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Council Proceedings of the City of Shreveport, Louisiana
September 26, 2006

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Jeffery A. Hogan at 3:03 p.m., Tuesday, September 26, 2006, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Carmody.

The Pledge of Allegiance was led by Councilman Green.

On Roll Call, the following members were Present: Councilmen Lester (Arrived at 3:05 p.m.), Walford, Carmody, Robertson, Green, Hogan and Jackson (Arrived at 3:05 p.m.). 7.
Absent: None.

Motion by Councilman Green, seconded by Councilman Carmody to approve the minutes of the Administrative Conference, Monday, September 11, 2006, and Council Meeting, Tuesday, September 12, 2006 Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Green, and Hogan. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Jackson. 2.

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

Councilman Hogan: Mayor Hightower, do you have any communications or any distinguished guests?

Mayor Hightower: No, nothing new today Mr. Chairman.

Councilman Hogan: Thank you. Does any Council Member have any?

Councilman Carmody: Mr. Chairman, I know that Councilman Jackson has, but there is a distinguished guest amongst us, our former City Councilman Mr. Arceneaux is in the audience. I thought lost my distinction. They don't call me honorable any more.

Councilman Carmody: I think you retain your honor until you lose it.

Councilwoman Robertson: We just have some guests that are from Southeast Shreveport that have come, and they'll be speaking later today.

Councilman Green: Mr. Chairman, I had some that were supposed to come, they were coming from Precinct 38, the Concerned Citizens Coalition, Precinct 38. They had their unsung hero program today, and some of them were coming. Of course, they possibly will be here later, and I wanted to recognize them.

Councilman Hogan: Alright, if they arrive, just let us know, we'll be sure to recognize them.

Councilman Jackson: Thank you Mr. Chairman, I had today - - - on yesterday we were in a rather lengthy meeting, and so we didn't get a chance to hear a presentation, and I'd asked this individual Mr. Murray Lloyd if he could defer his presentation until today and be my guests today, and share his presentation with regards to some of the work I believe being done in Allendale, and so I'd like to ask him if he would come now, and if the Council would so, Mr.

Chairman, indulge him to make this presentation for us to have a chance to acknowledge this presentation.

Councilman Hogan: Alright. I remember, we did discuss that. Unless any Council Member has any objection, Mr. Lloyd, come on and let us hear your presentation.

Mr. Murray Lloyd: (4719 Richmond) Thank y'all for allowing me to come today, I don't want to take very much time. I just want to carry on a little bit longer a celebration that's been going on for a while, and particularly last week in Allendale. The "Building On Higher Ground, and the Fuller Center for Housing, and Shreveport-Bossier Community Renewal, and everybody else, seems like a couple hundred folks from Minnesota and Indianapolis, and I don't want to take too long because the video is pretty much self explanatory, but I'll be glad to answer any questions afterwards, if I can get it to work.

VIDEO PRESENTATION by Murray Lloyd (Approximately 10 minutes)
Linda and Millard Fuller Blitz Build 2006

Mr. Lloyd: Saturday morning, when I got to take a couple of folks over to they hotel to catch the bus back to Minneapolis, I was thanking them for coming down and giving of their time, and they were thanking me for giving them the opportunity. I told them the great thing about this project is everybody involved whether it's the people getting the houses, building the houses, and feeding the people, whatever it was, they all thought they were going to be blessed, and they were right. Thank y'all for this opportunity.

Councilman Jackson: Thank you. Mr. Lloyd, thank you so much for the presentation. I don't know who was responsible for putting it together, but it certainly was well done, and I just want to commend you all. I know that there were several groups who were doing work in Allendale, and both Mt Canaan, the Community Renewal, several other groups, the Fuller Center, and others who have come in to our community, and I just would hope that we could see more examples of these kinds of things, so that it could become contagious so that perhaps we, without having to import anybody who wants to be on a mission and do those kinds of things could begin to do a lot of that right here, and a lot of that spirit could emanate right from Shreveport, and we don't have to transplant or transport, if you will, the right kind of spirit, but we certainly don't want to ever turn it down either, because it may just infect us. And I think it could be a good thing, so thank you for taking the time out to - - -

Mr. Lloyd: They're already planning to come back. And there were just as many folks from Shreveport as there were from out of town all working together.

Councilman Jackson: That's great.

Mr. Lloyd: And they're going to plan on building at least 20 the next time.

Councilman Carmody: Well, I did have something to say and that was I wanted to thank you for introducing me to Mr. and Mrs. Fuller, because that was truly my intent, was to go and personally thank them for their contribution to our community. And it's wonderful to see people who are so generous with their treasures, they wanted to give back to people less fortunate than themselves, and I know that yesterday during our Work Session, that Mr. Lester had to leave early, but I did want to assure the Fullers that a request has been made by the Council to do an evaluation of the infrastructure around "Building On Higher Ground," and also the request to see if Community Development would have some resources possibly through CDBG Funds to assist in addressing some of the deferred maintenances around the project. Because it's - - -

Mr. Lloyd: I'll pass that along to them, I'm sure they'll be glad.

Councilman Carmody: Well, it's a wonderful thing to hear them say that they want to come back and continue this project. But I also think that so many times, we, municipal government solicit partners to come in to do these type projects, and we need to be good partners and come through with what we're responsible to take care of, and so I encourage them to keep coming back. And anytime that anyone would come forward with this type of generosity, that the City step forward and do their part. Thank you Mr. Lloyd.

Councilman Lester: Thank you. And I appreciate everything that you've done Mr. Lloyd and the Fullers. They've done a tremendous work, and they are a part of a team that's dealing - - - doing a lot of work in Allendale.

Mr. Lloyd: Absolutely.

Councilman Lester: And certainly, we want to encourage the Fuller Center to keep doing even more, and we're definitely supportive, and I just wanted to let Councilman Carmody know, just to date, in terms of support, we've given several parcels of land to the Fuller Center, that they in fact, some of the land that was built on with this blitz was donated from the City free of charge. In fact, the demolition of the shotgun houses that were there was paid for by the City. We have already done street improvements, and we've already dealt with some drainage improvements over there by the City, previously. In fact, we've even gone so far as, because we believe in what the Fuller Center is trying to do, we have engaged an architect, Kim Mitchell at our expense, the City's expense to help bring some more aesthetic value to the houses that the Fuller Center has built. And these are already things that have been done thus far. Not to mention the City of Shreveport did an RFP for Allendale as part of total commitment program, and if I'm not mistaken, and Mr. Lloyd will correct me, I think the grant was \$150 or \$200,000?

Mr. Lloyd: I don't know, I think it's \$250,000.

Councilman Lester: You're probably right, I think it's \$250,000 so, on top of the free land that we've given them twice, and the streets that we've supported them, the drainage and the architects, then we've got another commitment for at least \$250,000 to support what they've been doing. So, I don't want anyone to leave because our local daily and some other folks had been trying to portray this as a situation where we're less than supportive of the Fuller Center or we're less than supportive of the Shreveport-Bossier Community Renewal, and the empirical data does not bear that out. So, I just don't want anybody to leave thinking that the Fullers are here doing a tremendous work, which they are, and they're not getting the complete support of the City. We've put our money where our mouth is on more than one occasion, and will continue to do so. Simply because we believe that what the Fuller Center is doing, People of Praise, and other groups that's gotten very little ink, they're from Terre Haute Indiana, if I'm not mistaken. They've built some houses in Allendale, of course, Grace Project, and Galilee City, but I want to say, hats off to the Fuller Center. We're 100% in support of what they're doing, because we're going to change the face of not only Armory Hill, but we're going to change the face of Allendale. And there is - - - what is it? Councilman Jackson and Councilman Green, the harvest is many, but the laborers are few? And this is one of the instances where the laborers are finally getting a chance to meet the harvest, and I think we're going to continue to do a great work. So, I just appreciate that what you guys are doing, and say keep it up.

Mr. Lloyd: The \$5,000,000 and the 60 houses, cause Mr. Fuller continues to say it's just Phase I. He's committed to staying here and doing away with substandard housing in Shreveport as long as it takes. So we're going to be coming in to all the neighborhoods, and bringing folks down, and Thursday during the build, he got a call from a friend in Indianapolis, who had heard about what was going on in Allendale, and he said okay, if you get me the lots, I'll send 60

people down there and I'll give you \$100,000 to build four more house. Two houses and two framing sets. And the folks that were here were already - - - like I said, they were raising money and planning up their trip to come back next year to build 20. So, it's just been a great time and a great celebration and I just want y'all to share some of the good. Thank you.

Councilman Green: Mr. Chairman, I'd like to recognize former City Councilman Roy Burrell, now State Representative. Good to see you sir.

Councilman Hogan: Thank you, and welcome to the meeting Representative Burrell.

Councilman Walford: Mr. Chairman, if I could at this time, I'd like to ask Ms. Elizabeth Gibson from the City Attorney's office to come forward. We had a smelly morning Mr. Chairman, and there were a lot of questions asked about the odor ordinance, and if it pleases the Council, I'd like for Ms. Gibson to just give a brief explanation to the public of how to complain, and - - - better her than me.

Ms. Elizabeth Gibson: (City Attorney's office, City of Shreveport) Any citizen who wishes to fill out a complaint form, can go the City of Shreveport web page, and at the bottom of the home page, there should be an icon that says "Odor Complaint Form", and can click on it and pull it up, a full page document, and the first page is the Odor Complaint Form Instructions, that are very explicit about how to complete the form, and the second page is the form itself, and they can also find this form if they go to the DOS web page, and there's going to be an odor complaint form icon that they can click on there too. And then they complete the form, have it either mailed or brought to DOS, who then keeps it on file, send a copy to the City Attorney's Office, and we review it and decide whether to prosecute.

Councilman Walford: Mr. Chairman, when you say DOS, can you - - -

Ms. Gibson: Department of Operational Services.

Councilman Walford: And bring it where?

Ms. Gibson: 5th Floor, Mike Strong's office.

Councilman Walford: Government Plaza.

Ms. Gibson: Uh hmm.

Councilman Walford: Okay, and there was some questions raised to me about why it had to be notarized.

Ms. Gibson: That is so it can be an authentic document to be admitted as evidence in court.

Councilman Lester: And I was just going to duck tail on that because in driving through Agurs, they were pretty busy today. And in talking to Councilman Walford, who obviously, because he works there, - - -

Councilman Walford: Not the smelly place.

Councilman Lester: Well no, not in the smelly place. He works in Agurs, he works in Agurs, and we were just discussing the fact that we do have an ordinance on the books, and we do have the process, but we wanted to ask you and we appreciate you coming to tell the public about how to deal with the complaint forms, because we don't want people to think that they are without options. And certainly, we know several citizens have asked us what - - - when would we be in a position to deal with this issue, and now we are. So we definitely want people that live in and around Agurs whether you're business people or if you live in North Highlands as I do or in Cherokee Park or some of the other areas that are sometimes adversely affected by this particular smell, to please go to the City's web page, download the form, fill it out. Again, don't be thrown by the fact that you're asked for it to be notarized because as Ms. Elizabeth said, it's very important because we want to bring these issues, not just to our department, but we actually

want to bring them before a judge, so that a judge can deal with it the way a judge needs to, and in order to deal with that it has to be notarized. So, just - - -

Ms. Gibson: Let me interject. In the event that the citizen wishes to complain and does not have access to a computer, it is going to be on file. It'll be a one page document, but doubled sided on the 5th floor in the DOS offices.

Councilman Lester: And what's the number over there?

Ms. Gibson: 673.7650.

Councilman Lester: So, there you have it folks. We appreciate it.

Councilman Walford: One last thing, and I'll see if I can get Councilman Lester to join in. If you can't make it downtown, call me, and I will mail you a form. I trust that my colleague will make himself available as well.

Councilman Hogan: At this time, I'd like the Council to join with me in suspending the rules. I'm going to make a motion, and I'll tell you - - - thank you Councilman Green. This will be a motion to recognize Mr. T. L. Burns who has come to speak for us today. Not on an agenda related item and typically those would be at the end of the meeting. But he has a medical condition, and is unable to sit for very long periods of time, and I'd like the Council to vote with me to suspend the rules to hear Mr. Burns speak.

Motion by Councilman Hogan, seconded by Councilman Green to suspend the rules to hear public comments by Mr. T. L. Burns. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

Mr. T. L. Burns: (3001 Fredericks St) In the past, I virtually came to the Council for myself, for personal reasons of myself. Well, and the City, when I say me, I speak for the City of Shreveport too. Because of the citizens whom are afraid to come before the board. And some people doesn't - - - you know are afraid to come and speak for themselves. Where they've been intimidated or just afraid for lack of whatever it is, their position. But I meet with these people all day, everyday in my neighborhood, and other places I go. And Mr. Lloyd, that was a beautiful project you all have done in the Allendale area. The only thing I wish is that I could have been a part of it. I love to work, but unfortunately I'm not able to anymore. But what I can still do for my city is of a great deed. You see my city - - - there are issues that my city is not aware about. And that nobody else seems to even want to get involved with. But see, I have on several occasions came before this same City Council, talking and asking of the Council, of the Mayor, the City Attorney, and other administrative bodies about see, and nothing has ever gotten done. And I'm sorry to put a rain on this beautiful parade that you've gotten started today. But the truth needs to be spoken. The truth needs to come to the light, so that this what we've had for the last eight years won't happen again, hopefully if God says the same. And the citizens of Shreveport say the same. When I have stepped forward to come and try to do some good for my city, the only thing I've every gotten done is gotten kicked down. And the last time, I literally got kicked down. Kicked down to disableness. But we - - - I'm standing up for my city. Mr. Jackson, you are my Councilman. Mr. Jackson, I've spoken to over 100 people in my neighborhood. None of them even know who you are. That's not what we want in our neighborhood no more. Because we could have a beautiful neighborhood. Queensborough at one time was a really beautiful neighborhood. I guess then we really had somebody to represent it. Mayor Hightower, I see this is a good city, but this is my city too, just like it's all these

people's city. It's not the Hightower team city, this is our city. For any of the special interest groups, we should be the special interest groups. Everybody. Not just those who help out with campaigns, and things like that. Although I did help (inaudible), But everybody should be a part of a special interest group, and today, see we've got too many people - - - Blacks and poor Whites that are being hurt, even some were killed during this administration. And I don't think there were even given the justice that dog has been given. When a fireman was whatever by the dog, but a fireman was fired behind a dog. Here it is, people getting killed. I've been disabled. And it seems to be, it seems that nothing is ever done about it. I mean, it seems like we want to keep this perfect so record going to give our public this false indication that our local government is this perfect organization, and it's not. There is quite a few things that this - - - I mean, y'all have done a lot of good work, don't get me wrong Mayor Hightower, and the City Council. Y'all have done a lot of good. But from what I have done personally because I chose to stand up, not only for my rights, but for the rights of citizens of Shreveport, the rights that everybody should be given, I haven't been given that from you all. You all have not answered me on anything that I came to you all with. And like I say, maybe a lot of people feel threatened and harassed and terrorized like my family has been done. Cause I stood up. So, is that how it happens? Is the constitutional rights thrown out the door? Do we still have a justice system, or is this just our buddy system. I'm just asking, I'm not saying what's what, I'm asking a question. And I'd like a response after this please. Because see, if Jerry Jones, Ms. Swaine and Arlena Acree is a part of this Hightower crew, then I think our city needs to know that our Hightower team allowed - - - because when you don't win, when something is brought before you and you don't do something about it to condemn it, then that tells me that you are condoning it. And there was fraud evidence and proof of paperwork that I have brought before this board, and members of your staff using drugs, that I have proof of, police officers coming in and harassing our neighborhoods and my family directly, because I stood up - - - and this happens all the time. We were even denied the right to vote on a \$50,000,000 plus, hotel that the Hightower team wanted, and gave us no votes. They denied us of a vote. Mr. Jackson, your vote was no. I can't remember who all votes were no to deny us a vote with your vote. You represent us, you don't just represent Mayor Hightower, you represent us.

Councilman Jackson: I don't represent Mayor Hightower at all. I represent myself, and the people who elected me.

Mr. Burns: Well, I'm one of those people Mr. Jackson.

Councilman Hogan: Mr. Burns?

Mr. Burns: Have I gone over my three minutes?

Councilman Hogan: Yeah, you've gone quite a bit over.

Mr. Burns: Okay, well I just want to let the City know that before we go out and vote this coming election, we better realize exactly what's really going on in our city. Because like I say, these Hightower team members, tell the truth. Let the whole truth be told, not just part of it. Thank you.

Mayor Hightower: Mr. Burns, could you give us just a little of your background?

Mr. Burns: Yes sir.

Mayor Hightower: Why don't you stand up and tell the Council what you've been doing over the past four or five years?

Mr. Burns: Well, I've been doing contract work for the City. Yes sir, and I appreciate that. Just like I said before Mayor Hightower, y'all have done a lot of good.

Mayor Hightower: Are you still doing contract work for the City?

Mr. Burns: No, I'm disabled Mayor Hightower. I can still get work from the City, but I'm disabled.

Mayor Hightower: Okay.

Mr. Burns: See I was disabled by a police officer. I've been threatened by one of your Administrative Officers, if you just want to know the truth behind it. Yes sir.

Reports:

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

Mr. Antee: We passed out yesterday, the last pay application, but I wasn't here yesterday so I'll be glad to answer any questions. I don't have anything further.

Councilman Hogan: Mr. Antee, could you hold that thought for just a moment. We do have one more presentation from Representative Burrell. Could you hold on for just a few minutes.

Mr. Antee: Okay, but I was through with my part. May I be excused?

Councilman Hogan: Mr. Thompson was telling me something, and so I didn't realize what you said.

Mr. Antee: We didn't have anything further other than what was passed out yesterday.

Councilman Jackson: We will come back to that.

Councilman Hogan: We're not going to hear Representative Burrell?

Councilman Jackson: No, no. I'm saying we're coming back to that. I heard what he said, but I still have some questions.

Councilman Hogan: You still have some questions and comments about the Convention Center, and you want to come back to it. No problem.

(Representative Roy Burrell) I'd like to take this opportunity to come and bring some - - - hopefully some cheer and some joy before this meeting gets too serious, and we may be gone by then hopefully. But I wanted to come today and thank you all again for the support that we've gotten.

Councilman Carmody: Who are you sir? I know who you are, but I'm not sure the official record would recognize you.

Councilman Hogan: Santa Clause.

Rep. Burrell: That's right, Santa Clause. I'm Roy Burrell, State Representative, District 2. Do I need to give an address? Okay, 2613 Lakeway, that was my last address, Shreveport, 71109. Again, I would like to say that we appreciate all that you have done over the past six years. I'm also the Director for the Inner City Entrepreneur Institute, ICE for short. We've worked over the years to try to provide opportunities for our young people in our city. We hear so much negativism about our young people and what they are not doing, but there are a number of our kids who are doing good things, and great things, and hopefully, they will be individuals who will contribute more to the city later on as they grow up. We've put forth for you, for the last six years the Biz Camp Program, which is a business camp for young people. We concentrate on inner city kids, but we also include any kids who really wants to look into learning what entrepreneurship is all about, and business development, and we have quite a record in doing that to the extent that Minden, Grambling, Natchitoches and some of the other cities are now asking us to expand to their area. I said if they got the money, then we've got the time. And we'll find a way to get there. Because during our program, during the summer, many youngsters do come

in from all those areas to Shreveport, and they want the program there. I have two of our students today which I'll give an opportunity to say something. They are the Lynch Sisters. They are the nieces of Commissioner Stephanie Lynch who you know, they lost their mother early on and Stephanie, took them on, and is raising - - - well, it's three of them, and one has graduated already. And these two here are still with her, and they are doing a wonderful job, and they were two of the students in our BizCamp Program this summer. What I want to add to is just recently, this past week, we were again in Baton Rouge, and as a part of the Bond Commission Sale, we were awarded \$360,000 to do the work that I've done in the last couple of years to try to renovate one of our municipal buildings. It was to be used for the Train Depot down at the Festival Plaza, but I understand that through SPAR, that they may want to look at another building, other than the Festival Plaza, because they have some other plans for it right now. So, that's not a problem, and we are hoping to work with the City on an ongoing basis to try to provide a site for these young people to develop their marketplace. BizCamp is an educational program, the educational part of this program, and we are expanding it to the marketplace. Once they learn how to be entrepreneurs, they need to be able to practice their trade. And at this time, I do want to acknowledge, Dr. Masteller who is out at the Summer Grove Baptist Church who took us in, and for the last two years, has allowed us to use the mall for our marketplace, and has grown since then. Our student base is growing and we need a place to house them. And hopefully, the City will be amenable to helping us in doing this. So at this time, I'll stop at this point and recognize two of our students, and ask them to say a little bit about this camp and what it means to them. It's kind of impromptu, but we've taught them that as a part of business, that there are times, you just have to spit it out, and I think they are good students, and they've been good students, and they are Ms. Kimberly, and Ms. Ebony Lynch.

Ms. Chymberli Lynch: I'm a sophomore at Southwood High School, and I was a participant in the 2004 BizCamp. BizCamp really teaches you how to be a great entrepreneur. And I learned a lot from Mr. Roy Burrell and a lot of other people who did BizCamp. And I just want to thank you guys for supporting us.

Ms. Eboni Lynch: I'm a senior at Southwood High School, and I also participated in BizCamp. And what I took from BizCamp was that you just learn so many new things, and you get to be around a lot of different people, and so I think that gives you advantage. And so I learned how to be a successful entrepreneur, and once I graduate from college, I want to open up my own business. And I would like to also thank all of you for supporting us in BizCamp. Thank you.

Mr. Burrell: Right now, I know we have at least ten students that are putting themselves through college because of what they've learned in our program. Some are here, matter of fact, I know a young man in Allendale, the other day I was there for Back to School, didn't recognize him at first, but he was in our third year of BizCamp, and I looked at him, and he had his 'Bling Bling', and he came up to me, and I didn't recognize him at first, said Mr. Burrell, you remember me, I said yes and didn't. And he said you know I'm involved in real estate now. And I was just blown away. And he said from what I learned in your program, now, I can take that, and now I'm selling property. And I said well, okay. So, it's those kinds of things that make you feel that what you've done has benefited someone else. Moorehouse College, one of our young men, now he has his own tennis design company. And he wanted his mother to let him stay out of college for a while, and she said no, you will be going to college. But his internet e-commerce business is now putting him through school, and he just bought his first new car. So if it makes us feel good when the youngsters come back, and we will have them back at some time to let you hear

their own personal testimony. So, we are doing some things here in the City. Where are my students? Okay, I think this is one I need to give. Not as fancy as some of the ones you've received, because we also teach them to manage their money well.

Mayor Hightower: Thank you very much. Thank you Roy.

Councilman Lester: Yes, thank you Mr. Chairman, Councilman Burrell, I really wanted to let you know I really appreciated what you've done with BizCamp. It is probably one of the best programs that I have seen in a long time, in terms of helping our young people, particularly young people that live in areas that we represent and expose them to entrepreneurship, and it does my heart extremely proud to know that these young men and women are opening their eyes to entrepreneurship and engaging in that at a young age. Because I think that's what it's going to take to turn our neighborhoods around. And so, I just want to tell you that the work that you guys are doing with the Inner City foundation, and with BizCamp is outstanding, and I just want to say continue to do that, and you will continue to have my support, in those efforts that you do. One other thing. Take a minute. A lot of people have their I-49 pins, but you have an I-49 pin that is just as important. And for me as the representative for the area, I think it is even more important. Could you explain your I-49- - - your inner city I-49 corridor plan to us and what that's all about. And give us an update, because I know, I think you had a meeting about that subject, just here recently.

Rep. Roy Burrell: Well, I didn't want to get into that, because I know that you always have adversaries, although you also have supporters for the same idea. But for some of you, you know I've been pushing this issue, the Inner City I-49 Corridor, the ICIC, as we call it corridor for the last three years, and two days before I left the legislature after pounding on the Governor for three years. She sent word that she was going to create an inner city corridor sub-committee from the I-49 North Subcommittee to relook at this issue. When she was here recently, I think about two years ago I guess, I had an opportunity to take her through Allendale. She was here on the invitation of Community Renewal. And so, I took the opportunity to take a little bit of her time to take her through that area, and I really thought that she had forgotten about it. But in looking at that area, she asked "well, why didn't it go through the first time?" And I told her Governor, it's a long story, and we won't - - - don't want to get into it. But over the three years, I shared that with her, and she recognized to that she got the word that when Hurricane Katrina came through, and we had the evacuation centers here, when the buses came up I-49, they got lost trying to get to Arkansas, because many of them were dispatched to Arkansas. And then here again, asked, well, why didn't they go through Shreveport? Well I say Governor, because they have to go 14 miles around Shreveport to try to get up to 71. So, she didn't say anything after that, so again, two days before the session ended, she said that she would ask Tommy Clark to create that subcommittee, and on last week, they voted to establish the subcommittee. And we've also gotten word back through one of the architects that is supposed to be designing the ramp, that they are also looking at the possibility of an environmental study to look at that area again. And I think it goes well for Shreveport, because again, I think a roadway through there regardless whether it's I-49 or any kind of parkway that you put through there, would be a great, great asset to economic development in that area. Right now, that community is pretty much surrounded, and it doesn't have a through way. And just imagine if you had \$5-6,000 even more cars coming through there daily, which I understand about, I've heard the figure is as high as 30,000 that could travel through there, once I-49 is opened. And they are getting (inaudible) in the Allendale/Lakeside area to buy gas, and buy snacks, and things of that nature. Can you imagine the type of commerce that could be created there for the houses

that are there now? Many of the people who will be there probably would need service jobs. These are not necessarily in the high tech high end jobs, but if you give them a new lease on life. And I think that it's a blessing, I look at it as a blessing, and I hope that the city looks at it as an asset. And we don't get as much opposition to this the second time around. We have another chance.

Councilman Lester: Thank you. And I just want to echo that, and say certainly as the representative from Allendale, I'm looking forward to the day when we can have I-49 going through there, and people can go to McDonalds and Burger King and other things like that in Allendale, I think it's going to be tremendous for the community as well as the city. So, please if there is anything that we can do from the City's standpoint to support your efforts to bring I-49 through the inner city as it should have been years ago, please continue to let us know.

Councilman Walford: Mr. Burrell, I just wanted to congratulate you on the program, and tell you how much fun I had being a judge. Please, please call again next year. I enjoyed doing that, and hearing all of their presentations.

Councilman Green: Certainly I'd like to congratulate you, Mr. Burrell, and say keep up the good work, and also would like to recognize one of the best commissioners in America, Stephanie Lynch.

Councilwoman Robertson: I was wondering if the Lynch girls, if they remember what their project was, what their merchandise was that they had. I remember partaking in some food items this past summer.

Rep. Burrell: Oh, did they get you too?

Councilwoman Robertson: That we purchased up here for the Council.

Ms. Lynch: My project was a bracelet shop called Creative Bracelets.

Ms. Lynch: My business was called Sports Max, and it was basically just a place where you could bring your kids to keep them out of the streets, because I think that whenever you're in and doing activities, that keeps you away from trouble. And that was my business.

Councilwoman Robertson: And what was your charge?

Ms. Lynch: My charge was actually free.

Councilman Lester: She's not still doing that is she?

Councilman Carmody: Mine was just to actually say that I recall both these young ladies. They were much younger in 2000 than they are today, but especially when you mentioned what you had done as your projects, I recalled - - - I recognized you. So, keep up the good work.

Rep. Burrell: Again, I want to recognize our Mayor. Our Mayor has been a strong proponent of this program along with this Council because we couldn't do it just with him or you just the Council by itself. And hopefully, it will be a shining star for our city. And now that the Governor is - - -, I've had conversation with her, she is very interested in spreading entrepreneurship within our high schools. So we are working on those projects. Thank you again.

Councilman Hogan: Mr. Antee, Councilman Jackson a few moments ago, had some questions about the Convention Center, and we'll go back to this and recognize him at this time.

Councilman Jackson: Mr. Antee, I'd asked before at one of our previous meetings, and I talked with Mr. Dark on yesterday, he said that he wasn't sure if Mr. Clark was going to be here. I didn't suggest to him though I may have intimated that on a project this size, it should have people available, and that one person - - - you told me he may be sick. And I was thinking that maybe he was the only person authorized to speak. And that may be the issue, and I don't know if that's the case or not. But there are some questions that we answer in each meeting, we have a

two or maybe three week span between the meetings, and we don't get questions, and we're four weeks out, six weeks out between the meetings, and not getting these. When he was here the last time, I'd ask him did he in fact have copies of contracts that have been let, and who the contracts are with, and whether or not he knew if those other contractors were subbing out to other contractors, and if so, those ancillary contracts. And I think somebody said, well there's a lot of them. And I suggested to them that the volume of them wasn't my question, I just wanted a copy of all those contracts. And to date, nobody has even brought it up again, and I wanted to be sure that we had in fact done that. We did get the Fair Share stuff on yesterday, and it looks like there is a little janitorial company or something that had been taken off because we couldn't identify if they were a minority or Fair Share or whatever, but the numbers have been changed. Well, they changed a little bit lower. They didn't increase any to that percentage that we had talked about, and so a lot of the work is still - - - I don't know y'all have a sheet over there or not, but a lot of the work seems to me, still to be on the proposed page, and so I guess I wanted to ask several questions that I'm not sure you all are in a position to answer, such as what percentage of the project are we now. It's passing by it seems as if we're making a lot of progress on the hotel, and if we are and if all of the Fair Share, and all of the minority participation on the project is coming up later, I just keep wondering how much later is later. And when do we ever get to it, because there is on - - - of the \$6,000,000 I believe it is that's proposed to be spent on the Fair Share summary more than half of that is still proposed. We have about \$3.4 million that's shown here on this sheet as actual. And I think I'm looking at it correctly. An the first sheet has proposed. And so there is at least \$3,000,000 in difference, and so I guess I was concerned about if that's 50% of your roughly 50% of your MBE, or Fair Share clients. Is it congruent with where the project is, or is the project closer to 70% finished. When he came the last time a couple of months ago, they were at 54%, or whatever the case may be, and I was just kinda trying to figure out, and I was just looking at I think you all had given us - - - I don't know where I put it, had given us another sheet with the general convention center/hotel progress payments. And on that with 58% of the work completed, the Fair Share actual participation is 34-56, 3.4 and is 51.2% of this, and I guess that's as of - - - I really wasn't sure what it was as of. Is it as of September 25th?

Mr. Antee: I think this is as of August 31st. This payment that shows us at 58% through the project.

Councilman Jackson: Yeah, so about a month ago, and I was wondering in that months time, therein lies my question. During that months time, what percentage of progress has happened, because they were at like 50 some odd percent when they came. And at 58% August 31st, we're nearly at September 30th, Saturday I believe it is, this week. In that month's time, have they come an additional percentage, and then is the Fair Share percentage congruent, moving congruently with the general? Because I guess my concern is that if it's not, then at some point, there ought to be a red flag that says it may not be able to keep up, and we may not get to that number. And I guess I'd hate to see us not steward this project all the way through. We're already below where we ought to be, and if we don't steward this project all the way through, I think we'll find that on the date, we talked about turning the keys, and doing the ribbon cutting that we'll be celebrating finishing. But we will not have completed what we set out to do, and I guess that's my concern. I don't know if you all are in a position to answer any of those concerns.

Mr. Antee: Well, I know Mr. Clark after he got back from his trip from Mexico has been ill, I guess Montezuma's revenge. But to answer, and we're serious about that. I mean, that's

what he thinks he has, but to answer your question, no, the percentage of completion of the project, and the percentage of the Fair Share does not track side by side. For example, and I'm only using this as an example. Say that finished cleanup is \$100,000, and that's the last piece of it, well Fair Share - - - if that's a Fair Share person, then 100% of that would be Fair Share. So, it doesn't go. There are certain areas that they have, and I don't have that sheet in front of me, but they have marked off. That would be provided by Fair Share MBE, and we may not have gotten to that piece- - - that part of construction yet. So, he'll be here as of September 30th. They'll issue their pay application for next month, and - - -

Councilman Jackson: And certainly just ask him if he could give us a definition of rough carpentry. Because y'all on the proposed page you have \$2.6 million in rough carpentry, that I guess is still proposed not actually having been done. And you know I know that probably wouldn't be the last thing that you do - - - at \$2,000,000 worth, and clearly that's not cleaning up. So, I wondered what the definition of rough carpentry is on that particular project. I saw it before, but I wasn't sure exactly what it stood for.

Mr. Antee: Now, the rough carpentry won't - - - may have started a little bit, but most of that won't come until after the building is completely blacked in and weather proofed, and they start hanging drywall, and then they start doing the cabinets, and the common area and that sort of thing. But those are examples of things that take place in the normal construction of a building so that the numbers aren't - - - you know they don't mirror each other. But we'll have him here to define what each one of these are if that's what you need.

Councilman Jackson: Yeah, because on the G-703, there is a description of the work that's very detailed, and it's not the same on the Fair Share sheet. It's real vague on the Fair Sheet, but it talks about everything on G-703. And I was just wondering if we could get that same kind of information on this Fair Share participation.

Mr. Antee: We can tell you of the Fair Share people that have performed the work, which of this work that they've done, but we can't conform our Fair Share into - - - you know their breakout of the construction. I see we have a representative of the AGC here, he might be able to tell us what rough carpentry is, but I mean, this is a document that they provide to us showing the complete breakout of every scope of work and the cost associated with it. Now there may be one subcontractor that performs 20 of these scopes of work.

Councilman Jackson: Right. But what I'm asking is can you take this sheet, that's the Fair Share, and can you then tell me where they go on this sheet. Because clearly everything that's done, has got to be reflected on this G-703. And can you take what's on here in the simplified version, and show me how you - - - you can inculcate it, I guess back into this particular part again, and let me know which areas those are in.

Mr. Antee: Yeah, they should be able to do that.

Councilman Carmody: Mr. Antee, it does note on the Fair Share summary, it does say the current contract value with the change orders, and I guess this is to date, as of September 25, 2006, \$3,295,426, what was our budgeted amount? Do you know? Did we budget the amount? Was it \$34,000,000?

Mr. Antee: On the construction amount?

Councilman Carmody: Yes.

Mr. Antee: Well actually, it's the contract amount plus the deduct change order of the 892, which is at \$33,405,000, is the budgeted amount. But then we have an amount budgeted for contingencies that cover the change order, and I don't remember exactly now. It's been a while since we looked at it.

Councilman Carmody: Could we get that broken down two weeks from now?

Mr. Antee: Sure. We're still well within the contingency with the change orders today.

Councilman Hogan: Mr. Antee, I was reading some other material. Forgive me if you already covered this somewhere in this discussion, but how are we moving on schedule? I know we've not had very many rain days, but are we moving ahead on schedule? Are ahead of schedule?

Mr. Antee: We're not ahead of schedule, and that's one of the things that they work on daily. I don't have - - - they're working on an updated schedule to let us know, but to say we're ahead of schedule now, no we're not. And we're riding 'em pretty hard as to meeting the schedule, and I think we should have a better understanding from them within the next week or so what the actual schedule, what they're actual projected schedule is.

Councilman Hogan: So, they're not taking room reservations for January yet then are we?

Mr. Antee: Not for January.

Councilman Hogan: Okay, alright. If you would, next Council Meeting, if you think about it, give us a firm update on that.

Mr. Antee: Be glad to. No, we think about it daily and we hammer 'em daily, and that's all you can do with contractors.

Councilman Jackson: What's the date Mr. Chairman?

Councilman Hogan: I beg your pardon?

Councilman Jackson: What's the expected date?

Councilman Hogan: Well, we had originally shot for January, hadn't we?

Mr. Antee: Yes. From our perspective, that's the date that they should be shooting for, but I'm not going to sit here today and tell you that that's the date. We'll let the people from Walton come. Because every time I ask them, it moves.

Property Standards Report

Councilman Hogan: Does anyone need Mr. Bowie to come forward? Or Mr. Bowie, if you have - - - wave at me if you have something to share with us. That's means no, okay. We'll give you a break today.

Public Hearing: Proposed Annexation.

Tag No. 06-01: Enlarging the limits and boundaries of the City of Shreveport – a tract of land located in the SE/4 of Section 29 (T16N-R13W), Caddo Parish, Louisiana, (Southern Trace, Phase V, Section XXI, Subdivision), and to otherwise provide with respect thereto. (D/Robertson)

Councilman Hogan: And so we will now declare that the public hearing is now open. Is there a presentation from the Administration?

Mayor Hightower: We don't have any presentation Mr. Chairman other than to say that it is another phase of Southern Trace, and I'm not even sure how many specific lots there are.

Councilwoman Robertson: It's just one.

Councilman Hogan: I believe it's five acres Councilman Robertson?

Councilwoman Robertson: It's five acres, its one tract, it's on Lamplight, and from what I can understand this particular section was left out originally when the city annexed in the rest of Southern Trace, because this is on a street that's already in Southern Trace. So - - -

Councilman Hogan: Do we have anyone here to speak in favor of the proposed annexation ordinances? Does anyone wish to speak in opposition to the proposed annexation ordinances? If not then this public hearing is now closed

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

Confirmations and/or Appointments:

Councilman Hogan: Mr. Mayor, I show that there are no confirmation and/or appointments. Is that correct? None today?

Mayor Hightower: That's correct. We submitted some to the Clerk that will lay over for two weeks.

Councilman Hogan: Probably have some for the next meeting, is that right?

Councilman Carmody: I just wanted to acknowledge. I appreciate the request made yesterday for Archie Hall to put together the boards and commission expiration dates. I don't think Mr. Hall had an opportunity to do it, but I did want to commend our staff for updating.

Mr. Thompson: We got some help from the Mayor's office.

Councilman Carmody: Very good. Thank you.

Councilman Hogan: I received that as well. Thank you Mr. Mayor.

Adding Legislation to the Agenda Public Comments (*Agenda Items to be Adopted*)

Councilman Hogan: We do have several public comments. I received word a few moments ago from Councilman Jackson that the Zoning issue in his district, will be postponed, Item No. 59-06 for Ms. Nunley, will be postponed today. Any of the people that have filled out a form to speak are welcomed to come and speak, but I just wanted to give you word on that.

Mr. Lamar Holden: (3837 Merwin) I'm here representing the Coalition for Social Justice, and we want to make a request to Mayor Keith Hightower and the City Councilmen, we would like to have a copy of the General Contractors license along with all of his subs on the hotel and Convention Center. And that's our request. And we'd like to have that material within 30 days if it's at all possible.

Councilman Hogan: Alright. Mr. Mayor, do you believe you could accommodate him on that?

Mayor Hightower: I'm sure we can. We'll certainly get you all that's available.

Mr. Steve Higgins: (1600 W. 7th Street, Fort Worth, TX) I'm the representative for Cash America International, Fort Worth, TX. Sharon is passing out a letter I just received today. I apologize for the lateness of that letter, I thought it was probably important that you see that. It's from one of your detectives in the Police Department. Other than that letter, I'm here to answer any questions that you might have.

Councilman Hogan: Any questions for Mr. Higgins today? And this is on Jewella. Councilman Green, is that in your district or Councilman Jackson?

Councilman Green: Councilman Jackson.

Councilman Jackson: Mr. Chairman, I don't have any questions for Mr. Higgins. I do have questions though, but not for him.

Councilman Carmody: Mr. Higgins, as I appreciate it and again, I'm just reading very quickly over this letter. Y'all've been operating at the same location for the last 18 years?

Mr. Higgins: I believe since '87.

Councilman Carmody: Okay, and I remember correctly that y'all are the successor maybe to another business and maybe it started there originally?

Mr. Higgins: I wasn't there in '87, but I'm going to take a shot at this. I believe it was called Big State Pawn.

Councilman Carmody: Yes sir, I was trying to recall, but there had been another pawn shop operated at that address.

Mr. Higgins: That is correct, and we acquired them in '87.

Councilman Carmody: I think one of the concerns that the Community's had especially of this type of business, and this goes way back, so is the nature of the business, and of course most people are familiar with pawn shops understand how y'all operate. But the proliferation of these type business is a concern, and I know that it was addressed before any of us took office. But in y'all's business plan to move from 4012 Jewella to 3749 Jewella, were y'all planning on leasing the property at 4012 Jewella to another type pawn shop?

Mr. Higgins: We don't own that property that we're currently in. A guy in Segoville owns that.

Councilman Carmody: Who does?

Mr. Higgins: I don't recall the guys name, but he lives in Segoville, TX. So he's the owner of the property, we're the tenant of the building.

Councilman Carmody: Well, I guess the concern that I would have is that if the Council were to move to approve to allow the relocation of the business and leave open the opportunity for another pawn shop to go into the previous location, that I think would be seen as a proliferation, at least in that area. Because granted one pawn shop's been operating there whether it was Big State or Cash America, but that would be something that I think we would want to try to address to the Council before we took this matter up.

Councilwoman Robertson: (Inaudible) that one particular?

Councilman Carmody: Yeah, right because again, if that's one of the concerns of the citizens if they would not want to see a doubling of that type of business in that area, then I think it would be prudent for us to try to look at addressing it right now.

Mr. Higgins: Well, I don't know what your ordinances say specifically, but I guess you have the right to grant that or not. So - - -

Councilman Carmody: I think the question becomes Mr. Higgins over whether or not there was a right that would be running with the land at the present location that you're operating from, or when y'all were to cease operation of business, if that right were to basically go away. And so anybody else would have to come forward and make a new application as if it were just in a piece of property.

Mr. Higgins: Wouldn't that be relevant in all of the B-3 zoning that you have in the City of Shreveport?

Councilman Carmody: Yes sir, I believe that it would.

Mr. Higgins: I mean any B-3 zoning would be applicable to that?

Councilman Carmody: Right, but if I remember correctly, because pawn shops were addressed at sometime in the past to make sure that went through an approval process that was beyond just having a use by right in a B-3.

Mr. Higgins: Right, but again, they'd have to come back before you, you know what I mean to seek your approval on that?

Councilman Carmody: Well, and what we've had happen in the past is that, and again, I know that you're not a native of Shreveport, but what we've had is businesses that operated that basically transferred the ownership to another business. They relocated to another location, and then as we've said, now you have two businesses operating doing the same thing, one basically under the approval that was granted to the previous occupant of a property, and so that's where my line of questioning is going, is whether or not we should at least look at that for a potential for addressing that concern for that neighborhood. Thank you Mr. Chairman.

Councilman Jackson: I can address my I guess to the Administration, the Mayor. I didn't see the Chief of Police here. He may be here, I just didn't see him here. But I have in my hand, they passed out on the Shreveport Police Department stationary, a letter from a Detective Roger Courtney or someone with the Police Department on I guess this is the Police Department letter head that's asking us to consider Cash America's request? And I guess I wasn't sure how often we have police officers who send us letters and ask us to consider a zoning issue on city stationary, giving a good recitation of the reputation of this particular business which is fine, but I didn't know, and maybe it's just me how ordinary it is for us to receive a letter from not the Department, but an individual from the department who is in fact endorsing a business in a case like this in a zoning matter, and I guess my concern is whether or not we do this for other businesses, do other police officers then have the right to on this stationary, official stationary write letters of support for different businesses. If it's in the area, if it's in the place where they patrol? I guess Mr. Mayor, my question is how common an occurrence is this? In four years, this is my first time seeing a letter of endorsement for a business from a police officer, on - - - I mean I think it would be different if it was on his stationary coming from his house or whatever the case may be as a citizen. But this comes as an official capacity with a person who obviously works with the pawn shop unit, and I'm thinking that other pawn shops may have an issue with - - - if they're in the City of Shreveport with an officer saying I endorse this one, and I perhaps maybe not saying the same thing about this one over here or whatever the case may be. And I just think it leaves us open for scrutiny with regards to how we may or may not be handed with regard to what our jobs are specifically in enforcement. So, I just wanted to see if you would address that?

Mayor Hightower: First of all, I don't disagree with you. It's the first one I've seen of this nature as well. I know that Chief Campbell is out of town, and I don't know if Det Courtney is unavailable to be here today, or just what the circumstances are. I know that it does say that he endorses this. It probably would have been more appropriate had he been here, and testified that there'd been no problems, and that he thought more space would be better or something along that line, but I agree. This is the first I've seen of this as well. And I'll do some checking on how this came about.

Councilman Hogan: Thank you Councilman Jackson for pointing that out for us. That's very - - - I had not noticed that as well, but you made a good point there.

Mr. Roy Meller: (6409 S. Lakeshore) I'm here in favor of the ordinance for allowing us to have a couple of horses on our property on S. Lakeshore, and just here to answer any questions if anybody has any.

Councilman Hogan: Okay, you're the applicant?

Mr. Meller: Yes sir.

Councilman Hogan: Mr. Meller, I believe I heard Councilman Lester say before the meeting that he would be asking for a postponement on this today. There was no problem with you speaking today.

Mr. Meller: Okay, I didn't know that.

Councilman Hogan: But he had stepped out for just a moment. Has anyone heard him say or confirm that?

Councilman Jackson: I don't remember him saying that.

Councilman Hogan: I'm not sure.

Councilman Carmody: I will ask a question though. It says in the case that you're being approved for two horses. These are your personal property?

Mr. Meller: Yes sir.

Councilman Carmody: It's not as if you're opening a stable or a boarding - - -?

Mr. Meller: No sir. Just horses for me and my son.

Dr. Lorraine Krajewski: (10616 Gold Coast Ct) I'm speaking for myself and more than 30 residents at Juniper Place, and the speaker who will be speaking after me, will be speaking representing more than 1,000 homeowners of our area of southeast Shreveport. And I'm speaking in support of Ordinance 149, that thru trucks be prohibited on E. Kings between Bert Kouns and Flournoy Lucas. And I'm presenting to you this afternoon my assumption that is safety of Shreveport residents if of prime importance to you members of City Council. And I'm going to be speaking about three points. First of all, what is the problem, second of all, why is this a problem, and third some research and evidence to present to you. You have a map of the area, and what is the problem? Heavy trucks are using E. Kings as a route to bypass Youree Drive, and I've marked that in yellow on your map, so it's this route all the way. And they're using E. Kings to bypass Youree coming down here and then getting back on Youree here. They're doing this to avoid having the traffic lights at Millicent, at Sophia, and at Stratmore. That's three traffic lights. What kind of trucks am I talking about. Now again, these are thru trucks. These are not delivery trucks. Thru trucks means that they don't stop along the way. Tank trucks. Huge 18-wheeler tank trucks. Sand and gravel trucks, and I'm not talking about what you'd think of typical dump trucks, these are 18-wheeler, sand and gravel trucks. And then finally, some very weird container type trucks. They look like the shipping containers that come off ships, and then are put on rail cars. And they're being carried on these flat bed trucks, but they're slanted, so that their bottom wheels are actually the wheels are touching the highway. Very strange, I've just started seeing those. Now why is this a problem. Seven major reasons. First, the trucks are traveling in residential area. If you look at your map, you will see that on the west side of E. Kings, starting at Bert Kouns at the top of your map, we have two apartment complexes, then we have LSUS, then we have Jackson Square Apartments, a nursing home, a church and school, another nursing home, Cobblestone, then Village Green, then River Oaks, then Juniper which is where I live, then on the east side of the street, we have River Brook Homes which are under construction, heading north, Hearts Landing, King's Pointe, (inaudible) and the Haven. Heavily residential. Second, most of E. Kings is two lane, no shoulder. Third, these trucks travel at excessive speeds. The speed limit is posted at 45 mph, the trucks are going 55 and faster. And when I present evidence, I'll explain this. Fourth, the trucks do not stay in their lanes, especially around the curve down at the bottom after (inaudible) goes into Flournoy Lucas by the sewerage treatment plant, which I understand you all know where it is. They're

way over the line. Fifth, children, hundreds of children live in this area, and there are 17 school bus stops on this 2.9 miles, and the second page of your handout has a list of the school bus stops and where exactly they are. Sixth, the housing on both sides of E. Kings is very close to the highway. In fact, if that road should ever be widened to be four lanes or even three lanes, Montclair Park, one of the nursing homes would have the road in their lobby. Some of the homes would have the road in their living room. So, this is - - - the homes are very close to the highway. Seventh, each subdivision and complex has an entrance onto E. Kings with lots of traffic and entering and exiting. 18-wheelers cannot stop quickly. So these seven reasons that I just named have to do with safety. E. Kings is not safe because of the trucks using it as a Youree Drive bypass. On the map, I put where the road is sinking from the weight of the heavy trucks, and I marked on my map where the road is sinking. And this was repaired in the spring, and it's sinking again. And it's from the weight of the heavy trucks. Because before this was a problem, the sinking never occurred. And what happens is when a car is driving, and again, this is heading north, if you're staying within your lane, the tire of the car hits right where it's high and it's low. So, if one wants to drive safely, this is very unsafe to be with your tire that way. If you drive more to the left, then you're in the other car's lane. So, this is very, very unsafe. My evidence. On Wednesday, April 19th from 3-4:00 p.m., I counted the number of 18-wheelers. 22. On August 24th, I followed a truck from Bert Kouns to Flournoy Lucas. It was going 60 mph at least. I had to slow down because I wasn't safe driving on 60+ in a 45. Around that curve by the sewerage plant, it certainly was not going 15 mph, and actually it was way over the line, so any car coming the opposite way would have been a head on collision. Yesterday, when I was leaving campus, there were five 18-wheelers that I had to wait for before I could enter E. Kings to go home. LSUS students have reported to me that they have had some near misses with some of the trucks when the students were pulling out (inaudible) where the trucks were. In conclusion, I am asking you to vote for safety by passing Ordinance No. 149. We have tragedy waiting to happen here. Please, I do not want to return here next month or next year with the message of I told you so. Please do the right thing. Thank you.

Councilman Hogan: I have a question. I'm not sure if Mr. Strong, perhaps let me just ask you from your seat. I know there's patches in this road that are not included in the city limits, so do we have the authority to - - -

Ms. Glass: Mr. Chairman, we've looked at that and it is written so that it applies only to the portions of the road that are in the city limits, if that's what the question is.

Councilman Hogan: Yes, that answers my question. So, if there's patches of it that are not in the city limits, then at the beginning and the end, and it's out, then that would include the whole, obviously it would include the whole stretch of the road. We could enforce it?

Ms. Glass: He wouldn't look to write the ticket on the portion of the street that's outside the city limits, but you know, sufficient portions of the street are within the city limits that the tickets could be written in those portions.

Councilman Hogan: Okay, that makes sense.

Councilwoman Robertson: I didn't know if you were heading towards wanting to know about the repairs or anything, and Mr. Strong's office had worked with the Parish, sending them information to let them know about any areas of the Parish needing repairs, and the Parish comes out and takes care of that. And it's that portion that's down. It starts at Kay street on our map on our agenda, it shows where the city limits starts.

Mr. Jack McLeod: (189 Pomeroy Road) I'm here representing the Southeast Shreveport Homeowners Alliance Homeowners Association, here in Shreveport. As Dr. Krajewski just said,

we represent thousands of homeowners there. I'm here to support Ordinance 149. Our concern is safety. Our primary concern is safety. (Inaudible) moving these huge oil field trucks from E. Kings needs to be done. These trucks are huge. They travel fast. They exceed the speed limits almost without exception. Every time I've tried, Councilman Robertson suggested I get photographs. I tried to catch them, I couldn't. My wife and I were traveling in excess of 60 mph, and I said whoa, what am I doing? This is insane. You can't catch them. But trucks that she was explaining look like containers, I believe they're called salt water trucks or something from the gas fields, I'm not sure, but as I understand their cargo can be dangerous, even though there's salt water there. These trucks carry flammable materials, explosive material - - - that's dangerous. It's just too congested for that kind of material. They're big, they're heavy, they tear up the roads, they create winds when you go by, and I walk that road, it's dangerous, and when a truck goes by, it just about knocks you off the road. There are 17 times a day, or 17 times twice a day, that a school bus stops at some point along E. Kings Highway. 17 in the morning and 17 times in the afternoon. And these trucks are coming along. Last night one of the residents in our area called up saying now, they're using their (inaudible) brakes. Jake brakes aren't allowed in the city, I don't believe. That's an indication that they're having trouble stopping. These truck routes should never go through a residential area. That's not what it's for. Youree Drive is designed for this kind of thing. E. Kings is not. It's a paved highway where two-thirds of it's length, only one-third of it's length is cement, only one-third is four lane, the rest of it is two-lane asphalt. These heavy trucks are tearing it apart. The shoulders are too narrow, even non-existent in many places. It's not even wide enough for white lines to be on the along the side of the road, so the lanes are not a standard width all the way. This will in no way, as was said here earlier today, direct traffic onto Youree Drive north of Bert Kouns. These trucks are traveling strictly between Flournoy Lucas Road to the port up E. Kings Highway to Bert Kouns turning right, going over Jimmy Davis Bridge turning right, going south down Sligo Road area. That's where they're going. They're never going to go north into Shreveport past Bert Kouns. Yesterday, it was stated that by limiting the weight on trucks, it would create an appearance of - - - and I can't remember the exact statement, but anyway, a conflict between city trucks that weigh in excess of 15,000 lbs such as garbage trucks and fire trucks, but those are exempt from this because those kind of trucks are doing business in the area. We're talking about thru trucks. Garbage trucks, emergency vehicles, they have business to be there, they are not thru vehicles. So there's no conflict, there's no double standard, so that is a non issue here. It was also mentioned yesterday that it might be difficult to enforce. Yeah, it could be difficult to enforce. But there are a lot of things that are difficult to enforce. Obviously, this (inaudible) must be difficult to enforce because it surely isn't enforced along that portion of the road, because the trucks are consistently going over 60 mph. Just because the ordinance is difficult to enforce is not a reason to not have one. They're all kinds of ordinances that I don't see enforced, but they're still on the books. No U Turns and such things as that. In closing, I watched this body consider the appeal of a Taxi Driver for a permit that had been denied, and you voted to allow him that permit, and you the Council admonished this person at the end to remember that he had the safety of the citizens of Shreveport in his hands. I ask you to do the same, and remind you that you have the safety of the citizens of Shreveport in your hands, and vote for this measure. I'd like to thank the City Council for all they've done, and especially Councilman Robertson for all you've done for our district and for the City. Thank you very much.

Mr. Neil Erwin: (401 Market Street) I'm honored to be representing the City of Shreveport today, and I'm speaking on the Harrelson Landfill, administrative appeal, which I

will not take your time if that is going to be postponed, but if you expect to go forward, I would appreciate three minutes.

Councilman Hogan: I haven't been made aware of the postponement. Mr. Thompson, are you - - -?

Councilman Lester: We're going to move on that today.

Mr. Erwin: Thank you for three minutes of your time to state the request of the City of Shreveport who as an adjacent property owner who I represent that you uphold the decision of the Zoning Administrator and the Zoning Board of Appeals that no nonconforming use has been found to be established for a rock crusher on a separate tract for a maximum of 29.86 acre nonconforming Harrelson Landfill. Any nonconforming use for the Harrelson Landfill stems from a 1994 re-zoning application by Chandler Brother, later acquired by Harrelson Materials Management. Rezoning was for 29.86 acres. I've given you a copy of the application and the accompanying site plan by the representative Chandler Brothers, E. J. French. That was MPC Case C-70-94. Rezoning was denied, Chandler Brothers sued the City, and the City in 1998 recognized a maximum 29.86 acres as a nonconforming use for the landfill. I've given you a copy of the letter that you have seen before from Ms. Ione Dean, Planner with the MPC to Mr. William (inaudible) representing Chandler Brothers stating that this (inaudible) subject property as shown on the attached vicinity map has obtained a nonconforming right to operate a landfill. That is the same 29.86 acre tract that was applied for the rezoning by Chandler. Now aerial photographs from the City of Shreveport records at the pertinent time, 1995 shows no landfill. None at all along that site despite affidavit testimony that will be discussed by Mr. Pesnell I'm sure on behalf of Harrelson. But the City aerial photograph shows no rock crusher in 1995. Now the specific law for nonconforming uses in Shreveport provides that nonconforming uses may continue, but only exactly as they existed at the time, the nonconforming use was established. State statute also provides for prescription to run on zoning violations but only if written notice of the violation has been received by the pertinent city department which in this case is the Metropolitan Planning Commission. Alleged notice written or otherwise to any other city department doesn't count under state law. It has to be written notice to the Metropolitan Planning Commission. Therefore any nonconforming use recognized by the Metropolitan Planning Commission as to the landfill, was only as to the maximum 29.86 acre site. There was absolutely no (inaudible) condition of a rock crusher. This is not prescribed under the pertinent state statute because there's been no notice of any rock crusher violation to the only city department that counts under the law of the MPC, and therefore the extent of the nonconforming use for the landfill and denial of the rezoning already in litigation, I'm sure this one will be too regardless of how you act. But I respectfully ask and urge that you follow the reasonable findings of the City Zoning Administrator and the unanimous decision of the Zoning Board of Appeals, and uphold the finding that there was no nonconforming use established for the rock crusher. We therefore urge denial of the appeal with the greatest of respect. Thank you very much for your time.

Mr. Whitney Pesnell: (400 Travis) I am an attorney here in town, I'm here on behalf of Harrelson Materials Management, Inc., the company that operates that construction and demolition debris landfill at 1101 Russell Road, here north of town. We're here on an appeal from a determination by Alan Clark, the Zoning Administrator for the City of Shreveport. Mr. Clark sent Harrelson Materials Management a letter in January of this year, indicating that he had received complaints that they were operating a rock crusher at the landfill. His letter indicated that they didn't have the right to operate the rock crusher at the landfill, because the

rock crusher required an I-2 zoning and the landfill does not have I-2 zoning. This letter then requested that Harrelson stop operating the rock crusher at the landfill. We appealed Mr. Clark's determination to the Zoning Board of Appeals which upheld this finding, hence the appeal the City Council here today. With all due respect, we believe that Mr. Clark's determination was wrong for several reasons. First of all, Harrelson does have a valid nonconforming right to operate a construction and demolition debris landfill. The city itself has recognized that Harrelson has the right to operate a construction and demolition debris landfill as to at least 30 of the 46 acres that complies to the site, it did so in 1998. And even at that time, the 30 acres as to which the city recognized a nonconforming right could not be utilized in any way, shape, form or fashion without utilizing the other 17 acres. There's only one entrance to this landfill on Russell Road. You cannot access any part of the landfill without entering on Russell Road, and crossing the additional 17 acres. That was the state of the operation at the time of the lawsuit in 1994, excuse me at the time of the rezoning application in 1994, at the time of the lawsuit in 1995, and at the time of Ms. Dean's letter in 1998. We submit that the operation of a rock crusher is a normal incident of the operation of the construction and demolition debris landfill. It is an accessory right that is included within the right to operate a construction and demolition debris landfill, but notwithstanding the zoning ordinance of a normal requirements, we believe that Harrelson acquired the right to operate a rock crusher in connection with this landfill when he acquired the right to operate the landfill itself. The one is part and partial with the other. Separate and apart from that Lady and Gentlemen, even if you don't agree that the operation of the rock crusher is an accessory use of a construction and demolition debris landfill, Harrelson still has a valid nonconforming right to operate its rock crusher there. The rock crusher standing on it's own. Divorced from any consideration of the landfill itself. A rock crusher has been in place. In fact, in the same place, at this site since 1987. It has been in operation since that day without interruption. Under the relevant statute, LA R.S. 95625A, Harrelson has acquired a right to operate a rock crusher there, if it needed it separate and apart from its right to operate the landfill. Third, Mr. Erwin suggested that their aerial photograph had indicated that there was no landfill at the site in 1995, and that no rock crusher was operating on the site in 1995. That's simply not the case. We filed the affidavits of the managers of the landfill and the employees of the landfill into the record that shows that the landfill has been in operation and the operation has been in operation since 1987. And in fact, if I'm not mistaken, I don't there's any dispute that the landfill's been operating there, that's why the application for rezoning was filed in 1994. There was a question that was raised as to the scope and the extent of the operations prior to 1995. We believe it's been there and been in operation sine 1987. We think the record establishes that. However, you don't have to make those decisions to decide whether or not we're entitled to a - - - whether or not we've acquired a nonconforming right to operate the rock crusher. There's not dispute - - - it's undisputed that a rock crusher like the one that's out there now has been on the site, and been in operation since 1998 or 1999. We have submitted the lease that covered the original rock crushers, the invoices that show receipts for materials to be crushed at the landfill, and deliveries of materials that have been crushed at the landfill, and other documents with the affidavits into the record. It is undisputed that that rock crusher has been there and in operation since at least 1999. That was more than five years before Mr. Clark's letter of January of this year. Because the rock crusher has been in operation for five years, we at Harrelson acquired and got a nonconforming right to operate the rock crusher under 95625A. Now, one final point. We believe that 95625A-1 applies and it says five years after the date of the first violation, if you haven't been told to stop what you have been enjoying, you acquire

valid nonconforming right (inaudible) the statutes. We believe that's what applies and what gives Harrelson the right to operate the rock crusher. Mr. Erwin adverted to another section of the same statute, 95625a-3, and it requires written notice to the city before the five year period begins to run. The difference Lady and Gentlemen is this. Paragraph A-1 applies to zoning restrictions. Paragraph A-3 applies to violations of the use regulation. We submit that the ordinance in question here clearly is a zoning restriction. Mr. Clark in his letter cites Section 160-38 (C) of Shreveport's Code of Ordinances, that's from the Chapter on zoning, and that is the section that defines what can and cannot be done in an area that has I-2 zoning. So, we're clearly talking about a zoning restriction, not a use regulation. Second, whether it's a zoning - - - even if you assume it's a use regulation, Harrelson still has a nonconforming right to operate it's rock crusher at the site for this reason. Even if you assume it's a use regulation, and that written notice was required, written notice was in fact given. If you will look at the affidavits in the record in this matter, you will see that the City of Shreveport, according to the business records that are attached to those affidavits delivered concrete to the site to be crushed in 2000, was invoiced for the concrete that it delivered to the site, and that it was in fact crushed at the site in 2000, and paid that invoice. So, the City was using the services of the rock crusher more than five years before Mr. Clark's letter, was invoiced for it's use as a rock crusher and paid the written invoices. It had a written notice. In that regard, I would note too that Mr. Erwin suggested that only written notice to the MPC itself would suffice, I don't think that's correct. I've read the statute, I've looked at the annotations under it. Notice to the City is sufficient. And we believe that that's in the record. In any event for these reasons, we think that Harrelson does have a right to operate its rock crusher, we think it should have been recognized by Mr. Clark and by the Board of Appeals, and we think that this Council should recognize it. I apologize for going over my time. If any of you have any questions, I'll be happy to address them.

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

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

RESOLUTIONS: None.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

The Clerk read the following:

1. **Resolution No. 137 of 2006:** Directing the Mayor of the City of Shreveport to pay to the Newman Partnership, Inc., the amount of principal and interest (\$263,674.10) principal and \$66,616.04 interest through July 15, 2006, with per diem interest of (\$57.79) awarded to the Newman Marchive Partnership, Inc., in that certain civil action styled "The Newman Marchive Partnership, Inv., V The City of Shreveport, Number 40,412-CA", within ten (10) days of the date of this resolution, and to otherwise provide with respect thereto. (*Postponed – September 12, 2006*) (C/Carmody) *The Clerk read the following:*

Amendment No. 1 to Resolution No.137 of 2006

Delete the resolution as introduced and substitute the attached resolution.

Motion by Councilman Carmody, seconded by Councilman Hogan to adopt Amendment No. 1 to Resolution No. 137 of 2006.

Councilman Hogan: This in essence Councilman Carmody, you're just taking out the payment since the judgement was paid last Friday, the principal amount.

Councilman Carmody: The principal amount.

Councilman Hogan: And your resolution directs us to pay the remaining interest?

Councilman Carmody: Correct. It acknowledges the payment of the principal amount, and the date that it was paid by the City of Shreveport. And just again, it's the legal interest from the due from the date of the judicial demand February 11, 2002 thru July 15, 2006.

Councilman Walford: I'm not sure who to direct this question to Mr. Chairman, but I'd like to hear again what the decision of the Risk Management Committee was with regards to this.

Councilman Hogan: Mr. Mayor, who is the Chairman of the Risk Management Committee?

Mr. Antee: Tom Cody, the Risk Manager.

Councilman Walford: I don't believe Mr. Cody is here today.

Councilman Hogan: Who would you recommend?

Mr. Antee: The Risk Management Committee voted to pay the principal amount, which was paid on Friday.

Councilwoman Robertson: Weren't y'all at those meetings?

Councilman Green: Councilman Carmody was there, but he abstained.

Mr. Antee: When it first came up Mr. Chairman, there was discussion, and a request by Councilman Green to continue it. We discussed the last time, so they agreed to continue it, then when it came up in a special meeting, it was voted 4 for the motion to pay the principal only, no interest. And Mr. Carmody abstained, and Councilman Green was absent from that meeting which was a special called meeting, which was a special called meeting.

Councilman Hogan: Councilman Walford, did that answer your question? You still have the floor.

Councilman Walford: Okay, as I understand it, the Risk Management Committee which was Council over the last 28 years since the Charter was formed has depended on the Risk Management Committee to make those decisions, and the decision of the Risk Management Committee was not to pay it. Correct?

Mr. Antee: Not to pay interest.

Councilman Walford: Not to pay interest. To pay the principal, which was done?

Mr. Antee: Correct.

Councilman Walford: Thank you very much. That's all I have Mr. Chairman.

Councilman Green: Just to verify my position on this is what I said on last time, that I made a request that we would postpone this item on our Risk Management agenda, and ask Councilman Carmody to remove it from here so that it would be dealt with in the proper place, and of course, that didn't happen. And when we had the called meeting, then I missed that particular meeting, and it still hadn't been taken off here, and of course, we've gone through, and they voted to pay the principal. So basically that's where we are.

Councilwoman Robertson: Is Mr. Lafitte here?

Councilman Lester: I think he may be outside the Chamber.

Councilwoman Robertson: Okay, well I was just going to ask at yesterday's meeting, (inaudible) what the judgement was, that the City ruled when the Mayor was asked to go to court yesterday in reference to the interest.

Mr. Antee: What that was Mr. Chairman was the attorney for the plaintiff filed what's called a writ of mandamus, which is asking the court to order the Mayor to issue the check. And the court ruled that according to law and a whole list of cases all the way from the State Supreme Court down stating that you cannot use that mechanism to force a municipality to pay a money judgement. And the court upheld that, and ruled that we're within our right to not pay interest or pay interest or pay part of the principal. It's up to the discretion. It doesn't mean that the judgement is not out there, but it means that they cannot enforce the judgement which has long been the law, and is what the City Attorney, the contract attorneys, and the Risk Manager has used for years to be able to negotiate fair and reasonable settlements to any and all claims.

Councilwoman Robertson: I see Mr. Lafitte has just come in. I was just wondering if you could just re-state. Yesterday at our Work Session, you had made mention about what and if you'll state who you are so people will know who you are when you're making this statement. It's reference to the court appearance that y'all had yesterday.

Mr. Ramon Lafitte: (City Attorney, City of Shreveport) We had a hearing yesterday as I mentioned at the Work Session. We did have the hearing, the plaintiffs of course in that matter were trying to get a writ of mandamus issued, ordering the City to pay the interest on the lawsuit. After evidence was taken, the judge ruled that it was in the discretion of the City as to whether it would or would not pay the interest. As a result of that discretion, the court could not issue the writ of mandamus ordering us to pay the interest. That was the judges final ruling. That it was discretionary (inaudible).

Councilwoman Robertson: Thank you.

Councilman Carmody: Mr. Chairman, If I could ask our Director of Finance to come forward please? Good afternoon Ms. Washington, how are you doing? Could you identify yourself?

Ms. Liz Washington: (Director of Finance, City of Shreveport) Good afternoon.

Councilman Carmody: The question that I had was if there is an outstanding judgement that the City does not pay, do we carry that forward as an unpaid amount of money on our budget?

Ms. Washington: No sir.

Councilman Carmody: Have we ever had a situation before where this has occurred where we would not have paid the judgement in full, and therefore there would be a need to ask this question regarding unpaid and owed amounts?

Ms. Washington: We negotiate several matters and pay whatever it is that we have had, but like I said, I've never known of an instance where we had a specific amount of money and that rolled forward because we didn't pay a judgement.

Councilman Carmody: Yes Ma'am. And Council Members, I think that that would be my concern is that if it's going to be the policy of the City to have final judgement to unpaid (inaudible), again I think that it goes to the integrity that we would expect our citizens to follow the from the standpoint of if we take them to task and challenge their ability to not pay us, then would seek whatever the courts decision would be in our favor for the payment in full. My concern would be if we go down this path, then indeed we might be penny wise today, and dollar foolish in the future. Because those persons that are looking at the city and evaluating for the

issuance of bonds in the future for hundreds of millions of dollars worth of improvement, if they look at and say that our business practices warrant bumping up the interest that they have to charge to us, then the citizens expectation of what the money is going to do is going to be curtailed by the lost of that credit or the increase of that interest. I'm not sure that we can afford to send this message to our citizens, and therefore I would ask your support in requiring the administration to go ahead and pay it in full. Let's move on to something that's important. Because again, I think if we go down this path, we could very well be (inaudible) dearly, and granted \$66,000 plus interest is a lot of money to a lot of us. But in the big scheme of things, it could end up being again that we'd be penny wise and dollar foolish. Thank you Mr. Chairman.

Councilman Lester: Thank you Mr. Chairman, and I want the - - - I would ask that the Council just follow me with this. I am voting no, because I do not think that the City Council should be in the business of directing to the Mayor to pay lawsuits, judgements or things of that nature. I am similarly concerned as Councilman Carmody has articulated that we're going down a path that we don't need to go down. I can recall since being on the Council, I remember very, very distinctly, a gentleman that's a personal injury lawyer, came before the Council, made a request to this Council relative to a lawsuit that he was involved in. He did not ask to be placed on the agenda. He came as a public citizen, spoke during Public Comments and said listen, I've got this deal with the City, I think I won, I think the City should settle, and I think the City should pay. He did not have the ability to put something on this Council's agenda for public discourse. I think for us to deal with this, it's opening the door so that if someone has a friend on the Council, and they can get their friend to put something on the agenda, then individual lawyers and individual cases will be treated differently. And I don't think that the Council should be in the business of directing the Mayor to pay this judgement, versus not directing the Mayor to pay that judgement, not because there's no merit in the judgement or any merit philosophically in pay interest in total judgements, it comes down to who do you know? And do you know someone on the Council that will put your matter on the Council, and that is what I think is offensive. Because I know many lawyers in this city who have had final judgements against the city, that did not have the ability to call anyone of the seven of us or any one of the seven of our predecessors to have their case tried again in the media as it relates to the payment of the judgement. And I don't think that we should be here. And that's what's offensive to me. Again, do I think that we should pay interest? As a lawyer, someone who practices personal injury law, of course. Because the more money we collect, the more money I collect. So quite naturally as a lawyer, I want to maximize my economics. But at the same time, that argument goes both ways because as a Council Person, I have to divorce myself from my avocation, and deal with my fiduciary duties to the City. And is it an effective use of taxpayer dollar to pay interest when it may be in the judgement, but the law does not require us to do so. And for us to grand stand and say that you know if we don't pay interest, then that somehow sends a black eye to the city in terms of it's business practices, I don't think it's a very genuine argument given the fact that historically, this city has not paid interest, and there are many other cities across the state and this region that have similar practices. Because our Louisiana jurisprudence does not require, and this isn't just something that's specific to Shreveport or Caddo Parish. Louisiana jurisprudence does not require a municipal entity to pay interest. So we've got a ruling from a judge, and we've got a policy that has not been written, but has been the standard and practice, not just for this administration, but as I appreciate it previous administrations, and so I just think we're setting a very bad precedent by us even voting on this. Now again, as an attorney that practices personal injury law, yes I want the city to pay interest because I have two kids and

college is around the corner. But for us to get to the point where we decide as a Council ad hoc who I'm going to pay and whose not sets ourselves up for an even worse precedent, because judgements are paid based upon who you know. Because this isn't the only time that we've had a lawsuit that we got final judgement, and this is not the first lawsuit that we've decided not to pay interest. It just so happens that the attorney for this particular client has the ability to have a Councilman put their matter on the agenda. I just think it's setting a bad precedent. Because trust me, you do not want the Council to start settling lawsuits. It may be popular, I'd get a lot more Christmas cards from the Bar Association, I'd get more invites to Christmas dinners, but that's just not a precedent that this legislative body needs to get into. And you talk about penny rich, or whatever and dollar poor or whatever, trust me, opening this door is going to cost the city much further down the line, and it's going to open us up to much more scrutiny in terms of cronyism and who you know. And I just don't think that we need to be here. Now, do I think that the Administration mishandled this issue? Absolutely. Do I think that they should have let the interest build up for \$66,000? Absolutely not. I don't think they should have. But the bigger issue is does the Council want to open the door to start settling lawsuits, and trust me, the City of Shreveport citizens don't want the Council to start putting on the Black robe and start issuing out the money, because at that point, it becomes a political decision, and we issue money out to our friends, and we don't issue out money to other people, and that's a bad precedent. Thank you.

Councilman Green: Again, I'd like to say that there've been some - - - I could name some attorneys, but I won't, that have come to the Risk Management and got zero. Zero. I don't think we should even be discussing this. I think in stead of voting on the amendment, yea or nay, I think this item actually should be removed from the agenda. Because my colleague refused to take it off the agenda. Mr. Newman and whoever is going to say that we don't pay our bills - - - I've been on the Risk Management for just about four years. We've paid and we've paid. In fact, we've given up everything but the kitchen sink. And I just think that if in fact, we had brought it back to Risk Management, we wouldn't be discussing this, because Mr. Newman would have had all of his money. But for whatever reason, we wanted to try this case on television, and it's bad. And it's not right. And so, we take this one case, and now we're going to say that all of the people all over the country are going to see this case, and therefore they're going to think that we don't settle cases and we don't do right because we didn't give him all of his money, and I just think that that's wrong to go out over the media for the citizens of this City to think that we've done something wrong. And we have not done anything wrong. It makes good press, but we were going to give him all of his money, and at that time, nobody said that they wouldn't vote to give him all of his money. But it was just on this Council agenda, which was the wrong place. And I just think that if there is a message to go out, that's the message that needs to go out. This was at the wrong place. But if you want to talk about some folk that didn't get paid. I could have some attorneys to come up here next week, next Council Meeting, and they'll tell you that they didn't get zero, zip, nothing. And nobody brought it to the Council agenda. So, that's where we are Mr. Chairman. My vote will be either no, or to do a substitute motion just to remove it from the agenda.

Councilman Hogan: Thank you Councilman Green. You going to wait to do the substitute motion?

Councilman Green: Well, I could do it now, because when you get old like me, you just hate to stop, you hate to deal with stuff over and over, and I done said this all last week, the last Council Meeting, the meeting before that one. When you get old like, you just get tired of

dealing with stuff like this. So, I could make a substitute motion now to just remove it from the agenda if I could get a second.

Substitute motion by Councilman Green, seconded by Councilman Lester to remove Resolution No. 137 of 2006 from the agenda.

Councilwoman Robertson: The amendment and the - - -

Councilman Green: Yes

Councilwoman Robertson: The whole thing?

Councilman Green: Yes.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Robertson, Green, and Jackson. 5. Nays: Councilmen Carmody, and Hogan. 2.

Mr. Antee: Mr. Chairman, if I could clear one thing up. I think there's a very, very important fact that has been blown by. The statements that were made that people are not going to want to do business because we won't pay interest. In this particular case, Mr. Newman signed a contract that said he would not get interest. He did business with the city and agreed not to collect interest. Judge Scott ruled as a result of his agreement, he was not entitled to interest. And then the second circuit went back and added interest after a new set of lawyers came in and asked for it from the original lawsuit. So, to say they won't do business is just flat out wrong and it's a scare tactic, because he agreed not to get interest. And I think that's been passed over, and I just wanted everybody to be clear on that.

Councilman Hogan: You know it appears that we're finished, and we're fixin to put this to bed, but would you mind just getting me - - - that's news to me, I don't know if any other Council Member had ever heard that, but I had not heard before that Mr. Newman agreed to no interest.

Mr. Antee: The contract specifically state as does most of our contracts that they are not entitled to interest with architects and contractors, and he signed that contract, and that was the contract in 1994 under the Beard Administration. And that's part of the reasoning from the Risk Management Committee as well as other reasons. He agreed not to have interest. When he sued the first time, he sued for about \$300,000. He didn't ask for interest. It wasn't until the new set of lawyers came in, Mr. Madison, that they amended the suit four times, and in one of those amendments, they asked for interest, that that came about. And I think that's a fact that lost, but is a very important fact.

Councilman Hogan: I don't know if we're in order right now by still discussing this, so what's your comment Mr. Jackson?

Councilman Jackson: Mr. Chairman, I'd like to move to suspend the rules to deal with Ordinance No. 153 right now.

Motion by Councilman Jackson, seconded by Councilman Lester to suspend the rules to address Ordinance No. 153 of 2006.

Councilman Hogan: I'm looking on my agenda, Councilman Jackson what is that issue?

Councilman Lester: It's payment of interest.

Councilman Jackson: That's to put it to bed at the same time. All of it at this point and time whether or not we do it or not.

Councilwoman Robertson: That's to suspend the rules?

Councilman Lester: Right, for the purpose of taking that up.

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

28. **Ordinance No. 153 of 2006**: An Ordinance to amend and reenact Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to City of Shreveport Retained Risk Fund and to otherwise provide with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Jackson. The Clerk read the following:

Amendment No. 1 to Ordinance No. 153 of 2006

In Section 26-171(a), delete the last sentence and substitute the following:

"It is further the policy of the city to pay final judgments of Louisiana courts, but not to pay interest on any judgment in any lawsuit filed after September 26, 2006."

Motion by Councilman Carmody, seconded by Councilman Lester to adopt Amendment No. 1 to Ordinance No. 153 of 2006.

Councilman Carmody: Mr. Chairman, what I wanted to do was to make sure that we were sending out a message that we were going to enact a policy, that that policy is going forth and effective from today's date. And that therefore, there would not be in consultation with the Assistant City Attorney there would not be a rush to file suits against the city in order to try to claim interest.

Councilman Lester: That's not a bad thing.

Councilman Carmody: Well, I understand, but I'm trying to avoid a rush of litigation against the city so that we're giving constructive notice to all third parties as effective as of today, if we adopt this as our policy, that this will be the way it will be. From this day forward.

Councilman Walford: I'm probably going to need Mr. Lafitte is he's here? This amendment says it's further the policy of the city to pay final judgements of Louisiana courts, but not to pay interest in any judgement and any lawsuit filed after September 26, 2006. As I understand the first sentence of that, then we're taking away any negotiating power that the Risk Management Committee has. Is that correct? If it's our policy to pay final judgements?

Mr. Lafitte: Once it becomes a final judgement, of course it would take away any negotiating power if it's going to become the policy to pay the principal amount as opposed to interest.

Councilman Walford: So, by passing this amendment, we basically take away negotiating power.

Mr. Lafitte: (inaudible) negotiating power after final judgement, but we could still negotiate up until judgement part. Once there's a judgement - - -

Councilman Walford: I don't mean to interrupt you, and maybe I need the Risk Management Committee members to answer this, but do we often negotiate after a judgement and reach a settlement?

Mr. Lafitte: We have, yes.

Councilman Walford: But this would take away the ability to do that, because it would be stated in policy that we wouldn't do that, is that correct?

Mr. Lafitte: That's correct.

Councilman Walford: I'm afraid I don't see the value in that. Thank you very much Mr. Lafitte.

Ms. Glass: Mr. Chairman, I don't think Mr. Lafitte maybe had a copy of the amendment. But that language is actually in the ordinance itself too. I'm not sure if the Council was clear on that.

Mr. Lafitte: No, I haven't seen the amendment.

Ms. Glass: My understanding of the intent of the original ordinance was that we would say that we would have a policy of paying final judgements, but not paying the interest. I was mistaken about that. But that's how it's written.

Councilman Jackson: It was in fact Mr. Chairman, my consideration had only to do with interest. My assumption with regard to the judgements, stated in the purview or under the auspice if you will, of the Risk Management Committee. So mine was just whenever we came to the final reality that there is a judgement in post negotiation, the entire process being done, that what we would do is in fact negotiate on that final judgement amount if it's court ordered or if it's negotiated. At that point, this would then kick in, that we would not - - - it would be our policy not to pay interest. Had nothing to do - - - my original intent had nothing to do with the actual payment of the judgement itself as ordered by the court or as by settled the Risk Management Committee. So, I don't want to skew that at all or in any way make that blurry. So if in fact that language is in here, then I don't want to move to strike that language from this particular ordinance. And so that we deal specifically with no interest payments. And that's the universe of my ordinance.

Councilman Hogan: Mr. Thompson, do you think we need to postpone this and then strike it out, or can we do it now?

Ms. Glass: We would do a written amendment. We would need to draft a written amendment. We would need to draft a written amendment.

Councilman Hogan: We would need to do a written amendment, so it would be proper for us to postpone it until that language can be removed?

Councilman Carmody: I'll move to postpone.

Mr. Thompson: Yes, if that's the will of the Council. The only thing that you can do is to postpone it until that can be done.

Substitute motion by Councilman Carmody, seconded by Councilman Jackson to postpone Ordinance No 153 of 2006 to include Amendment No. 1.

Councilman Jackson: Mr. Thompson, is there a way that we can get it done today?

Mr. Thompson: I think Ms. Glass is going to work on it.

Ms. Glass: We can attempt to work on that while you're doing other business and possibly come back to it.

Councilman Jackson: Yeah, I want to be sure we just strike whatever paragraph that has that in it.

Ms. Glass: Well, it's all mixed in, in one paragraph so we can do that, but it'll just take a little bit of time.

Councilman Jackson: Mr. Chairman, I have seconded this motion to postpone with the intent of taking it up before we leave today, if they can get it done within the next 20-30 minutes.

Councilman Hogan: We have about 60 things left to vote on, so they should have enough time.

Councilman Jackson: We're postponing about 45.

Councilman Lester: Thank you. My question is 1) If we amend Councilman Jackson's scenario, then the ordinance would reflect his intent which is not to pay interest, is that correct? Only to pay the principal of the judgement. That's the intent of your legislation. So, what we're doing is we're postponing this so that the ordinance reflects what the legislative intent is. Alright, that's answers that question. My primary question was a procedural one, which is as it relates to the amendment, let me back up. If the Council moves forward and adopts item 153, doesn't that put us in a position where 10 days after it goes into affect, anyone that files suit after 10 days or within the 10 days - - - wait. It will go into affect in 10 days theoretically, upon the Mayor's signature. So, 10 days from the day it goes into affect, anyone that files a suit in that period of time, how will they be governed? Can you answer that for me Ms. Glass?

Ms. Glass: That's part of the reason for the way that the amendment is written. It would say that suits filed as of September 26th, or suits filed on or after September 26th, which is today, would be - - - that the City would not pay the interest on those suits. And that's what Mr. Carmody was referring to. We didn't want that, exactly what you just thought of, but even with that rush of people that happened to figure that out, and the unfairness of that.

Councilman Lester: Okay, alright. That answers the first question, and I can see the necessity to do that. My second question would be in the language itself, it says it substitutes the following: It will be the further policy of the City to pay final judgements of Louisiana courts, but not to pay interest on any judgement in any lawsuit filed after September 26, 2006. Does that create a scenario where you could interrupt final judgement versus interest? Or am I reading that too closely?

Ms. Glass: The intent and I believe the way it reads is that the intent was not to pay the interest, but to pay the judgements, and the amendment that we would be working on would be to take out the reference to judgements, and leave that as negotiable.

Councilman Lester: Well, I'm talking about Councilman Carmody's amendment. Is that what we're talking about amending? What are we talking about?

Ms. Glass: That's what I'm saying. That language is in the main ordinance too.

Councilman Carmody: Comes straight out of the main ordinance.

Councilman Lester: Okay, okay, okay. So that Councilman Carmody's amendment would that also be amended to include that we're only going to deal with the final judgment itself, and not interest?

Ms. Glass: I guess I need to ask Mr. Carmody that.

Councilman Carmody: And that was my intent. But if I can ask one other request, and I know that I had made an inquiry through our Assistant City Attorney, then in order for us to consider the actual legislation, 153, that we be given the cited law under which the municipality is not required to pay the interest, and Ms. Glass if you had received that information so we

could attach it, cause if we're going to amend it, I'd rather go ahead and put that in the body of the legislation so that we have that.

Ms. Glass: It's my understanding that the basis that the city has refused to pay the interest on, is the fact that under Louisiana Constitution it says that public property cannot be seized. So, the plaintiff has no way of collecting, and also a writ of mandamus cannot - - - does not lie.

Councilman Carmody: So, we can include that in the body of the amended ordinance for consideration? So that we're putting a basis into it for anybody that reads the public record understands what we're coming off of, in order to make this policy that we have clear judicial grounds in order to make this our policy.

Councilman Lester: I still have the floor and - - -

Councilman Carmody: I'm sorry, I didn't mean to - - -

Councilman Lester: That's alright. With all due respect Councilman Carmody, I don't think that's necessary. I don't think that - - - I don't think it's necessary for any Shreveport Ordinance to reference the state law or state constitution, because preemption requires that the state law is sovereign as opposed to our ordinances anyway. So, if there ever was an issue, the person dealing with it, whether it be a law clerk or anything would do a search on Westlaw and the state constitutional ordinances, because the constitutional provisions would take precedence over what we're doing in an ordinance anyway. So, I don't think it's - - - I guess what I'm saying is I don't think there is the necessity for us to add reference to the state constitution in doing this. I will say though, that if it ever becomes an issue, the fact that we have had this discussion in the City Council Records would be something that is - - - what's the word I want to use? Parole evidence? Is not direct evidence, but it can be something that the trial fact can look into in terms of the legislative intent. That's why I keep saying legislative intent, so that when the law clerk deals with this whenever they're sued, they'll know to disregard what we're saying and when I say legislative intent to key in on those things. So, I don't think it's necessary for us to actually add references to Louisiana Constitution in that particular time.

Councilman Carmody: And I appreciate that, and just a quick comment. And for those of us who are not practitioners of the law, that's really what I was hoping that we would at least have a clear understanding of what we were basing this policy decision on. And I appreciate the education, and again, not having attended any legal courses, I think you can kinda see, that as a layman where I'm coming from just to make sure that the public understands that we're not just making a policy decision cause it's discretionary on our part.

Councilman Lester: And before I relinquish the floor, I would ask if - - - it would be my request to Councilman Carmody and I guess again to Ms. Glass, that his amendment be redone to reflect the current language, because I can, in fact support Councilman Carmody's language and I will support Councilman Carmody's amendment for just that purpose. Because if we don't set a specific time, and if we're going to pass this measure today, we will put ourselves in a situation where a number of people - - - you know I'm sure that the folks at the Clerk of Courts' office is going to be a little upset, because they would probably make a little bit more money tomorrow than otherwise. But I do think that we could set ourselves up for a situation where the people that are going to be there at 9 o'clock in the morning are going to get a benefit as to people that had legitimate issues otherwise. So, I think from a legal perspective, and from a fiduciary perspective and to be fair, I think we do need to pass Councilman Carmody's amendment, and I will be supportive of it with the revisions that are being contemplated to match up Councilman Jackson's deal.

Councilman Walford: Mr. Chairman, would you indulge me if I addressed to Councilman Jackson to make sure we don't have to do multiple amendments. I support what you have as long as we take out the wording that says, "it's the further policy of the City to pay final judgements," so that the Risk Management Committee is still in a position to negotiate those things? Was that your intent?

Councilman Jackson: That indeed is the intent of the revision. Whether it comes in the form - - - I guess it comes in the form as an amendment, that is in fact my intent, to strike that portion of the language so that the focus is strictly on interest, post judgements.

Councilman Walford: That's what I wanted to know. Mr. Carmody, do you intend to take that same language out of yours?

Councilman Carmody: Yeah.

Councilman Walford: So, with yours, we're essentially dealing with a date?

Councilman Carmody: Correct.

Councilman Walford: With Councilman Jackson's, we're going to be dealing with interest? That's where I want to go.

Councilman Jackson: With respect to that, I'm willing rather than amendment after amendment maybe if in the revision that I've asked us to do, but if we just put a date in there just as a part of that amendment as well commencing on September 26th, or whatever the case may be, so that we don't have to deal with another amendment. Thus just having that single amendment to this particular ordinance. I mean if it's okay with everybody else. Because I was thinking - - - I didn't think the date sensitive piece was the most important issue. I hear what everybody is saying now, but I thought that after whatever day that this is in effect, it in fact goes in effect today, even though we wait for the signature, that in effect what we do today was going to go into effect I guess immediately if you will, so I didn't think about people rushing to file and those kinds of things.

Mr. Antee: Mr. Chairman, by putting in the date, and the way it's written, it may be, and I don't know that this is the intent of the Council, but it may be inferring that this policy will not apply for any lawsuit that's pending now. And if it's the intent of the Council to say, well if you file your lawsuit on the 27th of September, then you won't be entitled to interest, then what it could be interpreted to say is or what it would be doing is leaving the policy in limbo for any suit that's pending now. And I don't know if the Council understands that. But if it says that beginning September 26th, that it's the policy of the City not to pay interest on judgements, then that covers any suit that's pending now, and any suit that will be filed tomorrow on. And I just want to - - - I don't think that was clear because the problem that Councilman Jackson had when this first came up a few weeks ago, was that in some cases they pay, and in some cases they don't. There was no policy across the board. Well for any suit pending, that would still be the case. It would be some you do, and some you don't. But if you just say, it's the policy not to pay interest on judgements beginning September 26th, then that covers everything, pending and future.

Councilman Lester: Question. Wouldn't that put us in an ex post facto? It wouldn't?

Mr. Antee: No, because this is just codifying the practice that's going on to a certain extent.

Councilman Lester: So, if someone has a judgement now, and we pass this, and it says any lawsuit passed after September 26th, this is our policy. Obviously that takes care of any suits that are filed and any subsequent judgements. But if I have judgement in my hand right now, dated September 26th, and we pass this,

Mr. Antee: Then the policy hadn't changed from what it was before.

Councilman Lester: But we've - - - the policy just hadn't been codified. Because standard and practice is we don't do it.

Mr. Antee: In some cases, we do - - - have, and in some cases we haven't. And I think that's what the purpose of this ordinance was to correct, was to say in all cases so that we don't do it for this plaintiff, but then we do do it for this plaintiff is across the board.

Councilman Lester: If we can do that without an ex post facto problem, I'm fine. I'm just trying to think of making sure that we catch everybody.

Councilman Jackson: I just wanted to be clear, that it's my again, just my layman's perspective, so that I hope that we're clarifying, because as this from a layman's perspective, I would assume that any suits that are pending are not "judgements". And so, after today, unless something would happen and it evolved from a suit to a judgement, a pending suit to a judgement tomorrow or today if you will, then they would not have considered judgements. That they may be suits pending, but they are not judgements. And so, even if they were filed in January of '04 and have been pending since then, if on the 27th of September 2006, there is a judgement, it in fact, this policy applies to it as well.

Councilman Lester: But the question is what if someone has a judgement now? And if someone has a judgement now, and if we pass it that says specific to September 26th, then that person that has a judgement on September 26th is not covered by the codification of the policy. And that's what Ken was saying.

Councilman Jackson: But I guess my thought was would they still have that judgement on the 27th unsettled?

Councilman Lester: No, no, no. Once you have a judgement, you have a final judgement. It's just at that point, it's a bill that we haven't paid.

Councilman Jackson: But that's assuming interest has been ordered by the court as well.

Councilman Lester: Interest is always ordered by the Court. Everyday that you don't pay, there is interest that is tacked on. The question is and I understand as I think about it now if we're going to do this, we have to make sure that we pass something that makes sure that anyone that has a judgement at this time, that has not been paid, not a settlement, but a judgement, is covered by this. Because if we don't, then we leave ourselves open to the whole deal, well you did with this person, you did with that person. So, if we're going to make the policy broad, and say across the board, this is now our policy, then it has to be something that's broad enough to say, if you have a judgement even today, you still cannot get the interest. That's why I asked that question. And as I think about it now, it makes sense.

Mr. Antee: But the amendment says lawsuits filed. Doesn't make any reference to judgements. It says lawsuits filed only when applied to cases that begin tomorrow, rather than across the board.

Councilman Carmody: Just to clarify, do we have any unpaid final judgements that are against the city right now?

Mr. Antee: Well, I guess it's all in the eyes of the beholder, but obviously Mr. Madison is contending that we've got an unpaid final judgement (inaudible)

Councilman Carmody: So, that's the only one then?

Mr. Antee: There are others.

Councilman Carmody: I just trying to make sure we're qualifying how many (inaudible) that we're talking about.

Mr. Antee: We have judgements that are out there that are pending that are either on appeal, or that - - -

Councilman Carmody: Those aren't final though right? That's what I'm asking.

Mr. Antee: They're not final, but, right - - - I'm not aware of any that has run it's course, that has not been paid or settled.

Councilman Carmody: Okay.

Mr. Antee: Other than the interest portion of Mr. Newman's.

Ms. Glass: Mr. Chairman, I need to clarify. So is the intent of the council, I agree with Mr. Antee that we should clarify that suits filed before whatever date we pick, September 26th, that we, the Council wants to clarify and say you would pay the interest on it?

Councilman Lester: No.

Councilman Walford: No.

Councilman Lester: I think - - -

Ms. Glass: Then you would just defeat Mr. Carmody's amendment.

Councilman Lester: I think what I would like to see, and as the discussion has flowed, I would like to see something that says that any judgement currently in effect, any final judgement and any future final judgements, we will not pay interest. And now the language required to get us to that point, I guess would be up to you, but that's from what I understand is where we're trying to go, and also, obviously we want to put a date on - - - now if we deal with it that way, if we say that any judgements currently in effect at the time of the passage of this legislation, that in and of itself should take care of everything, any final judgement that's actually there right now, and deals with what's in the future. Because we do have to go back. Because if we don't, someone can come up with a final judgement tomorrow, not that there is one, but if there is one, and say this new policy does not apply to me. So, what we want to do is say any judgement, final judgement against the City of Shreveport, currently in place, any final judgement that exist as of today's day, we're not paying interest on, and any future litigation, that arises, that is filed from September 26th forward, we will not pay.

Councilman Carmody: Well, I'll remove my amendment, and then the amendment can come forward from Mr. Lester as to how he would like it stated, and if he wants to incorporate the date upon which to make it effective, then he can do so.

Councilman Jackson: We're talking about something different. I'm will to tell you Mr. Chairman, what I'd like to do, notwithstanding Mr. Lester's, Mr. Lester may want to add, I just want to admonish the Council that because we've already been talking about it now, and if there is a legitimate concern about people rushing to file, that a postponement to another day makes possible that. So, I would want to move, notwithstanding those other amendments, if we can get a revision, I'd want to move today on 153.

Councilman Lester: Oh no. I agree.

Councilman Hogan: So Mr. Thompson, could you give me some direction here?

Mr. Thompson: If we are finished discussing that, I think we're on 140, we'd move back to 140. Did we ever vote? I'm sorry, there was no vote to postpone.

Councilman Carmody: (Inaudible) withdraw my amendment though?

Mr. Thompson: Well, you don't need a motion to do that, you just need to offer it.

Councilman Carmody: Right. Very good.

Mr. Thompson: So, I guess we're at the motion to postpone.

Councilman Hogan: The motion to postpone, if we can get it done today.

Mr. Thompson: Well, the motion to postpone, I think is in order, and then later we'll be able to determine whether or not she's been able to effect the - - -

Motion to postpone Ordinance No. 153 of 2006 to include Amendment No. 1 with the intent to readdress later in the meeting approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, Green, and Jackson. 7. Nays: None.

Councilman Green: Mr. Chairman, I'd like to suspend the rules to deal with two items at this time. 149, which is in Councilman Robertson's district and also item C-45-06, which is in my district.

Motion by Councilman Green, seconded by Councilman Jackson to suspend the rules to address Ordinance No. 149 and C-45-06. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

24. **Ordinance No. 149 of 2006**: An ordinance creating and establishing a no through truck route on the portion of East Kings Highway lying within the City of Shreveport between Bert Kouns Industrial Loop and Flournoy Lucas Road, and to otherwise provide with respect thereto. (D/Robertson)

Having passed first reading on September 12, 2006 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 Robertson to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

Councilman Green: Mr. Thompson, do I make a motion to remove it or just to vote on it?
Mr. Thompson: To remove it from the table, and then the vote.

Motion by Councilman Green, seconded by Councilman Carmody to remove Ordinance No. 90 of 2006 from the table. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

4. **Ordinance No. 90 of 2006**: ZONING – C-45-06: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances by re-zoning property located on the west side of Broadway, 100 feet south of Murvon Street, Shreveport, Caddo Parish, Louisiana, from B-1-E, Buffer Business/Extended Use District, to B-1-E, Buffer/Business Extended Use District, Limited to "A Barber Shop" only, and to otherwise provide with respect thereto. (F/Green)(*Introduced June 27, 2006 – Tabled August 8, 2006*)

Having passed first reading on June 27, 2006 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 Carmody to adopt. Motion approved by the following

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

Councilman Hogan: Now we go back to item no. 140. Mr. Thompson?

The Clerk read the following:

RESOLUTION NO. 140 OF 2006

A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ON A RIGHT OF ENTRY AGREEMENT BETWEEN THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT AND THE CITY OF SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Louisiana Department of Transportation and Development is seeking authorization to enter upon City owned property bearing Parcel Number (S) 13-2-D-1, to construct a drainage structure in connection with the Jefferson Paige Road Improvement Project, a State Project bearing Project No. 001-02-0030; and

WHEREAS, neither Robert Westerman, P. E., nor Ali Mustapha, P. E., both Assistant City Engineers, has any objection to this request.

WHEREAS, NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that Keith Hightower, Mayor, be and is hereby authorized and empowered to execute a Right of Entry Agreement between the Louisiana Department of Transportation and Development and the City of Shreveport, substantially in accordance with the document filed along with the original copy of this resolution in the Office of the Clerk of Council on August 30, 2006, attached hereto as Exhibit A.

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

RESOLUTION NO. 141 OF 2006

A RESOLUTION RATIFYING THE ACTION OF THE SHREVEPORT AIRPORT AUTHORITY IN EXECUTING A SERVITUDE AGREEMENT WITH BILLSOUTH TELECOMMUNICATIONS, INC. AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, in 1988, BellSouth Telecommunications, Inc. ("BellSouth"), was granted a right of way and servitude for maintenance, operation, etc., for systems of communications, facilities, or related services on certain City-owned property described in the attached Exhibit 1 ("original servitude"); and

WHEREAS, BellSouth desires to expand the boundaries of the original servitude to incorporate the property described in the attached Exhibit 2; and
WHEREAS, the property described in Exhibit 2 is under the administration of the Shreveport Airport Authority (the "Authority"); and
WHEREAS, on August 17, 2006, the Authority authorized its Chairman to execute an agreement with BellSouth granting the servitude; and
WHEREAS, Section 18-33(b) of the City of Shreveport Code of Ordinance authorizes the Authority to alienate immovable property only when specifically authorized by the City Council.
NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the action of the Shreveport Airport Authority in executing a servitude agreement with BellSouth Telecommunications, Inc., on August 17, 2006 relative to the City-owned property described therein, said document filed for public inspection in the Office of the Clerk of Council on September 12, 2006, is hereby ratified.
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 Jackson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, Green, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

2nd AMENDMENT TO RESOLUTION No. 104 OF 2004

Offered by _____ and seconded by _____:

RESOLUTION NO. 142 OF 2006

A resolution amending Resolution No. 104 of 2004 with respect to Special Facility Revenue Bonds of the City of Shreveport, State of Louisiana, and providing for other matters in connection therewith.

WHEREAS, the City of Shreveport, State of Louisiana (the "Issuer) desires to incur debt and issue not to exceed Nine Million Dollars (\$9,000,000) aggregate principal amount of its Special Facility Revenue Bonds, Series 2006 (the "Bonds") in the manner authorized and provided by Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the acquisition, construction and equipping of a 70,000 square foot Cargo Freight Facility at the Shreveport Regional Airport (the "Project") and paying the costs of issuance thereof; and

WHEREAS, on April 27, 2004, the Issuer adopted Resolution No. 104 of 2004 (the "2004 Resolution"), and the Issuer desires to amend the 2004 Resolution to change the language regarding the lawfully available funds and adding language required by the Louisiana State Bond Commission;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, State of Louisiana, acting as the governing authority of said City, that:

SECTION 1. of the 2004 Resolution is deleted in its entirety and a new SECTION 1. is substituted as follows:

SECTION 1. **Preliminary Approval of Bonds.** Preliminary approval is given to the issuance, in one or more series, of not exceeding \$9,000,000 aggregate principal amount of Special Facility Revenue Bonds of the City of Shreveport, State of Louisiana (the "Bonds"), to be issued for the purpose described in the preamble hereto, said Bonds to be payable from a pledge and dedication of the revenues to be derived from ownership and operation of the Project and potentially from a senior or subordinate pledge of revenues of the Shreveport Regional Airport or any other lawfully available funds of the Shreveport Regional Airport. The Bonds shall bear interest at a fixed rate or rates not to exceed ten percent (10%) per annum or a variable rate not to exceed fifteen percent (15%) per annum, to be determined by subsequent proceedings of this City Council at the time of the sale of the Bonds, and shall mature over a period not exceeding thirty (30) years. The Bonds shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than 97% of the principal amount thereof, plus accrued interest, and shall have such additional terms and provisions as may be determined by this City Council at or prior to sale.

SECTION 2. By virtue of Issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval resolved and set forth herein, it resolves that it understands and agrees that such approval is expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing and other matter subject to the approval, including subsequent application and approval under said Policy of the implementation or use of any swap or other product or enhancement covered thereby.

SECTION 3. **2004 Resolution.** All other provisions of the 2004 Resolution shall remain in full force and effect.

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

RESOLUTION NUMBER 145 OF 2006

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

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

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

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

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

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

Lot 5, Norton Subdivision Geographic Number 181417-020-000500
Municipal Address: 1720 Norton Street
Council District "A"

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

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith including but not limited to Resolution Number 122 of 2006 are hereby repealed.

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

RESOLUTION NUMBER 146 OF 2006

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

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

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

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

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

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

Lot 40, Vernon Annex Geographic Number
171414-082-004000

Municipal Address: 1837 Cheatham Street
Council District "B"

Lot 11, Johnston Subdivision Geographic Number
171410-075-001100

Municipal Address: 3533 Sumner Street
Council District "G"

Lots 19 & 20, Block G, Southside Park Addition Geographic Number 171424-
089-001900

Municipal Address: 5905 Lexington Avenue
Council District "C"

Lot 28, Block F, Pine Grove Subdivision
007-002800

Geographic Number 171403-

Municipal Address: 9739 None
Council District "G"

Lot 19, Baxter Heights Subdivision
003-001900

Geographic Number 171416-

Municipal Address: 5120 Bellar Street
Council District "F"

Lot 288 & The West 6 Feet of Lot 289
041-031000

Geographic Number 171424-

Belmountgrove Addition

Municipal Address: 538 East 70th Street
Council District "C"

Lot 17, Block E, Pine Grove Subdivision
006-001700

Geographic Number 171403-

Municipal Address: 2806 Harp Street
Council District "G"

Lot 18, Block E, Pine Grove Subdivision
006-001800

Geographic Number 171403-

Municipal Address: 9736 None
Council District "G"

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

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

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

INTRODUCTION OF RESOLUTIONS *(Not to be adopted prior to October 24, 2006)*

1. **Resolution No. 147 of 2006**: A resolution stating the City of Shreveport's endorsement of M. Carl Rice D/B/A Carl Rice and Associates to participate in the benefits of the Louisiana Restoration Tax Abatement Program and to otherwise provide with respect thereto. (B/Walford)
2. **Resolution No. 148 of 2006**: A resolution authorizing the transfer of a restoration tax abatement contract from Mid-City Plaza, LLC to Mid-City Plaza South, LLC., and to otherwise provide with respect thereto. (B/Walford)

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Carmody to introduce Resolution No(s). 147, and 148 of 2006 to lay over until October 24,

2006 meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Green. 2.

INTRODUCTION OF ORDINANCES *(Not to be adopted prior to October 10, 2006)*

1. **Ordinance No. 154 of 2006**: An ordinance creating and establishing a speed limit of 45 MPH on Jack Wells Boulevard from North Thomas Drive to Airport Drive and on North Hearne Avenue from North Market Street to North Thomas Drive and to otherwise provide with respect thereto. (A/Lester)
2. **Ordinance No. 155 of 2006**: C-73-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by re-zoning property located 400 feet east of the end of Willow Point Drive on the north side of Lake Pointe Place, Shreveport, Caddo Parish, Louisiana, from R1th Suburban, One-Family Townhouse Residence District to R-1TH (PUD) Suburban, One-Family Townhouse Residence (Planned Unit Development) District and to otherwise provide with respect thereto. (A/Lester)
3. **Ordinance No. 156 of 2006**: C-74-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by re-zoning property located on the east side of East Kings Highway 474 feet north of east Bert Kouns Industrial Loop, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (C/Carmody)
3. **Ordinance No. 157 of 2006**: C-75-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by re-zoning property located on the north side of Hollywood, 300 feet east of Monkhouse Drive, Shreveport, Caddo Parish, Louisiana, from I-1, Light Industrial District, to B-3, Community Business District, and to otherwise provide with respect thereto. (F/Green)
4. **Ordinance No. 158 of 2006**: C-77-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by re-zoning property located on the south side of Westport Avenue, 620 feet west of Klug Pines Road, Shreveport, Caddo Parish, Louisiana, from B-1, Buffer Business District, to B-3, Community Business District, and to otherwise provide with respect thereto. (G/Jackson)
5. **Ordinance No. 159 of 2006**: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by re-zoning property located on the south side of Lakeshore Drive, 150 feet west of Exposition, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (G/Jackson)

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Jackson to introduce Ordinance No(s). 154, 155, 156, 157, 158, and 159 of 2006 to lay over

until October 10, 2006 meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Green. 2.

INTRODUCTION OF ORDINANCES (*Not to be adopted prior to October 24, 2006*)

1. **Ordinance No. 160 of 2006**: An ordinance authorizing the Mayor to execute an agreement with the Shreveport Chapter of Links, Inc., and otherwise providing with respect thereto.

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Carmody to remove Ordinance No. 160 from the agenda. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Green. 2.

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

1. **Ordinance No. 115 of 2006**: An ordinance amending and reenacting Chapter 62 of the Code of Ordinances by adding Article IV relative to City-owned property and to otherwise provide with respect thereto. (E/Hogan) (*Postponed September 12, 2006*)

Having passed first reading on August 8, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Hogan, seconded by Councilman Walford to remove Ordinance No. 115 of 2006. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Hogan, and Jackson. 5. Nays: None. Out of the Chamber: Councilmen Lester, and Green. 2.

2. **Ordinance No. 119 of 2006**: An ordinance amending the Section 10-1 and 10-102 of the City of Shreveport Code of Ordinances relative to alcoholic beverages and to otherwise provide with respect thereto. (*Postponed September 12, 2006*)

Having passed first reading on August 22, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

3. **Ordinance No. 120 of 2006**: An ordinance closing and abandoning the 20 foot-2side alleyway located in the John H. Fetzer Subdivision between West Laurel Street and Chestnut Street, bordered by Exposition Avenue and Alabama Avenue in Section 3 (T17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (G/Jackson) (*Postponed September 12, 2006*)

Having passed first reading on August 22, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman

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

4. **Ordinance No. 121 of 2006**: An ordinance closing and abandoning a 10 foot-wide alleyway running north and south located in the Crowder Subdivision bordered by Stephens Street and Creswell Street in Section 6 (T17N-R13W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (B/Walford) (*Postponed September 12, 2006*)

Having passed first reading on August 22, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

5. **Ordinance No. 122 of 2006**: An Ordinance to amend portions of Chapter 90 of the Code of Ordinances relative to traffic and vehicles and to otherwise provide with respect thereto. (A/Lester) (*Postponed September 12, 2006*)
6. **Ordinance No. 131 of 2006**: An ordinance to amend certain sections of Chapter 38 of the City of Shreveport Code of Ordinances relative to housing and property standards and to otherwise provide with respect thereto. (*Postponed September 12, 2006*)

Having passed first reading on August 22, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Jackson to postpone Ordinance No(s) 122 and 131 of 2006.

Councilman Walford: Just one point of discussion?

Councilman Hogan: Yes.

Councilman Walford: Don't take our postponements on 131 to mean there are problems or they're not important, we just want to get it right when it comes to this.

Councilman Lester: And just for discussion purposes, I spoke with Ms. Moore, and she is currently out of town. And there were some issues that she's working with through the department to make sure that when we vote on this, we could implement this immediately. And they had some equipment and some software issues, so she asked that we postpone it so that they could get the department ready to start dealing with this, because this is going to change our policy significantly.

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

7. **Ordinance No. 132 of 2006**: An ordinance authorizing the Purchasing Agent to dispose of Surplus Real Property and otherwise to provide with respect thereto. (B/Walford)
(Postponed September 12, 2006)

Having passed first reading on August 22, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

8. **Ordinance No. 133 of 2006**: An ordinance amending and re-enacting Chapter 50 of the Code of Ordinances of the City of Shreveport relative to political signs and to otherwise provide with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to adopt.

Councilwoman Robertson: How are we going to have this policed if you will?

Councilman Jackson: Mr. Chairman, I don't propose to do anything different than we do for our ordinary sign ordinance. Our ordinary sign ordinance is the same, but it also has penalties, and it has the ability to cite and individual into court, and thus fine that individual. The political signs has been a loophole for sometime. Certainly it's application, I've heard a lot of people talk a lot about it and its avocation will not affix itself, if you will, to this weekend's election that's been passed. The litter that we've had to deal with, we just have to deal with that, but I hope that it will just serve as public policy as we move forward in future elections as well.

Councilman Lester: And this is not going to go into effect for ten days, right?

Councilman Jackson: No, you're safe until Saturday.

Councilman Lester: Wednesday and Thursday. Okay, okay. Just checking, just checking, just checking.

Councilman Jackson: If it stays there too long, I'm going to file an injunction.

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

9. **Ordinance No. 134 of 2006**: An ordinance amending the 2006 General Fund Budget and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Lester to adopt.

Councilman Carmody: Yesterday in our Work Session, I had made a request for a breakdown of the \$1.2 million that indicates in the background information that SPAR receives

primarily for the costs and expenses associated with a recent Saints-Cowboys game. Did we receive that information?

Mr. Dark: Sharon and I talked about it. We were just going to try to answer you in here if we could. As I appreciate it, about \$800,000 of the increase is pure and simple utilities. There's about between \$100 and 150 (thousand), something like that, that's football and other special event related stuff in Shelly's budget. It's not just that, but several other things. We've also got some materials and supplies related mostly to gasoline, that's a little over \$100,000 of that, so it's pretty much what's in the ordinance itself. It's pretty much those other three categories. A little bit of equipment, but it's like \$20,000 of the \$1.2 (million)

Councilman Carmody: And so we're moving some monies out of Retained Risk Fund back to the General Fund in order to cover the cost for these budget amendments?

Mr. Dark: No, not at all. In fact, we're adding money to Retained Risk Fund.

Councilman Carmody: Are we?

Mr. Dark: Because we have some to put there and need to do that.

Councilman Carmody: I'm sorry, I must have misread - - -

Mr. Dark: That's an increase. We're also adding \$1.7 (million) to their operating reserve while we're at it. But we're not taking money from - - -

Councilman Carmody: Okay, I'm sorry, I misread - - - 137 is the one I was reading. Okay, thank you Mr. Chairman.

Councilman Jackson: Mr. Chairman, I was trying to find out why we decreased the Council budget by \$11,000.

Mr. Thompson: It's a cleanup budget. And anywhere Mr. Dark can find money, he finds it, and unless we have a strong argument against it - - -

Mr. Dark: This one, we're just moving money within your budget. You've asked for some - - - or your auditors have asked for a little additional money to pay some expenses associated with next year's audit, and we're decreasing salaries that's unused salary money from a position in her office. So - - -

Mr. Thompson: It's just a cleanup.

Mr. Dark: This is just moving money around here, there is no decrease in the overall Council budget.

Councilman Jackson: Okay, it didn't explain this. Did we find out - - - yesterday we had a question about \$110,000 that was contractual services.

Mr. Dark: And where would that be sir?

Councilman Jackson: I think we talked about some football stuff, and he talked about the \$1.2 (million) and talked about \$800,000 and said some of it was football related.

Mr. Dark: I thought I just answered that.

Councilman Jackson: I didn't understand it.

Mr. Dark: A little over \$100,000 of the - - -

Councilman Jackson: You didn't say specifically. You said football and other stuff.

Mr. Dark: Football and other special events that they have that they've had to deal with during the year.

Councilman Jackson: Okay, so when we say football, are we just talking about maintenance of the field or what are we talking about?

Mr. Dark: We're talking about that, we're also talking about some expenses specifically for security and some other things dealing with the Saints game.

Councilman Jackson: So, it's just our part of what we'd pay as kind of an incentive to make everything work.

Mr. Antee: The in-kind contributions that we provide at cost came to a total cost of approximately \$200,000. That was just the SPAR portion. Or less than \$200,000.

Councilman Jackson: Yeah, somewhere around \$180,000 or something like that.

Mr. Antee: Yeah, we thought it'd be around the \$200,000 mark, for personnel, stadium personnel, police, fire, all that.

Councilman Jackson: But he said yesterday, he had electricity and that kind of stuff for the game. That was \$800,000.

Mr. Dark: The electricity is overall SPAR, under budgeting utilities. It has nothing to do with the football game.

Councilman Jackson: I got cha. That answered my question.

Mr. Antee: The total cost to the City for the Cowboy/Saints was less than the \$200,000.

Councilman Jackson: Right, thank you Mr. Chairman.

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

10. **Ordinance No. 135 of 2006**: An ordinance amending the 2006 Capital Improvements Budget and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Robertson, seconded by Councilman Jackson to postpone.

Councilman Walford: I'm going to vote no to a postponement. I frankly am very anxious to get the jogging trail work done in my district. And Councilman Carmody's district. It's sorely needed. It presents a liability, and I don't understand the purpose of a postponement.

Councilwoman Robertson: Mr. Chairman, earlier today, Councilman Green had asked that he wanted to postpone, and he's had to leave for - - -

Councilman Hogan: He was ill.

Councilman Carmody: I think a substitute motion to pass this. I'm sorry he was ill, but I mean this doesn't affect his district.

Substitute motion by Councilman Carmody, seconded by Councilman Walford to adopt.

Mr. Thompson: Well, there are two amendments and Ms. Robertson, do you withdraw your motion.

Councilwoman Robertson: I withdraw my motion then.

Mr. Thompson: Okay, so the - - -

Councilman Hogan: Is it for the Amendments or Amendment no 2 Councilman Carmody?

Councilman Carmody: No. I'm not looking at Amendment No. 2.

Councilman Hogan: What is your motion?

Mr. Thompson: Mr. Chairman, I believe we're back on the regular ordinance, and we would be on Amendment No. 1 normally at this point, unless it's withdrawn.

Councilman Walford: Mr. Chairman, may I address Mr. Carmody?

Councilman Hogan: Yes.

Councilman Walford: Mr. Carmody, was your motion on Amendment No. 1?

Councilman Carmody: No. My motion was on the ordinance itself. The budget ordinance itself which specifically does state the use of the funds for the overlay.

Councilman Hogan: Okay, we need to start on the Amendments first Mr. Thompson, right?

Mr. Thompson: That's our ordinary procedure, whenever there's an ordinance on the floor and there are amendments that have been offered, then we take up the amendments first.

Councilman Hogan: Okay, do I hear a motion for Amendment No. 1.

The Clerk read the following:

Amendment No. 1 to Ordinance No. 135 of 2006

Amend the Ordinance as follows:

In Program B (Recreational Improvements)

Decrease the appropriation for **Fant Parkway Jogging Trail Overlay (06B001)** by \$100,000.

Funding source is Riverfront Development

Adjust totals and subtotals accordingly.

Motion by Councilman Robertson, seconded by Councilman Jackson to adopt Amendment No. 1 to Ordinance No. 135 of 2006.

Councilwoman Robertson: Well, the reason that I put in for the Amendment No. 1 was because I wanted to separate out the parking garage with the jogging trail. I'm in favor of the parking garage, the jogging trail, I have observed over the past few days in my particular district, I also have a jogging trail that has not been taken care of. I haven't seen the need to go and have this one done. It is in the budget for the 2007 year, so I did not want to defeat a parking garage if I could separate the two out.

Councilman Jackson: Mr. Chairman, I would agree. I was hoping that we could in fact postpone it, because I had questions, but if we're not going to postpone it, then I'm inclined to agree, because clearly, there's a lot of overlay issues in several districts that I think we could in fact address. And while I appreciate and understand Councilman Walford's concern, I just would be inclined to support that which Councilwoman Robertson said.

Mr. Dark: I did want to make sure the Council was aware of the reason this one was being done. We originally were going to do this in two years. You all had given us money for what we thought was going to be the northern half of the jogging trail this year. We ended up getting really good bids, and we're not going to - - - we thought we were going to need \$200,000 both years, and we had originally put money in next year's Riverfront Budget to do that. When we came back and discovered that for only \$100,000 more, we could get the whole thing done now. That's the reason this is presented to you. We would have to go back and make some changes to next year's budget if you chose to decide to delay this. We don't support this amendment, we think we need to go ahead and do it now.

Councilman Walford: Mr. Chairman, I would urge a no vote on this and lets go ahead. If it benefits two districts, it's funded, it is the Riverfront, it's funded out of Riverfront money, so I would urge a no vote.

Motion denied by the following vote: Nays: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 4. Ayes: Councilmen Robertson, and Jackson. 2. Out of the Chamber: Councilman Green. 1.

The Clerk read the following:

Amendment # 2 to Ordinance No. 135 of 2006

AMEND THE ORDINANCE AS FOLLOWS:

In Program C (Streets Improvements):

Decrease the appropriation for **Lakeshore Drive Extension Widening (89C021)** by \$48,800.

Funding source is 1999 GOB, Prop. 4.

Change the funding sources for **I-49/Norris Ferry Road Connector (Southern Loop) (96C012)** by \$48,800. Decrease Caddo Parish by \$48,800 and increase 1999 GOB, Prop. 4 by \$48,800.

Adjust totals and subtotals accordingly.

Motion by Councilman Walford, seconded by Councilman Carmody to adopt Amendment No. 2 to Ordinance No. 135 of 2006.

Councilman Lester: Yeah, on the I-49/Norris Ferry Road connector to (Southern Loop), it says decrease Caddo Parish by \$48,800. Explain.

Mr. Dark: When that part of Southern Loop, and this parts already there, was originally put together as a project years ago, Caddo Parish was at one time going to provide us something like \$150,000. It ended up being about \$102, and we're trying to close the project out now, we're not going to get anymore money from them, and in order to make the books balance for accounting purposes, we're moving money between these two projects to close both of them out.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, and Jackson. 5. Nays: Councilwoman Robertson. 1. Out of the Chamber: Councilman Green. 1.

Motion by Councilman Carmody, seconded by Councilman Walford to adopt Amendment No. 2 to Ordinance No. 135 of 2006 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan. 4. Nays: Councilmen Robertson, and Jackson. 2. Out of the Chamber: Councilman Green. 1.

11. **Ordinance No. 136 of 2006**: An ordinance amending the 2006 Budget for the Fleet Services Internal Service Fund and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Hogan to adopt. Motion approved by the

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

12. **Ordinance No. 137 of 2006**: An ordinance amending the 2006 Budget for the Retained Risk Internal Service Fund and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

13. **Ordinance No. 138 of 2006**: Amending the 2006 Budget for the MPC Special Revenue Fund.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

14. **Ordinance No. 139 of 2006**: An ordinance amending the 2006 Budget for the Community Development Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Jackson. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 139 of 2006

Amend the Ordinance as follows:

Section 2 (Appropriations):

In Section 2 (Appropriations):

Under A2006 Revenues@:

In Administration, increase Materials and Supplies by \$5,000 and Improvements and Equipment by \$20,000. Decrease Contractual Services by \$25,000.

In Housing and Business Development, increase Improvements and Equipment by \$16,000.

In Codes Enforcement, decrease Contractual Services by \$32,000. Increase Improvements and Equipment by \$16,000.

Adjust totals and subtotals accordingly.

Motion by Councilman Lester, seconded by Councilman Jackson to adopt Amendment No. 1 to Ordinance No. 139 of 2006. Motion approved by the following vote: Ayes:

Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

Motion by Councilman Lester, seconded by Councilman Carmody to adopt Ordinance No. 139 of 2006 as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

15. Ordinance No. 140 of 2006: An ordinance amending the 2006 Golf Enterprise Fund Budget and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

16. Ordinance No. 141 of 2006: An ordinance amending the 2006 Airports Fund Budget and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

17. Ordinance No. 142 of 2006: An ordinance amending the 2006 Budget for the Riverfront Special Revenue Fund, and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Walford. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, and Hogan, 4. Nays: Councilmen Robertson and Jackson. 2. Out of the Chamber: Councilman Green. 1.

18. Ordinance No. 143 of 2006: An ordinance amending the 2006 Budget for the Water and Sewerage Enterprise Fund, and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

19. Ordinance No. 144 of 2006: An ordinance amending the 2006 Budget for the Sportran Enterprise Fund, and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Hogan, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

20. **Ordinance No. 145 of 2006**: An ordinance amending the 2006 Budget for the Downtown Parking Enterprise Fund, and otherwise providing with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

21. **Ordinance No. 146 of 2006**: An ordinance declaring certain adjudicated properties to be surplus and to authorize the Mayor of the City of Shreveport to donate the City of Shreveport's tax interest in certain surplus adjudicated properties, and to otherwise provide with respect thereto. (A/Lester/F/Green)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to adopt.

Councilman Lester: Just as a brief comment, I wanted to thank the Council for support. This is part of our faith builders program, and these are faith based organizations that are taking this adjudicated property and they're going to start to develop them. And it's something that's happening in a number of districts, not just A, F, and G. It's gonna - - - you know you've got 13 organizations across the city, and this is just part of - - -. You know people talk about Code Enforcement being bad, and all of those problems. But you're going to continue to have these problems, but you're going to continue to have these properties until you get rid of this property. And so we're actually doing something with it. So, I didn't want the public to miss that or our local daily.

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

22. **Ordinance No. 147 of 2006**: An ordinance declaring certain adjudicated properties to be surplus and to authorize the Mayor of the City of Shreveport to sell the City of Shreveport's tax interest in certain surplus adjudicated properties, and to otherwise provide with respect thereto. (A/Lester/F/Green/G/Jackson)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by

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

23. **Ordinance No. 148 of 2006**: ANNEXATION – Tag No. 06-01: An ordinance enlarging the limits and boundaries of the City of Shreveport – a tract of land located in the SE/4 of Section 29 (T16N-R13W), Caddo Parish, Louisiana, (Southern Trace, Phase V, Section XXI, Subdivision), and to otherwise provide with respect thereto. (D/Robertson)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Robertson, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

25. **Ordinance No. 150 of 2006**: An ordinance enacting Section 2-51 of the Code of Ordinances relative to qualifications for members of Boards and Commissions, and to otherwise provide with respect thereto. (E/Hogan)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Hogan, seconded by Councilman Carmody to postpone.

Councilman Walford: I would like to thank you for that postponement for our conversation so that we can tweak it to be a very good ordinance. I appreciate your indulgence.

Councilman Carmody: I would acknowledge the amendment that was offered, and ask the Council Members to please read that to that they are aware of the work that has been done to address the concerns at our Work Session yesterday.

Councilman Hogan: We're very close and I expect at the next meeting, we'll be prepared. I would like to make sure that everyone has a copy of the state law and to be clear on the state law and how this would compliment the state law in my opinion. Thank you for the postponement.

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

26. **Ordinance No. 151 of 2006**: An ordinance authorizing the donation of City-owned property to the Housing Authority of Shreveport and to otherwise provide with respect thereto. (A/Lester) (*Not to be adopted prior to October 10, 2006*)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

27. **Ordinance No. 152 of 2006**: An Ordinance to amend and reenact Chapter 50 of the Code of Ordinances relative to the offense of Contempt of City Council, Boards, Commissions, and Committees and to otherwise provide with respect thereto.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to adopt.

Councilman Lester: My question to the Administration or someone, what brings us to this point? I mean, was there a specific - - -? There he is. That's what I'm talking about.

Mr. Strong: Councilmen what we had done when we were looking to set up the Board and this would be the Comprehensive Environmental Board, making sure that it met all of the administrative (inaudible). One of the things that we saw, that yes we can do be subpoenaed. Then looking at it, we could not find anything and we worked with Julie Glass on that, but what if somebody did not adhere to the subpoena, what would we do? So that's what this came in, and this was brought in to make sure that if we do subpoena (inaudible) through providing these boards were set up does have the power to have action that can be taken to the courts.

Councilman Lester: Okay, that answers my question.

Ms. Glass: I'm sorry, I was working on the amendment, I didn't hear it. I'm sure it's right.

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

28. **Ordinance No. 153 of 2006**: An ordinance amending and reenacting Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to City of Shreveport Retained Risk Fund and to otherwise provide with respect thereto.

Mr. Thompson: Do you want us to skip this?

Ms. Glass: The amendment is ready, we don't have it printed out, but I have emailed it to the clerk, and I could read it or if you wanted - - -

Mr. Thompson: We could go on to 69, and we can come back to us.

Councilman Jackson: If you could read it, my son got a football game.

Councilman Walford: I like honesty here.

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Lester. Ms. Glass read the following:

Amendment No. 2 to Ordinance No. 153 of 2006

Delete section 26-171(a), and substitute the following:

- (a) It is the policy of the city to compromise and settle only those claims against the city which, upon investigation, are determined to have legal merit indicating

the city is liable to the plaintiff for not less than the amount paid. It is further the policy of the city not to pay interest on judgments of Louisiana courts.

Motion by Councilman Jackson, seconded by Councilman Walford to adopt Amendment No. 2 to Ordinance No. 153 of 2006. Motion approved by the following vote: Ayes: Councilmen Walford, Robertson, Hogan, and Jackson. 4. Nays: Councilmen Carmody, and Lester. 2. Out of the Chamber: Councilman Green. 1.

Motion by Councilman Jackson, seconded by Councilman Walford to adopt Ordinance No. 153 of 2006 as amended.

Councilman Lester: Mr. Chairman, I think that's the right thing to do, but I can't get kicked out the Trial Lawyers Association behind y'all, I'm sorry. And I'm not going to be on the Council forever. I'll be back, but I'm not going to be on the Council forever.

Councilman Jackson: Thank you Lady and Gentlemen.

Councilman Carmody: I think it's the right thing to do.

Motion approved by the following vote: Ayes: Councilmen Walford, Robertson, Hogan, and Jackson. 4. Nays: Councilmen Carmody, and Lester. 2. Out of the Chamber: Councilman Green. 1.

29. **Ordinance No. 69 of 2006**: ZONING APPEAL: C-16-06 – 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 Hilry Huckaby and Russell Road, Shreveport, Caddo Parish, Louisiana, from R-A, Residence-Agriculture District, to R-1H (PUD) Urban, One-Family Residence (planned unit development) District, and to otherwise provide with respect thereto. (A/Lester) (*Postponed September 12, 2006*)

Having passed first reading on May 23, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Lester to adopt. Motion denied by the following vote: Nays: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Ayes: None. Out of the Chamber: Councilman Green. 1.

30. **Ordinance No. 124 of 2006**: ZONING APPEAL C-18-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the east side of North Hearne, 1,540 feet north of Hilry Huckaby Avenue, Shreveport, Caddo Parish, Louisiana from R-A, Residential-Agriculture District, to R-A-E Residential-Agriculture/Extended Use District, Limited to "Concrete Crushing and Product Storage" only, and to otherwise provide with respect thereto. (A/Lester) (*Postponed September 12, 2006*)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to postpone. Motion approved by

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

31. **Ordinance No. 126 of 2006**: ZONING APPEAL – C-67-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the south side of Jordan 150 feet west of Creswell Avenue from SPI-1, Highland Urban conversation District, to SPI-1-E, Highland Urban Conservation/Extended use District, Limited to a “Boarding House” only, and to otherwise provide with respect thereto. (B/Walford) (*Postponed September 12, 2006*)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to postpone.

Councilman Walford: And it’s my understanding that within the next several days, the appeal will be withdrawn. But for now, I would prefer to postpone.

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

32. **Ordinance No. 128 of 2006**: ZONING - C-66-06: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the south side of South Lakeshore Drive 940 feet west of Pines Road and extending back to Long Timbers Road, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to R-1D-E, Urban One-Family Residence/Extended Use District, “Limited to two (2) horses”, only, and to otherwise provide with respect thereto. (A/Lester) (*Postponed September 12, 2006*)

Having passed first reading on September 12, 2006 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to postpone.

Councilman Hogan: Councilman Lester, I’m not trying to put you on the spot, but how long?

Councilman Lester: We’ll be able to deal with it next meeting. What it is, is I talked to the proponent, and told him I was going to postpone it because I had a question to ask one of the opponents, one of the ministers in my area. And I think I can work a compromise between the two, so I need the time. I’m otherwise occupied.

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

The adopted ordinances and amendments follow:

ORDINANCE NO. 90 OF 2006

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE WEST SIDE OF BROADWAY, 100 FEET SOUTH OF MURVON STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-1-E, BUFFER BUSINESS/ EXTENDED USE DISTRICT, TO B-1-E, BUFFER/BUSINESS EXTENDED USE DISTRICT, LIMITED TO “A BARBER SHOP” ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lots 12 & 13, Ewald Subdivision, Less E 10 feet for street, located on the west side of Broadway, 100 feet south of Murvon Street, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby changed from, B-1-E, Buffer Business/Extended Use District, limited to an antique shop to B-1-E, Buffer Business/Extended Use District limited to “a barber shop,” only.**

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

1. Development of the property shall be in substantial accord with a revised site plan showing the required parking and landscaping. This plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Planning Commission. No permits shall be issued until the revised site plan and/or re-platting of lots has been approved by the Planning Director.

2. Hours of operation shall be from 9:00 a.m. to 9:00 p.m.

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

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

ORDINANCE NO. 121OF 2006

AN ORDINANCE CLOSING AND ABANDONING A 10 FOOT- WIDE ALLEYWAY RUNNING NORTH AND SOUTH LOCATED IN THE CROWDER SUBDIVISION BORDERED BY STEPHENS STREET AND CRESWELL STREET IN 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 drainage easement.

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 in section 6 (T17N-R13W), 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. Utility, sewer and drainage servitude is hereby retained.

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. 132 OF 2006

AN ORDINANCE AUTHORIZING THE PURCHASING AGENT TO DISPOSE OF SURPLUS REAL PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has acquired certain real property; and

WHEREAS, the property listed herein is no longer needed for public purposes and should, therefore, be declared surplus and excess; and,

WHEREAS, Section 26-292 of the Shreveport Code of Ordinances provides that the sale of surplus property shall be by competitive bids after public notice.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the Purchasing Agent be and he is hereby authorized to advertise for bids for the following surplus real property owned by the City of Shreveport:

1700 Claiborne Ave. Lot 1 Rhea Sub , Geographical #171411037000100, City of Shreveport, Caddo Parish, Louisiana.

BE IT FURTHER ORDAINED that the City reserves the right to reject any and all bids and waive any informalities.

BE IT FURTHER ORDAINED that the above described property is offered on “as is, where is” basis without warranty of title or recourse whatsoever. BE IT FURTHER ORDAINED that the Mayor is hereby authorized to execute any and all documents necessary to carry out the sale of the above described surplus property.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or 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 application, and to this end, the provisions of this ordinance are here by declared severable.

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

ORDINANCE NO. 133 OF 2006

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO POLITICAL SIGNS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Jackson

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that Section 50-190 (b)(3), (d) and (e) of the Code of Ordinances is hereby enacted to read as follows:

Sec. 50-190. Political Signs.

* * * * *

(b) *Prohibited political signs.* The following signs shall not be permitted to remain or be erected:

* * * * *

(3) *Signs placed on vacant private property without prior written permission from the private property owner.* Vacant defined as any lot on which no structure exists or any lot with structures where such structures have no active utility service. The Director of the Office of Public Works shall have a form on file that must be completed by the vacant private property owner and submitted to the Director of the Office of Public Works prior to the placement of such signs. Such signs, not in compliance, may be removed by the city without notice.

* * * * *

(d) *Sign removal.* The department of operational services, the metropolitan planning commission, or the city police department may remove and impound any oversize sign, any sign on public property, or any sign placement on private vacant property erected or maintained in violation of this section and transport such sign to a location to be designated by the Director of the Department of Operational Services. The custodian of the storage area shall maintain records of where such signs were located when they were so impounded and the date on which they were so impounded and shall hold the same in the storage area for a period of thirty (30) days. Any sign so held may be redeemed by the owner thereof upon the payment of a fee to the city through the custodian thereof, consisting of ten dollars (\$10.00) for hauling the same to storage plus five dollars (\$5.00) per day storage fee for each day the sign is stored. Such fee shall be in addition to and not in lieu of any fine imposed upon such owner for violation of this chapter.

(e) *Penalty.* In addition to removal, any over-size sign violation as referred to above may be subject to a \$100.00 fine for a first offense. A second offense may result in a \$300.00 fine. A third, or subsequent, offense may result in a \$500.00 fine and removal/destruction of the oversize sign. Offenses cited for violation of this section will remain valid at any location for any sign and the candidate it represents regardless of the location where the initial offense occurred. Violations of Section (b)(2) and (b)(3) will subject the candidate represented to a fine of \$250.00 per offense with each location constituting a separate offense.

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.

ORDINANCE NO. 134 OF 2006

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

BY:

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

In Section 1 (Estimated Revenues):

Increase Prior Year Fund Balance as of January 1, 2006 by \$733,300.

Increase Taxes and Special Assessments by \$4,200,000.

Increase Licenses and Permits by \$175,000.

Decrease External Service Charges by \$678,900.

Increase Internal Service Charges by \$150,000.

Increase Fines and Forfeits by \$220,000.

Decrease Miscellaneous Revenues by \$28,200.

In Section 2 (Appropriations):

In Public Assembly and Recreation, increase Materials and Supplies by \$130,000, Contractual Services by \$830,000, Other Charges by \$180,000 and Improvements and Equipment by \$20,000.

In Finance, decrease Personal Services by \$80,000 and increase Improvements and Equipment by \$80,000.

In General Government, increase Personal Services by \$50,000, Materials and Supplies by \$8,000, Other Charges by \$190,000, Operating Reserves by \$1,704,700, Transfer to MPC Fund by \$5,000 and Transfer to Retained Risk Fund by \$1,231,500.

In Fire, increase Materials and Supplies by \$70,000 and Contractual Services by \$110,000.

Decrease Improvements and Equipment by \$100,000.

In Operational Services, increase Materials and Supplies by \$170,000 and Contractual Services by \$50,000.

In City Council, decrease Personal Services by \$11,000. Increase Contractual Services by \$10,000 and Transfer to Fleet Services Fund by \$1,000.

In City Marshal, increase Personal Services by \$100,000.

Adjust 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. 135 OF 2006

AN ORDINANCE AMENDING THE 2006 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

By:

WHEREAS, the City Council finds it necessary to amend the 2006 Capital Improvements Budget to adjust project funding and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 166 of 2005, the 2006 Capital Improvements Budget, be further amended and re-enacted as follows:

In Program B (Recreation Improvements):

Increase the appropriation for **Fant Parkway Jogging Trail Overlay (06B001)** by \$100,000.

Funding source is Riverfront Development.

In Program F (Sewer Improvements):

Decrease the appropriation for **Querbes Lift Station Force Main Repairs (02F004)** by

\$1,600,000. Funding source is 2005 URB.

Increase the appropriation for **Cedar Grove Lift Station Improvements (05F004)** by \$1,600,000. Funding source is 2005 URB.

Decrease the appropriation for **Fannin Lift Station Improvements (05F007)** by \$170,000. Funding source is 2005 URB.

Increase the appropriation for **Hattie Lift Station Improvements (05F009)** by \$25,000. Funding source is 2005 URB.

Increase the appropriation for **LaCaze Lift Station Improvements (05F010)** by \$50,000. Funding source is 2005 URB.

Increase the appropriation for **Long Lake Lift Station Improvements (05F012)** by \$95,000. Funding source is 2005 URB.

In Program L (Transit Improvements):

Establish a new project entitled **Downtown Pedestrian Walkway (06L002)** and fund it at \$241,600. Funding sources are Federal Transit Administration \$193,300 and 2003 GOB \$48,300. Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 166 of 2005, as amended, shall remain in full force and effect.

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

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

Amendment # 2 to Ordinance No. 135 of 2006

AMEND THE ORDINANCE AS FOLLOWS:

In Program C (Streets Improvements):

Decrease the appropriation for **Lakeshore Drive Extension Widening (89C021)** by \$48,800. Funding source is 1999 GOB, Prop. 4.

Change the funding sources for **I-49/Norris Ferry Road Connector (Southern Loop) (96C012)** by \$48,800. Decrease Caddo Parish by \$48,800 and increase 1999 GOB, Prop. 4 by \$48,800.

Adjust totals and subtotals accordingly.

ORDINANCE NO. 136 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE FLEET SERVICES INTERNAL SERVICE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Fleet Services Internal Service Fund, to transfer funds between 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. 172 of 2005, the 2006 budget for the Fleet Services Internal Service Fund, be amended as follows:

In Section 2 (Appropriations):

Decrease Personal Services by \$50,000.

Increase Materials and Supplies by \$50,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 172 of 2005, as amended, shall remain unchanged and in full force and effect.

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

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

ORDINANCE NO. 137 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE RETAINED RISK INTERNAL SERVICE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Retained Risk Internal Service Fund to transfer funds to the General Fund 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. 177 of 2005, the 2006 budget for the Retained Risk Internal Service Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Fund Balance as of 1/1/2006 by \$1,508,900.

Increase Transfer from General Fund by \$1,231,500.

Increase Transfer from Water & Sewerage Fund by \$500,000.

Increase Transfer from Airports Fund by \$92,000.

Increase Interest Income by \$250,000.

Increase Insurance Subrogation by \$900,000.

In Section 2 (Appropriations):

Increase Personal Services by \$1,065,000.

Increase Contractual Services by \$2,500.

Increase Other Charges by \$440,000.

Increase Liability Reserves by \$2,974,900.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 155 of 2004 shall remain unchanged and in full force and effect.

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

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

ORDINANCE NO. 138 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE METROPOLITAN PLANNING COMMISSION'S SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Metropolitan Planning Commission's Special Revenue Fund, to appropriate additional 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. 174 of 2005, the 2006 budget for the Metropolitan Planning Commission's Special Revenue Fund, be amended as follows:

In Section 1 (Estimated Receipts):

Increase External Service Charges and Fees by \$30,000.

Increase Operating Subsidy - Transfer from General Fund by \$5,000.

In Section 2 (Appropriations):

Increase Personal Services by \$33,500.

Increase Transfer to Fleet Services Fund by \$1,500.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 174 of 2005, as amended, shall remain unchanged and in full force and effect.

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

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

ORDINANCE NO. 139 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Community Development Special Revenue Fund, to adjust appropriations and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 167 of 2005, the 2006 budget for the Community Development Special Revenue Fund, is hereby amended as follows:

In Section 2 (Appropriations):

Under "2006 Revenues":

In Administration, increase Personal Services by \$3,000, Materials and Supplies by \$3,000 and Transfer to Fleet Services Fund by \$1,000.

In Housing and Business Development, increase Personal Services by \$10,000, Materials and Supplies by \$1,500, and Transfer to Fleet Services Fund by \$1,000. Decrease Contractual Services by \$4,000.

In Codes Enforcement, decrease Personal Services by \$16,500 and Contractual Services by \$17,000. Increase Materials and Supplies by \$10,000 and Other Charges by \$8,000.

Adjust totals and subtotals accordingly.

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

applications; and, to this end, the provisions of this ordinance are hereby declared to be severable.

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

ORDINANCE NO. 140 OF 2006

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

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Golf Enterprise Fund to appropriate additional funds and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 173 of 2005, the 2006 budget for the Golf Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Available Fund Balance 1/1/2006 by \$19,800.

In Section 2 (Appropriations):

Decrease Personal Services by \$26,200 and Transfer to Fleet Service Fund by \$15,000.

Increase Materials and Supplies by \$45,000 and Contractual Services by \$16,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 173 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. 141 OF 2006

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

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Airports Enterprise Fund to appropriate additional revenues, to reallocate funds among expenditure categories and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 164 of 2005, the 2006 budget for the Airports Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Available Fund Balance as of 1/1/06 by \$1,685,700.

Decrease External service Charges and Fees by \$475,000.

Increase Interest Earnings by \$50,000.

In Section 2 (Appropriations):

Increase Personal Services by \$55,000, Contractual Services by \$110,000, Improvements and Equipment by \$170,000 and Operating Reserves by \$820,700.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 164 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. 142 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE RIVERFRONT DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Riverfront Development Special Revenue Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 178 of 2005, the 2006 budget for the Riverfront Development Special Revenue Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Fund Balance as of 1/1/2006 by \$389,200.

In Section 2 (Appropriations):

Decrease Operating Reserves by \$100,000.

Increase Transfer to Capital Projects Fund by \$489,200.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 178 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. 143 OF 2006

AN ORDINANCE AMENDING THE 2006 WATER AND SEWERAGE ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Water and Sewerage Enterprise Fund to appropriate additional funds, 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. 180 of 2005, the 2006 budget for the Water and Sewerage Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Available Fund Balance 1/1/2006 by \$829,100.

Increase Water Sales by \$3,750,000.

Increase Sewer Charges by \$1,300,000.

Increase Interest Earnings by \$500,000.

In Section 2 (Appropriations):

Increase Personal Services by \$275,000.

Increase Materials and Supplies by \$1,065,000.

Increase Contractual Services by \$950,000.

Increase Other Charges by \$1,950,000.

Increase Operating Reserves by \$1,284,100.

Increase Improvements and Equipment by \$30,000.

Increase Transfer to Fleet Services by \$25,000.

Increase Transfer to Retained Risk by \$500,000.

Increase Notes Payable by \$300,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 180 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. 144 OF 2006

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

BY:

WHEREAS, the City Charter provides for the amendment of any previously adopted budget; and WHEREAS, the City Council finds it necessary to amend the 2006 budget for the SporTran Enterprise Fund to provide additional funding and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 179 of 2005, the 2006 budget for the SporTran Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Operating Income by \$75,000.

Increase City of Bossier City by \$15,000.

Increase Federal Transit Administration by \$209,000.

In Section 2 (Appropriations):

Increase Contractual Services by \$299,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 179 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. 145 OF 2006

AN ORDINANCE AMENDING THE 2006 BUDGET FOR THE DOWNTOWN PARKING ENTERPRISE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BY:

WHEREAS, the City Council finds it necessary to amend the 2006 budget for the Downtown Parking Enterprise Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 170 of 2005, the 2006 budget for the Downtown Parking Enterprise Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Increase Estimated Fund Balance 1/1/2006 by \$102,000.

In Section 2 (Appropriations):

Decrease Operating Reserves by \$118,000.

Appropriate Transfer to Capital Projects Fund at \$220,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 170 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. 146 OF 2006

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

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

WHEREAS, the herein below described properties are not needed for public purposes and should be declared surplus properties; and

WHEREAS, the City of Shreveport has received a request to donate its tax interest in the herein below described properties as indicated below.

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

BE IT FURTHER ORDAINED, that the City Council of the City of Shreveport does hereby authorize the donation of its tax interest in the herein below described properties.

Property No. 1: Legal Description - Lot 6, Blk. 3, Parkhurst Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150, Page 220 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171415-034-0006-00) Municipal Address - 2927 Devaughn Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$6,700.00 DISTRICT F

Property No. 2: Legal Description -Lots 14 & 15, Blk. 3, Parkhurst Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150, Page 220 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171415-034-0023-00) Municipal Address - 2914 Drexel Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$2,200.00 DISTRICT F

Property No. 3: Legal Description -Lot 1 Blk. 7, Lonoke Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150 Page 16 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171415-025-0010-00) Municipal Address - 2937 Drexel Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$3,000.00 DISTRICT A

Property No. 4: Legal Description -Lot 9, Flanagan Subdivision, TAL 7, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book R Page 607 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181436-031-0009-00) Municipal Address - 1533 Milam Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$2,200.00 DISTRICT A

Property No. 5: Legal Description -Lot 19, Blk. 6, Parkhurst Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 450 Page 267 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171415-037-0019-00) Municipal Address - 2936 Woodford Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$2,200.00 DISTRICT F

Property No. 6: Legal Description -Lot 18, Blk. 6, Parkhurst Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 450 Page 267 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171415-037-0018-00) Municipal Address - 2938 Woodford Street

AMOUNT OFFERED: NONE APPRAISED VALUE: \$2,200.00 DISTRICT F

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including an Act of Donation, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

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

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

ORDINANCE NO. 147 OF 2006

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

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

WHEREAS, the herein below described properties are not needed for public purposes and should be declared surplus properties; and

WHEREAS, the City of Shreveport has received offers to purchase its tax interest in the herein below described properties as indicated below.

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

BE IT FURTHER ORDAINED, that the City Council of the City of Shreveport does hereby authorize the sale of its tax interest in the herein below described properties for an amount not less than the offer as indicated below

Property No. 1 Legal Description - 4.046 acres - S. 312.55 Ft. & E. 30 Ft. Of N. 347.13 Ft. Of Lot D, Washington & Mary Solomon Partnership Sec. 18-18-14, less S. 94.31 Ft. Of E 230.94 Ft., less R/W, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 754, Page 342 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181418-009-0026-00) Municipal Address - 2428 David Raines Rd

AMOUNT OFFERED: \$1,000.00 APPRAISED VALUE: \$6,000.00 DISTRICT A

Property No. 2: Legal Description - Lot 20, Block 4, Oakview Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150, Page 279 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171425-027-0020-00) Municipal Address - 431 E. 78th Street

AMOUNT OFFERED: \$150.00 APPRAISED VALUE: \$600.00 DISTRICT D

Property No. 3: Legal Description - Lot 110, Cooperville Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 900, Pages 39-41, of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181417-052-0110-00) Municipal Address - 1635 Gilliam

AMOUNT OFFERED: \$325.00 APPRAISED VALUE: \$2,100.00 DISTRICT A

Property No. 4: Legal Description - Lot 2, Block 8, Magnolia Addition, a subdivision in the City of

Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 50, Page 515, of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171410-101-0002-00) Municipal Address - 4105 San Jacinto Ave.

AMOUNT OFFERED: \$200.00 APPRAISED VALUE: \$600.00 DISTRICT G

Property No. 5: Legal Description - Lot 41, Cooperville Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 900, Pages 39-41, of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181417-052-0041-00) Municipal Address - 2523 Thomas E. Howard Dr.

AMOUNT OFFERED: \$350.00 APPRAISED VALUE: \$750.00 DISTRICT A

Property No. 6: Legal Description - 2.11 acres more or less - E. 163.07 Ft. Of W. 489.21 Ft. Of N. 564.3 Ft. Of NE/4 of NW/4 , Section 21-17-15 adjacent to Lot 172 of the Greenwood Manor Subdivision, a subdivision, in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 650, Page 489, of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171521-000-0039-00) Municipal Address - 62185 None

AMOUNT OFFERED: \$1,700.00 APPRAISED VALUE: \$1,500.00 DISTRICT G

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including Acts of Cash Sale, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

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

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

ORDINANCE NO. 148 OF 2006

AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF SHREVEPORT - A TRACT OF LAND LOCATED IN THE SE/4 OF SECTION 29 (T16N-R13W), CADDO PARISH, LOUISIANA (SOUTHERN TRACE, PHASE V, SECTION XXI, SUBDIVISION), AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

TAG NO. 06-01

BY: COUNCILMAN

WHEREAS, Section 172 of Title 33 of the Louisiana Revised Statutes of 1950 provides for annexation by petition; and

WHEREAS, a petition signed by 100% of non-residential owners of the area described below has been filed with the City Council to annex and bring within the corporate limits of the City of Shreveport, Louisiana, the following described property, to-wit:

Begin at the southwest corner of the SE/4 of the SE/4 of Section 29 (T16N-R13W), Caddo Parish, Louisiana, and being a point on the present City limits line as established by Annexation Ordinance No. 75 of 1994, and also being the southwest corner of Lot 1 of the Southern Trace, Phase V, Section XXI, Subdivision as recorded in Book 5000, Page 227, of the Records of Caddo Parish; run thence from said point of beginning, north 00° 09' 42" east along the west line of said Lot 1 and along the existing City limits line a distance of 485.27 feet to the northwest corner of Lot 1 of the Southern Trace, Phase V, Section XXI; run thence around the remaining boundary lines of Lot 1 the following three distances: South 89° 44' 59" east a distance of 463.39 feet; south 00° 09' 40" west a distance of 483.98 feet; and north 89° 54' 33" west a distance of

463.39 feet to the said southwest corner of the SE/4 of the SE/4 of Section 29 (T16N-R13W), and also to the southwest corner of Lot 1 of Southern Trace, Phase V, Section XXI, Subdivision, the point of beginning, and containing 5.16 acres, more or less.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the limits and boundaries of the City of Shreveport are hereby changed to include within the limits and boundaries of said City the above-described property.

BE IT FURTHER ORDAINED that the annexed area contained herein be and is hereby assigned to Council District "D".

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to file, within ten(10) days of the final passage of this ordinance, with the Clerk of the District Court for Caddo Parish a description of the entire boundary of the municipality as changed by this ordinance.

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to record a certified copy of this ordinance in the official records of the District Court for Caddo Parish, Louisiana.

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.

ORDINANCE NO. 149 OF 2006

AN ORDINANCE TO CREATE AND ESTABLISH A NO THROUGH TRUCK ROUTE ON THE PORTION OF EAST KINGS HIGHWAY LYING WITHIN THE CITY OF SHREVEPORT BETWEEN BERT KOUNS INDUSTRIAL LOOP AND FLOURNOY LUCAS ROAD, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By Mrs. Robertson

BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened that the portion of East Kings Highway lying within the City of Shreveport between Bert Kouns Industrial Loop and Flournoy Lucas Road is hereby created and established as a No Through Truck Route, and it shall hereafter be unlawful for trucks exceeding fifteen thousand (15,000) pounds gross vehicle weight to use any portion of East Kings Highway lying within the City of Shreveport between Bert Kouns Industrial Loop and Flournoy Lucas Road except for local pickup and delivery.

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.

ORDINANCE NO. 152 OF 2006

AN ORDINANCE TO AMEND AND REENACT CHAPTER 50 OF THE CODE OF ORDINANCES RELATIVE TO THE OFFENSE OF CONTEMPT OF CITY COUNCIL,

BOARDS, COMMISSIONS, AND COMMITTEES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 50-2 of the Code of Ordinances of the City of Shreveport is hereby enacted to read as follows:

Sec. 50-2. Contempt of City Council, Boards, Commissions, and Committees

(a) It shall be unlawful for any person to refuse to comply with a lawful subpoena of the City Council, any committee of the City Council, or any board or commission created by the City Council.

(b) The term “lawful subpoena” means a subpoena to appear as a witness or a subpoena to produce documents, when the subpoena has been issued by either the City Council or any committee, board or commission created by the City Council and authorized by ordinance or resolution of the City of Shreveport to conduct hearings and to subpoena witnesses and documents.

(c) The term “refuse to comply” means to willfully fail to appear at a hearing on the date and time specified in the subpoena, or, having appeared, to refuse to answer any question or produce subpoenaed documents.

(d) The violation of this section shall be a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for not more than six months or both.

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

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

ORDINANCE NO. 153 OF 2006

AN ORDINANCE TO AMEND AND REENACT DIVISION 3 OF ARTICLE V OF CHAPTER 26 OF THE CODE OF ORDINANCES RELATIVE TO CITY OF SHREVEPORT RETAINED RISK FUND AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Jackson

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Sections 26-171 through 26-176 of the Code of Ordinances of the City of Shreveport are hereby amended and reenacted to read as follows:

DIVISION 3. CITY OF SHREVEPORT RETAINED RISK FUND

Sec. 26-171. Policy.

(a) It is the policy of the city to compromise and settle only those claims against the city which, upon investigation, are determined to have legal merit indicating the city is liable to the plaintiff for not less than the amount paid. It is further the policy of the city to pay final judgments of Louisiana courts, but not to pay interest on said judgments.

(b) It is the policy of the city to set aside sufficient funds, as available and deemed appropriate, to provide for the potential liabilities of the city, both ordinary and catastrophic, when payment thereof is appropriate in accordance with the above stated policy. The primary intent of the establishment of the retained risk fund is to assure that funds will be available as needed to pay both ordinary and catastrophic claims. The establishment of this fund is intended to transfer such

funds from the general fund and enterprise funds of the city and protect such funds from periodic changes in appropriations and allotments within the general fund and enterprise funds of the city. In addition, it is the city's intent to increase its reserves over time for the purpose of financing retained risks of loss. Further, it is the policy of the city to use the retained risk fund to account for the financing and payment of claims (in accordance with the above stated policy) for the various city departments on a cost-reimbursement basis. It is intended that establishment of this fund will centralize all accounts of the type included in the fund, making it easier to evaluate the fund's operating results, financial position, and funding status.

Sec. 26-172. Established; subfunds, purpose.

(a) Appropriation of monies to fund. A retained risk fund is hereby established for the purpose of financing, investigating and paying claims and judgments against the city by third parties or by its employees under the workers' compensation law, when appropriate in accordance with the policy set forth in Section 26-172. The city council shall appropriate sufficient monies, as available and deemed appropriate, for such fund through each general fund or enterprise fund budget ordinance.

(b) Subfunds; purpose. There shall be the following subfunds within the retained risk fund:

(1) Catastrophic subfund. The purpose of this fund shall be to pay the excess of any individual claim which exceeds \$100,000.00 and is not covered by a reinsurance policy. This fund will hold the city's reserves which are set aside to fund incurred and potential losses.

(2) Claims subfund. The purpose of this fund shall be to pay claims and judgments of under \$100,000.00 to provide for the administration and investigation of all claims and to provide for any and all services or expenses necessary to accomplish these purposes.

Sec. 26-173. Administration.

The director of finance is hereby authorized to establish the retained risk fund as a separate fund in accordance with standard accounting principles and procedures, and to set forth such rules and regulations regarding the operation of the fund and expenditures from the fund as he deems necessary and appropriate.

Sec. 26-174. Risk Management Committee.

There shall be a risk management committee consisting of two council members appointed by the city council, the chief administrative officer, the director of finance, the risk manager and the city attorney. The purpose of the risk management committee shall be to decide whether claims in excess of \$10,000 should be approved, based on the legal merits of the claim. The committee shall establish its own rules.

Sec. 26-175. Authority to compromise or settle claims against the city.

(a) After investigation in accordance with the policy stated in Section 26-172, the director of finance or his authorized designee is authorized to compromise or settle any claim against the city without the necessity for the filing of a suit against the city in a matter where such settlement does not exceed \$10,000.00.

(b) After investigation in accordance with the policy stated in Section 26-172, any claim that is in excess of \$10,000.00 shall be paid only after it has been approved by the risk management committee.

(c) Any such compromise settlements shall be exigible, payable, and paid only out of funds appropriated for that purpose by the city council.

BE IT FURTHER ORDAINED that the existing Section 26-175 is re-numbered as Section 26-176.

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

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

UNFINISHED BUSINESS:

1. **Resolution No. 100 of 2006:** Authorizing the release of mortgages and cancellation of promissory notes executed by Shreveport Publishing Corporation (now Snap Property, LLC) in favor of the City of Shreveport in connection with the neighborhood improvement leveraging project and to otherwise provide with respect thereto. *(Introduced June 13, 2006 – Tabled August 8, 2006)*
2. **Ordinance No. 93 of 2005:** Amending and reenacting 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 – 6/14/05 - Tabled on July 12, 2005)*
3. **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)*
6. **BAC-59-06:** 4103 Santa Monica Circle, *Wyvornia Decarol Nunley*; Elmer & Wyvornia Nunley, East side of Santa Monica Circle, 300 feet south of Santa Monica; (Special Exception Use in an R-1D District [Expanded Home Occupation [Bridal Consultant]]). (G/Jackson) *(Postponed September 12, 2006)*
7. **CASE NO: C-76-06:** 3749 Jewella Avenue, **APPLICANT: CASH AMERICA, INC. OF LOUISIANA. No ordinance required.**

Motion by Councilman Lester, seconded by Councilman Robertson to remove (5) BAC-31-06 from the table. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Green. 1.

5. **BAC -31-06:** 1101 Russell Road, *Michael D. Harrelson*, Northeast corner of Russell Road and I-220, Administrative Appeal of Zoning Administrator Decision; Landfill/Rock Crusher. (A/Lester) *(Postponed September 12, 2006)*

Motion by Councilman Lester, seconded by Councilman Walford to uphold the decision of the Zoning Board of Appeals. Motion approved by the following vote: Ayes: Councilmen

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

Councilman Hogan: Councilman Jackson, are you going to address item number - - - you had mentioned earlier that you were going to postpone?

Councilman Jackson: Yeah, move to postpone.

Councilman Hogan: Well, it's Unfinished Business.

Councilman Lester: No, he doesn't have to - - -

Councilman Hogan: I know we don't need a motion, I just didn't know if you wanted to address it.

Councilman Jackson: Oh, no.

Councilman Hogan: Well, I guess Case No. 76-06 will be left untouched, unless anyone wants to bring it off the table.

NEW BUSINESS:

ABO APPEAL

1. Mr. Joseph L. Jones, 1419 Clanton Street, Shreveport, LA 71108 (B/Walford) (*Raceway – No location given*) **Decision rendered September 25, 2006.**
2. Mr. Muayad Jamhour, P.O. Box 8911, Bossier City, LA 71113 (*Airport Texaco, 5203 Monkhouse*)(F/Green) **Decision rendered September 25, 2006.**

ANIMAL SERVICES APPEAL

Ms. Shamaria Lewis, 1631 Looney Street, Shreveport, LA 71103 (A/Lester) **Decision rendered September 25, 2006.**

TAXI DRIVER LICENSE APPEAL

Mr. Muttasim E. Ahmed, 8100 Pines Road, Shreveport, LA 71119 (*G/Jackson*) (Yellow Checker Cab, Co., Greenwood Road and Curtis Lane. (A/Lester) **Decision rendered September 25, 2006.**

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES: None.

CLERK'S REPORT:

Liquor Revocation Appeal

A special meeting has been set to address an appeal for the revocation of permit to sell alcoholic beverages, concerning the **L'Oasis Gift Gourmet, 4801 Line Avenue, Shreveport, La.** The meeting is schedule to begin at 3:30 p.m., Monday, **October 9, 2006** or immediately following the City Council Administrative Conference, whichever occurs later.

THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting)

ADJOURNMENT. There being nor further business to come before the Council, the meeting adjourned at approximately 6:50 p.m.

//s// Jeffery A. Hogan, Chairman

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