, the more myopic your view gets. So that's the purpose of that.

Councilman Jackson: That's good Mr. Chairman. I just wanted to see if we thought it was too narrow. But it does in fact meet certainly that by having slums and blight areas, it meets what I believe is our most critical need. So thank you.

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

Councilman Walford: Mr. Chairman, could we have the staff fax that post haste?

Councilman Lester: Yes.

Councilman Walford: I know that's out of order, but - - -

Councilman Lester: It's out of order, but it's not. Thank you Mr. Thompson. Thank you Mr. Walford, that's an excellent idea.

INTRODUCTION OF RESOLUTIONS (Not to be adopted prior April 25, 2006)

- 1. <u>Resolution No. 57 of 2006</u>: A resolution amending and supplementing the General Bond Resolution being Resolution No. 211 of 1997 of the City of Shreveport, State of Louisiana with respect to the Shreveport Airport Authority and other matters in connection therewith.
- 2. **Resolution No. 58 of 2006**: A resolution authorizing the Mayor to accept a donation of the medians in Business Park Drive and Fern Avenue in the Business Park of Shreveport-Bossier Subdivision, Phase I, and otherwise providing with respect thereto. (D/Robertson)

- 3. **Resolution No. 59 of 2006**: Resolution authorizing the Mayor to execute grant documents with United States Department of Justice and otherwise provide with respect thereto (PSN)
- 4. **Resolution No. 60 of 2006**: Resolution authorizing the Mayor to execute grant documents with United States Department of Justice and otherwise provide with respect thereto (Anti Gang)

Read by title and as read, motion by Councilman <u>Jackson</u>, seconded by Councilman <u>Walford</u> to introduce Resolution Nos. 57, 58, 59, and 60 of 2006 to lay over until April 25, 2006 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

INTRODUCTION OF ORDINANCES (Not to be adopted prior April 25, 2006)

- 1. <u>Ordinance No. 34 of 2006</u>: An ordinance closing and abandoning the 10 foot-wide X 240 foot long sewer servitude located in Summer Grove Retail Subdivision in the NE /4 of Section 6 (T16N-R14W), Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (E/Hogan)
- 2. Ordinance No. 35 of 2006: An ordinance declaring a certain adjudicated property to be surplus and to authorize the Mayor of the City of Shreveport to sell the City of Shreveport's tax interest in this certain surplus adjudicated property, and to otherwise provide with respect thereto. (A/Lester)
- 3. Ordinance No. 36 of 2006: Ordinance Amending Chapter 106 Of The Code Of Ordinances, The City Of Shreveport Zoning Ordinance, By Rezoning Property Located On The Northerly Side Of Dee Street At Its Intersection With South Pointe Parkway, Shreveport, Caddo Parish, Louisiana, From R-3, Urban, Multiple-Family Residence District To B-2-E, Neighborhood Business/Extended Use District, Limited To "All B-2 Uses-By-Right And The Listed B-3 Uses", Only, And To Otherwise Provide With Respect Thereto. (C/Carmody)
- 4. Ordinance No. 37 of 2006: An Ordinance to amend Section 24-42 of the City of Shreveport Code of Ordinances relative to the Department of Community Development and to otherwise provide with respect thereto.
- 5. Ordinance No. 38 of 2006: An Ordinance to repeal Section 74-58 of the City of Shreveport Code of Ordinances relative to the Comprehensive Solid Waste Board of Appeals; to amend Chapter 2 of the Code of Ordinances to add provisions relative to the creation, duties and responsibilities of the Comprehensive Environmental Board of Appeals; and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman <u>Jackson</u>, seconded by Councilman <u>Green</u> to introduce Ordinance Nos. 34, 35, 36, 37, and 38 of 2006 to lay over until April 25, 2006 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

Mr. Thompson: Mr. Chairman, I would just say that Mr. Strong is out there biting his nails, one of them has to do with Comprehensive Solid Waste Board of Appeals, so he can stop biting his nails.

Councilman Lester: Although the site of Mr. Strong biting his nails is something that we should sell some tickets too for revenue purpose.

Councilman Hogan: He was pulling his hair out earlier.

Councilman Jackson: But he's finished.

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

1. <u>Ordinance No. 28 of 2006</u>: An Ordinance authorizing the sale of real property in Shepherd Place Subdivision and to otherwise provide with respect thereto.

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Jackson</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

2. Ordinance No. 29 of 2006: An ordinance closing and abandoning all of the remaining alleyway located in the Crowder Subdivision bordered by Stevens and Creswell Street and south of Jordan Street in the NW /4 of Section 6 (T17N-R13W), Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Carmody</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

3. Ordinance No. 30 of 2006: Closing and abandoning the 20 foot-wide alleyway located between Walnut and Dove Streets Bounded by Sycamore Street and Norma Avenue in the Currie Subdivision in the NE /4 of Section 02 (T17N-R14W), Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (A/Lester)

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Jackson</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

4. <u>Ordinance No. 31 of 2006</u>: An ordinance amending the 2006 General Fund Budget and otherwise providing with respect thereto.

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by

Councilman <u>Robertson</u>, seconded by Councilman <u>Jackson</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

5. Ordinance No. 32 of 2006: An ordinance amending the 2006 Budget for the Police Grants Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Carmody</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

6. Ordinance No. 33 of 2006: An Ordinance to amend Section 10-44 of the City of Shreveport Code of Ordinances relative to alcoholic beverages and to otherwise provide with respect thereto.

Having passed first reading on <u>March 28, 2006</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Carmody</u> to postponed.

Councilman Lester: Just for the audience and our viewers, for lack of a better term, edification, this postponement by Councilman Walford was a direct result of a very lengthy conversation that we had at the Work Session relative to trying to improve the ordinance, so that they would be aware. And I appreciate Councilman Walford for his motion to withdraw.

Councilman Walford: No.

Councilman Lester: I'm sorry. Postpone. Freudian slip. Mr. Thompson.

Councilman Jackson: That will be at the next meeting.

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

7. Ordinance No. 208 of 2006: ZONING – C-89-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northwest corner of West 63rd and Linwood Avenue, Shreveport, Caddo Parish, Louisiana, from R-1H, Urban, One-Family Residence District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (F/Green)(Postponed – March 28, 2006)

Having passed first reading on November 29, 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 Green, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

The adopted ordinances and amendments follow:

ORDINANCE NUMBER 28 OF 2006

AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY IN SHEPHERD PLACE SUBDIVISION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the Neighborhood Recovery Project (the "Project") was established by Resolution 234 of 2004. The Project is a comprehensive neighborhood revitalization and home ownership project administered by the Department of Community Development; and WHEREAS, the Project contemplates the construction of up to 26 single family units in Shepherd Place Subdivision for qualified low-to-moderate income families residing within the city for home ownership opportunities; and

WHEREAS, the Project includes several components including, but not limited to, a lease-purchase program and a pilot mortgage program. The lease-purchase component of the Project will permit eligible lessee/home owners to lease the newly constructed units for up to thirty-six (36) months while attempting to overcome credit deficiencies or other obstacles which act as barriers to home ownership and the pilot mortgage component will permit the City to assign the mortgage to a permanent lender at the end of the lease term provided FNMA credit standards and other qualifying conditions are met; and

WHEREAS, a number of participants in the Project have or may met the credit standards and other qualifying conditions for immediate home ownership in lieu of participation in the pilot mortgage and lease-purchase components of the Project; and

WHEREAS, this ordinance would authorize the sale of property in Shepherd Place Subdivision to qualified participants in lieu of their participation in the pilot mortgage and lease-purchase components of Project provided all Project requirements and qualifying conditions are met; and

WHEREAS, the property to be sold is not needed by the City for a public purpose; and WHEREAS, LSA-R.S. 33:4712 requires that notice of this ordinance be published at least three (3) times within fifteen (15) days one week apart.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport is hereby authorized to sale property in Shepherd Place Subdivision to qualified participants in lieu of their participation in the pilot mortgage and lease-purchase components of the Neighborhood Recovery Project provided all Project requirements and qualifying conditions are met. BE IT FURTHER ORDAINED that the Mayor is authorized to execute and deliver, for and on behalf of the City of Shreveport any and all instruments and documents relative to the sale of such property after review and approval of such document(s) by the Office of the City Attorney.

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

AN ORDINANCE CLOSING AND ABANDONING ALL OF THE REMAINING ALLEYWAY LOCATED IN THE CROWDER SUBDIVISION BORDERED BY STEVENS AND CRESWELL STREET AND SOUTH OF JORDAN STREET IN THE NW/4 OF SECTION 6 (T17N-R13W), SHREVEPORT, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, today the Property Management Section of the Department of Operational Services has received a request to close and abandon the above identified Alleyway; and WHEREAS, Water and Sewerage Engineering has reviewed this request and has no objections to this closure and abandonment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the 10 foot-wide alleyway located in the Crowder Subdivision and the NW/4 of Section 6 (T17N-R13N), Shreveport, Caddo Parish, Louisiana and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

BE IT FURTHER ORDAINED that a certified copy of this ordinance be filed and recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

ORDINANCE NO. 30 OF 2006

AN ORDINANCE CLOSING AND ABANDONING THE 20 FOOT – WIDE ALLEYWAY LOCATED BETWEEN WALNUT AND DOVE STREETS BOUNDED BY SYCAMORE STREET AND NORMA AVENUE IN THE CURRIE SUBDIVISION IN THE NE 4 OF SECTION 02 (T17N-R14W), SHREVEPORT, CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, today the Property Management Section of the Department of Operational Services has received a request to close and abandon the above identified Alleyway; and WHEREAS, Water and Sewerage Engineering has reviewed this request and has no objections to this closure and abandonment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the 20 foot-wide alleyway located in the Currie Subdivision located in the NE/4 of Section 02 (T17N-R14N), Shreveport, Caddo Parish, Louisiana and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

BE IT FURTHER ORDAINED that a certified copy of this ordinance be filed and recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

ORDINANCE NO. 31 OF 2006

AN ORDINANCE AMENDING THE 2006 GENERAL FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY: COUNCILMAN CALVIN LESTER

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

WHEREAS, the City Council finds it necessary to amend the 2006 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. 163 of 2005, the 2006 General Fund budget, is hereby amended as follows:

In Section 2 (Appropriations):

In Office of the Mayor, increase Personal Services by \$50,000.

In Transfer to Community Development, increase by \$50,000.

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

Adjust all totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 163 of 2005 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. 32 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE POLICE GRANTS 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 desirable to amend the 2006 budget for the Police Grants Special Revenue Fund, to appropriate new revenues 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. 175 of 2005, the 2006 budget for the Police

Grants Special Revenue Fund, be amended and re-enacted as follows:

In Section 1 (Estimated Receipts):

2005 and Prior-Year Receipts:

Appropriate Prior-Year Knock and Talk at \$200. Increase Prior-Year AFIS 2005 by \$11,700.

Increase Prior-Year Shreveport Enforcement Project 2005 by \$14,000.

Increase Prior-Year Block Grant 2004 by \$31,800.

Appropriate Prior-Year HIDTA Grant at \$8,100.

Fiscal Year 2006 Revenues:

Appropriate Federal Justice Assistance Grant 2006 at \$157,600.

Appropriate ATF Grant at \$14,000.

Appropriate 100 Days of Summer Heat grant at \$8,000.

In Section 2 (Appropriations):

From 2005 and Prior-Years Revenues:

From Prior-Year Knock and Talk, appropriate \$200 to Materials and Supplies.

From Prior-Year AFIS 2005, increase Personal Services by \$11,700.

From Prior-Year Shreveport Enforcement Project 2005, increase Personal Services by \$1,800, Materials and Supplies by \$2,200 and Improvements and Equipment by \$10,000.

From Prior-Year Block Grant 2004, increase Improvements and Equipment by \$31,800.

From Prior-Year HIDTA Grant, appropriate \$8,100 to Personal Services.

From Fiscal Year 2006 Revenues:

From Federal Justice Assistance Grant 2006, appropriate \$78,800 to Personal Services and \$78,800 to Other Charges.

From ATF Grant, appropriate \$14,000 to Personal Services.

From 100 Days of Summer Heat Grant, appropriate \$8,000 to Personal Services. Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 175 of 2005 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 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. 208 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF WEST 63rd AND LINWOOD AVENUE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1H, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO B-2, NEIGHBORHOOD BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lot 2, Wimberly Subdivision, (a subdivision in the NE/4 of Section 23 T17N-R14W) less the N. 63 feet thereof, located on the NW corner of West 63rd and Linwood Avenue, Shreveport, Caddo Parish, Louisiana, be and the same is hereby changed <u>from R-1H, Urban, One-Family Residence District to B-2, Neighborhood Business District.</u>

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

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

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

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*)
- 2. Ordinance No. 220 of 2005 ZONING APPEAL C-95-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, to rezone property located on the Southwest corner of Cleveland and Jewella Avenues, from R-1D, Urban One-Family Residence District to B-3, Community Business District, and to otherwise provide with respect thereto. (F/Green)(Introduced Dec 27, 2005 Tabled January 10, 2006)

Mr. Thompson: I don't believe that 93 or 220 will be removed from the table. Councilman Lester: Correct.

3. Ordinance No. 19 of 2006: ZONING: C-04-06: An Ordinance amending Chapter 106 of the Code of Ordinances, The City of Shreveport Zoning Ordinance, by rezoning property located on the northerly side of Dee Street at its intersection with South Pointe Parkway, Shreveport, Caddo Parish, Louisiana, from R-3, Urban, Multiple-Family Residence District to B-3, Community Business District, and to otherwise provide with respect thereto. (C/Carmody) (Remanded to MPC March 14, 2006)

Mr. Thompson: But on Ordinance No. 19 of 2006 we would ask that you remove it from the agenda.

Motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Walford</u> to remove Ordinance No. 19 of 2006 from the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

Mr. Thompson: Mr. Chairman, the reason that's being removed is a new ordinance has been introduced to replace it.

Councilman Lester: Okay, is it necessary that we - - -

Mr. Thompson: We've already introduced it.

NEW BUSINESS: None

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES: None.

Councilwoman Robertson: I have a question. Are we not voting on the new ordinance today?

Mr. Thompson: No, it has to lay over. It was introduced.

Mr. Thompson: Mr. Chairman, I believe that the amendment is ready.

Councilwoman Robertson: That's on 52? Mr. Thompson: If you want to go back to it?

Councilman Lester: Yes. Is it required that we suspend the rules?

RESOLUTION NO. 52 of 2006

A RESOLUTION AUTHORIZING ROSSI ENTERPRISES, L.L.C., LOCATED AT 1850 LEONARD RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Rossi Enterprises, L.L.C., be authorized to connect the building located at 1850 Leonard Rd., to the water system of the City of Shreveport.

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

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

Mr. Thompson: If you'd like for me to, and if there is no objection, I can just read the amendment?

Councilman Lester: Okay. The Clerk read the following:

Amendment No. 1 to Ordinance No. 52

Delete the first Be It Resolved paragraph and substitute the following: BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Rossi Enterprises, L.L.C., be authorized to connect the building located at 1850 Leonard Rd. on a 1.809 acre tract of land, with Geographical # - 161314-000-0070 & 161314-000-0071, to the water system of the City of Shreveport.

* Clerk's Note: The amendment as read contained the word "Ordinance." The word "Resolution" is substituted for the word "Ordinance."

Read by title and as read, motion by Councilman <u>Robertson</u>, seconded by Councilman <u>Carmody</u> to adopt Amendment No. 1 to Resolution No. 52 of 2006. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

Read by title and as read, motion by Councilman <u>Robertson</u>, seconded by Councilman <u>Jackson</u> to adopt Resolution No. 52 of 2006 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.

Councilman Lester: That takes us to Clerk's report.

CLERK'S REPORT:

Mr. Thompson: We have none.

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

//s//Calvin Ben Lester, Jr., Chairman
//s//Arthur G. Thompson, Clerk of Council