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Council Proceedings of the City of Shreveport, Louisiana
December 23, 2008

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Ron Webb at 3:03 p.m., Tuesday, December 23, 2008, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilwoman Bowman.
The Pledge of Allegiance was led by Councilman Webb.

On Roll Call, the following members were Present: Councilmen Lester, Walford (Arrived at 3:04 p.m.), Long (Arrived at 3:04 p.m.), Wooley, Webb, Shyne, and Bowman. 7. Absent: None.

Motion by Councilman Shyne, seconded by Councilman Long to approve the minutes of the Administrative Conference, Monday, December 8, 2008 and Council Meeting, Tuesday, December 9, 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

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

Mr. Sibley: Mr. Chairman, the Mayor is still upstairs with Congressman Fleming. I think as he said yesterday, he'd like to allow the Congressman an opportunity to speak.

Councilman Webb: Alright, we'll come back to that then. Does Any City Council Member have a distinguished guest they'd like to announce? I guess we'll come back to the Mayor's portion.

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

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

Reports: Property Standards Report

Councilman Webb: Property Standards. Mr. Holt?

Mr. Holt: Mr. Chairman, I'd be glad to address any concerns you might have.

Councilman Walford: Jim, railroad rights of way. There's some really bad ones; overgrown and - - - I asked someone from the railroad that told me they're only responsible for what's between the rails. Whose responsible for all the rest of that right of railway?

Mr. Holt: The railroad is. That's my opinion.

Councilman Walford: Well I would tend to agree, that it's their right of way and they should keep it cut. I'll give you some locations.

Mr. Holt: If you will please, I've had some success in the past with calling Houston and getting the guy that's really in charge of that stuff down there and send a crew. Because they don't have anybody locally.

Councilman Walford: This appears to be abandoned. I noticed that it's been paved over on the street, but the tracks are still in place. But I'll get you the locations in an email.

Councilman Lester: Yes Jim, I did speak to Rev. Brown yesterday. I don't know - - - he's - - - they're calling for the person that's the pastor of that church that we talked about on Madison and Murphy. They haven't gotten any additional information, but I think in talking to him today, he indicated that he believes that the people that were the occupants were actually renting the church, and it was owned by Seventh Day Adventist congregation in another part of town, so I don't know. Had you gotten any additional information?

Mr. Holt: We hadn't. We're trying to contact the last contact we had in Princeton, LA, and we're running the water bill to see if he's paying that and just doing what we can to find it. But so far, we have not come up with anything.

Councilman Lester: Well let me ask you this question. What if we have not heard from anybody by the end of this week, the working week, does this rise to the level, and I think that it would, of the City moving in? Cause my concern is I don't want any kids in the neighborhood walking by there and you know the rest of the structure explode out. It's right next to a school, and the kids do frequent that area a lot.

Mr. Holt: Quite frankly, I think that one is such an extreme emergency that you and I probably need to have a conversation with Terri.

Councilman Lester: Okay.

Mr. Holt: To see just how fast I can move, especially being as close to a school as it is. And I would propose we do that in the early part of next week.

Councilman Lester: Okay, well lets do that.

Councilman Shyne: Jim, I just wanted to tell you, you look very Christmasie with your tie on. That looks good.

Mr. Holt: Thank you Councilman Shyne.

Councilman Shyne: That looks good. Kinda puts me in Christmas Spirit. And I'm sorry Mr. Chairman. Jim, I think you and the Chairman kinda look alike, both of you got your Christmas ties on. .Did y'all get together and do that?

Mr. Holt: Mine is brighter.

Councilman Webb: Does yours have music to it?

Mr. Holt: It did. I broke it.

Councilman Webb: I took mine out also.

Public Hearing:

Councilman Webb: Are going to go ahead and have the public hearing on the De-Annexation Ordinance?

The Clerk read the following:

Ordinance No. 175 of 2008. :A De-Annexation Ordinance to reduce the limits and boundaries of the City of Shreveport – A 1.15 Acre tract of land located north of Southern Trace Parkway and east of Lamplight Way in the Southern Trace Phase V- Section XXI Subdivision in Section 29 (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. .(D/Wooley)

Mr. Thompson: Mr. Chairman, you might want to call the Public Hearing to order.

Councilman Webb: I'd like to call this Public Hearing to order. Is there anyone here that would like to speak in favor of this ordinance? Would you give your name and address for the record please?

Mr. Jeff Westmoreland: (333 Texas Street, Suite 2350) I'm here representing the owners of this property, Blair and Erin Drummond. We were here before you on the last meeting, and I have spoken to some of the Council Members here. As a recap, I'd just like to get this up to give y'all the - - - as you may recall or have been informed, Dr. Drummond owns approximately seven acres here. This whole large piece. Four acres of it was subdivided into - - - originally five acres of it were subdivided into a lot in Southern Trace. All the way up to this existing pipeline. He determined that that much property was not needed. And we really subbed it down to a four acre lot. This four acre lot has been subdivided and added into Southern Trace, and Dr. Drummond has built a home on that, and it's just been completed and I believe he's just moving in now. The request is this piece, this 1.15 acre was left over. This is outside the City limits, and so this leaves a little bit over a three acre property here that's chopped up now. Half out of the City limits, half in the City limits. Two separate Tax ID numbers, and the request is simply to de-annex this 1.15 acre of land and I have talked to some of the Council Members. I know that some of the concerns are - - - well you know this opens up an issue for other folks, but I think just like any Board, any Court, any Commission would do, they would look at the facts of each specific case, and in this case, we have seven acres, four of which were put into a development which draws a large tax base and then a very substantial property was built on top of that four acres. When you have somebody that's going to come in and take seven acres of agricultural land, turn four of it into a high tax based residential property and increase significantly their tax burden and their taxes paid to the Parish, under those facts, I don't see it as a large loss for the City to then release a 1 acre piece of property. Now if I came in and I owned this seven acres, and one acre was in the City limits and I said I'm not going to increase my tax base at all, I'm not going to pay you any extra tax dollars, but I want you to release this 1 acre piece of property from your annexation, and thus you're going to lose money in the end, then I could understand that. But that's not the facts that we have here today. And so, the request is to look at the specific facts of this situation knowing that four acres had been annexed into the City, and vastly improved from an agriculture now to a substantial residential property, and asking to de-annex this 1.15 acre tract from the City limits so that this can be one contiguous piece of property without being chopped up in terms of whether it's in the City, out of the City, and also with the tax - - - setting it all under one Tax Identification Number. I appreciate Councilman Wooley understanding the situation, and moving for the ordinance. And we would appreciate your support of it at this time. And I'd be glad to answer any questions or any discussions.

Councilman Webb: So, the remaining piece of property, if this is not de-annexed, are you saying that part of the property would have City taxes and the other part would have Parish taxes?

Mr. Westmoreland: Yes sir, this three acres right here, this part runs (2.06) is this piece is outside this City limits. This piece right here is inside the City limits. And so if it's not passed, you'd have a piece of property owned by the same property owner. It's all one piece of property, although it looks like it's two here, it's all just - - - when you go out there, it's just one tract of land. Would be part in the City, part out of the City.

Councilman Webb: What's going to happen to the piece of property if it is de-annexed?

Mr. Westmoreland: It's just intended to be held at this point. I mean there's not any intent to - - -

Councilman Webb: It's not up on the market for resale?

Mr. Westmoreland: No sir, not at this point. In fact, part of the reason they did this was to create - - - built and shrunk this lot down closer was to create some buffer back here behind the property, just so they wouldn't have neighbors being built right on the back of them. So, there's not really an intent to go out and market that property.

Councilman Webb: What difference does it make to the landowner, that part of it's in the City, and part of it's not?

Mr. Westmoreland: I think it's just a matter of cleaning it up, and putting it under one tax assessment number. I mean right now, this has got three tax assessment numbers, one for here, one for here, and one for here.

Councilman Webb: Anybody else have any questions? Thank you sir.

Mr. Westmoreland: Thank you, I appreciate your time.

Councilman Webb: Do we have anyone else that wants to speak in favor of this Ordinance?

Mr. Blair Drummond: (10963 Lamplight Way) I'm Blair Drummond, I'd just would appreciate your consideration for consolidating this property. Thank you.

Councilman Webb: Is there anybody here that would like to speak in opposition of this Ordinance? I'll declare this Public Hearing closed.

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

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

Councilman Webb: Do we have anything Mr. Clerk?

Mr. Thompson: Yes sir, we have two items that could possibly be added to the agenda. One is the confirmation of an appointment, Christina M. Wimberley. She's been appointed as an Assistant City Attorney. The reason that this is on to be added, under the rules that we have Section IX of the Rules of Procedure, we cannot add anything, the Clerk's office cannot put anything on the agenda until the Council has had it for two weeks. This appointment was just made. And as I understand from the City Attorney, they are short of manpower, particularly in the City Court, the Prosecutor's Office, and they are rotating people in and out of that office, and it's making a very tight working environment for the City Attorney's Office, and therefore the Administration is asking that the Council add this to the Agenda and consider at this time. However, under the Louisiana law, you must give anybody who would like to comment on this either as opposed or for it, the opportunity to do so.

Councilman Webb: Do we have anybody in the audience that would like to address this issue being added to the agenda in favor or in opposition? If not I'll accept a motion from Councilman Lester to add it to the agenda, seconded by Councilwoman Bowman.

Motion by Councilman Lester, seconded by Councilman Bowman to add the executive appointment of Ms. Christina M. Wimberley to the agenda.

Councilman Shyne: Do we have Ms. Wimberley? Is she with us today?

Mr. Sibley: Yes she is.

Councilman Shyne: I just - - - okay. You didn't necessarily - - - I just wanted to see you. I'm a little curious about voting on issues or people that I - - -

Councilman Webb: Would you like to address the Council? I'll allow you to do so.

Mr. Sibley: I think Ms. Scott is going to accompany her if that's okay.

Councilman Shyne: That's fine. I always enjoy seeing Ms. Scott come to the podium.

Councilman Webb: You want to introduce her to us, or maybe she's like to say a few words.

Ms. Scott: Council Members, this is Christina Wimberley. We are asking that you would suspend the rules first, and take up her confirmation today. As Mr. Thompson indicated, we have been juggling staff for a couple of months and Ms. Wimberley is the first of two additional appointments and confirmations that we will ask you to make in the upcoming months. She has a very impressive resume. She's a very impressive young lady, and I know that she will benefit our office.

Councilman Webb: Okay.

Ms. Wimberley: Good afternoon. As Ms. Scott as stated, I'm Christina Wimberley, and I am a recent resident of Shreveport, and I would just appreciate you guys considering myself the position of Assistant City Prosecutor.

Councilman Webb: Where have you moved from?

Ms. Wimberley: Alexandria, LA.

Councilman Shyne: It's not a question, I just want to welcome you aboard. I think you will really enjoy working with the City of Shreveport, and you have an extremely compassionate person that you're working with, and who is very competent, who has been a member of the Attorney's office what about 15 years? I don't want to tell your age, but.

Councilman Lester: She's been on since she was three.

Councilman Shyne: No, we'll say for 10 years then, but you're extremely lucky to work with a person who is extremely competent and who is extremely compassionate. So, welcome to the great city of Shreveport.

Ms. Wimberley: Thank you so much Councilman Shyne.

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

Mr. Thompson: Are you ready for the other one, or do you want to bring the Mayor up now?

Councilman Webb: No, I want to bring the Mayor on, I see our new Congressman is here with the Mayor, so I'm going to allow the Mayor to come up, and introduce Dr. Fleming, Congressman Fleming.

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

Mayor Glover: Thank you Mr. Chairman and Members of the Council. I apologize for my tardiness, myself and the Congressman have been upstairs having a very good visit. As I mentioned to you all on yesterday, obviously one of the things that we wanted to do as Mayor of the City of Shreveport is have the opportunity to reach out and congratulate our newly elected Congressman-Elect for the Fourth District, Dr. John Fleming. And so we've had a chance to do just that today. I did not know and realize that one of his top aids and assistants who I've watched and heard and seen grow up and mature over the years, Martin (inaudible) whose back in the back of the audience as well. Martin, wave your hand so the

folks will know you. For those of you who remember KEEL Radio from back in the '90s, Martin's grandfather, Dean was a constant voice on the KEEL Radio program, sponsored that with Dean's Copy Products and John Lee as the main host over the years, but it turns out that he's going to be working for and directing I believe the Shreveport office for the Congressman. But we had a chance here just over the last half hour, 45 minutes or so to get a chance to 1) meet each other, 2) express congratulations on behalf of not only the Mayor's office, but on the entirety of the City of Shreveport, and to let him know that no matter where any of us were during the course of the campaign, once the election is over, the great thing about democracy and America is that we all end up on the same team at that particular point and time. And so we also had a chance to share with the Congressman just a few of priorities for the City of Shreveport, and some of the things that we're focusing on from a federal level, and obviously wanted to take this opportunity to come down and have him be introduced to this Council, but because we know that there are so many folks who look forward to watching all of your smiling faces every week during these City Council Meetings, and in particular Vice-Chairwoman Joyce Bowman's lovely countenance. I thought it would be appropriate to give him a chance to not only come down and speak to you all, but also have an opportunity to address the entirety of the City. So, I'm honored to welcome and present Congressman-Elect for the Fourth District, Dr. John Fleming.

Congressman-Elect Fleming: Well thank you for a warm and generous welcome, and thank you Mayor for those kind words. The Mayor and I had not met until today, although we'd spoken by phone. But as you know, as gregarious as the Mayor is, you don't have to be with him more than a few minutes, and you feel like you're old friends, and you've known each for years. I feel very honored for the opportunity to represent our district. As you know, we're all going to kind of knit together. We have to in order to serve our own interest in this district, and not least of which is the development of I-49. You know we are in some ways different backgrounds and different approaches to government, but I think the one thing for sure that we all agree on is the importance of economic development in this area, and in particular I-49 and also Barksdale cyber operations, hopefully globally strike command and other opportunities come our way. So, I look forward Mr. Mayor and also City Council going to Washington to represent you, to represent our district, and these times are critical in terms of our economy and what we need to do. And so what I plan to do however, is I want to take Louisiana to Washington. I don't want to bring Washington to Louisiana, if you get my drift on that. But I think that it's real important that we all work together, and I look forward to it very much. And I thank you for the opportunity to speak before you today, and am very humbled by such an esteemed and august body here today, and the people of Shreveport.

Councilman Shyne: I have one comment. Dr. Fleming, I think I met you one Sunday with Brother Billy over at Luby's. For some reason, you look so much younger now, was it because of the campaign? You look like a young man right out of LSU right now.

Dr. Fleming: Well, ten months of campaigning will do things like that to you, I can assure you. I'm actually a grandfather. I'm proud to be a grandfather. Yes I have kids who range from 19-29, and then a grandson who is 13 months old. So, no the wonders of science and makeup I guess - - - no, just kidding. I appreciate that, that's very kind words and I remember that day that we met, and look forward to working with you. Thank you Mr. Shyne.

Councilman Walford: I was glad to hear you say I-49. But can we send you to Washington with two other words? Economic Stimulus?

Dr. Fleming: Those are good words, because they are in tandem of course with I-49. You know our President-Elect is interested in building our infrastructure through the use of

the stimulus package, (inaudible) a throwback to President Roosevelt in those days, where we built the infrastructure we have today. In fact, many of the stadiums and bridges that we have today were built in those days for the same reason. So, in my view, I think I-49 development would be the tip of the spear of the stimulus package. Absolutely.

Councilman Walford: That's what we want to hear. I see the Mayor nodding.

Mayor Glover: I'll walk the Congressman out, and then we'll have an opportunity to make one more presentation.

Councilman Shyne: We at recess?

Councilman Webb: No.

Mr. Thompson: If you want to continue, we have one other item to add to the agenda.

Councilman Webb: Yeah, let's take that other item.

Mr. Thompson: You might recall Ordinance No. 180, yesterday, there was some confusion about it, and we discovered that the title was wrong, but the body of the ordinance was correct. And so we want to add Ordinance No. 180 with the correct title, but I'll have the same body that it had yesterday, if that makes any sense.

The Clerk read the following:

(Title Change) **Ordinance No. 180 of 2008**: ZONING: C-85-08: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of West 70th Street, 1,500 feet west of Buncombe Road, 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.

Mr. Thompson: Now, I've just given the reasons for that, and there may be somebody who wants to speak for or against it.

Motion by Councilman Long, seconded by Councilman Wooley to add the correct title for Ordinance No. 180 of 2008 to the agenda.

Councilman Webb: Is there anyone who would like to speak in favor or opposition of adding this to the agenda?

Councilman Shyne: Mr. Thompson, isn't that in Ms. Bowman's district?

Councilwoman Bowman: I need to know exactly where it's located. I mean - - -

Ms. Glass: It's the north side of West 70th Street, 1500 feet west of Buncombe Road. I don't know the boundaries of the districts well enough to know - - -.

Councilman Shyne: Joyce is going to give that to me.

Councilman Lester: (inaudible) Circle K?

Councilwoman Bowman: I'm on the opposite side. Where is Mike?

Ms. Glass: Councilwoman Bowman, it will be just on introduction, so we can make sure that staff gets you that information.

Councilwoman Bowman: Okay, cool. Cause I don't want nothing happening and I haven't talked about it.

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

Public Comments (*Comments on items to be adopted*): None.

Motion by Councilman Walford, seconded by Councilman Bowman to suspend the rules to consider the appointment of Ms. Christina M. Wimberley to the position of Assistant City Attorney. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Motion by Councilman Walford, seconded by Councilman Bowman to confirm the executive appointment of Ms. Christina M. Wimberley to the position of Assistant City Attorney.

Councilman Lester: Mr. Chairman, anyone who is a writer for the Public Defender is alright in my eyes.

Councilman Webb: You were there once weren't you?

Councilman Lester: Yes sir.

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

Confirmations and Appointments:

Deputy Director, Department of Operational Services
Superintendent, Amiss Water Purification Plant
Superintendent, Fleet Services

Mike Wood
Darin Fortenberry
Rich Leyer

Motion by Councilman Walford, seconded by Councilman Wooley to confirm the executive appointments of Mike Wood, Darin Fortenberry, and Rich Leyer. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

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

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES

RESOLUTIONS: None.

The Clerk read the following:

RESOLUTION NO. 275 of 2008

A RESOLUTION AUTHORIZING KYLE DAVID LECKIE & AMIE ELIZABETH LOFTIN LECKIE, LOCATED AT 844 ROCHEL DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Kyle David Leckie & Amie Elizabeth Loftin Leckie be authorized to connect the structure, located at 844 Rochel Dr., to the water & sewer system of the City of Shreveport.

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

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

Read by title and as read, motion by Councilman Wooley, seconded by Councilman Shyne to adopt. Motion approved by the following vote: Ayes: Councilmen Long, Wooley, Webb, and Shyne. . Nays: Councilmen Lester, Walford, and Bowman. 3.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

The Clerk read the following:

RESOLUTION NO 271 OF 2008

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF SHREVEPORT AND TRITON WATER TECHNOLOGIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO. BY:

WHEREAS, Triton Water Technologies was selected by the Architect and Engineering Committee unanimously as their number one recommendation for installing the Automated Meter Reading System; and

WHEREAS, Mayor Cedric B. Glover concurs with their recommendation; and

WHEREAS, Triton Water Technologies submitted a comprehensive proposal that meets the City's expectations, and

WHEREAS, the proposed contract between the City of Shreveport and Triton Water Technologies is divided into three phases; and

WHEREAS, Phase 1 is for installation of all meters larger than one inch in size (3,219) commercial/industrial accounts at a cost not to exceed \$ 7,432,897, Phase 2 must be by mutual agreement of both parties and is for the installation of the billing system at a cost not to exceed \$ 2,987,594, and Phase 3 must be by mutual agreement and must have City Council approval prior to commencement in accordance with all other services as set forth in the attached contract and shall not exceed \$13,565,438.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in due, legal and regular session convened, that Cedric B. Glover, Mayor, be and is hereby authorized and empowered to execute a contract between the City of Shreveport and Triton Water Technologies substantially in accordance with the document filed along with the original copy of this resolution in the Office of The Clerk of Council on November 4, 2008, attached hereto as Exhibit A, as well as a future amendment to the contract pertaining to Phase 2.

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 with the invalid provisions, items or applications and, to this end, the provisions of this resolution are hereby declared severable. BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman Lester, seconded by Councilman Long.

Amendment No. 1 to Resolution No. 271 of 2008

Amend the NOW, THEREFORE, BE IT RESOLVED paragraph to read as follows:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in due, legal and regular session convened, that Cedric B. Glover, Mayor, be and is hereby authorized and empowered to execute a contract between the City of Shreveport and Triton Water Technologies, subject to the following conditions:

1. The authority granted herein shall not become effective until the City Council has by resolution approved the funding source or sources for the payment of the amounts due under the agreement.
2. The contract shall be substantially in accordance with the document filed along with the original copy of this resolution in the Office of The Clerk of Council on November 4, 2008, attached hereto as Exhibit A, except that:
 - a) The agreement shall be amended to incorporate all provisions favorable to the city contained in the Request for Proposals issued by the city and in the proposal submitted by Triton Water Technologies in response to the Request for Proposals, including but not limited to at least a ten year warranty from the date of installation.
 - b) The agreement shall be amended to clarify that the city is not obligated to contract for Phase 2 unless a written amendment to the contract for Phase 2 is executed by both parties. The Mayor is authorized to execute a written amendment for Phase 2 if he decides, in his discretion, that proceeding with Phase 2 is in the best interest of the city.
 - c) The agreement shall be amended to clarify that the city is not obligated to contract for Phase 3 unless a written amendment to the contract for Phase 3 is executed by both parties. The Mayor is not authorized to execute an amendment for Phase 3 until the execution said amendment has been authorized by the City Council.
 - d) The agreement shall be amended to correct the reference to Code of Ordinances Section 26-211 in the section titled PAYMENTS DUE THE CITY, to reflect the current wording of that section.

Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 1 to Resolution No. 271 of 2008. Motion failed by the following vote: Nays: Councilmen Lester, Webb, Shyne, and Bowman. 4. Ayes: Councilmen Walford, Long, and Wooley. 3.

Motion by Councilman Lester, seconded by Councilman Webb to adopt Resolution No. 271 of 2008.

Councilman Walford: Mr. Strong, are we going to have a wet summer?

Councilman Webb: Only the good Lord knows that.

Mr. Strong: Councilman you know that as well as I do.

Councilman Walford: What's going to be the impact if we do?

Mr. Strong: It's going to be very similar to like what we've had in the last two summers.

Councilman Walford: Which would be something in the neighborhood of \$5,500,000?

Mr. Strong: That is correct sir.

Councilman Walford: Mike, can - - - we had a meeting with the City's financial advisor, and he said that he wasn't sure that the utility could pay the debt service on the current \$75,000,000. It's you department, what are your feelings on that?

Mr. Strong: And I have not spoken with him on that, and I've had some conversations with Ron Weems, on it, and we were going to talk about that as well as the potential funding on this too.

Councilman Walford: So, if we can't - - -, so if there's a concern on the part of the financial planner, financial advisor that we can't pay the debt on the \$75,000,000, but he told us and we went to the Bond Commission with the idea that we're going to probably have to refund \$95,000,000 which is going to increase our debt service substantially.

Mr. Strong: Councilman, it's my understanding that that was based upon if they had to do it now. Now, I believe we got an extension on that.

Councilman Walford: We did, and we're going to talk about the extension, it just gets more expensive there. But we're going to go from servicing the debt on \$75,000,000, we know it's going to be at least \$83,000,000, because we're going to have to pay the bank that was providing the insurance somewhere in the neighborhood of \$8,000,000. So, with \$83,000,000, the bond team is going to cost us another half to three-quarter million when we're through, so now we're talking about servicing a lot more debt. In this uncertain market, if we can't refinance this by June, we then have to start paying 1% of principle each six months, plus the interest. What I'm asking you is can the Water and Sewer fund handle that kind of debt payment.

Mr. Strong: Councilman without me setting down and really talking to the financial advisors on that, I don't think I can give you that answer.

Councilman Walford: But have you got money left over each month?

Mr. Strong: I think we've got money. We've kept operating, there's some that's left. We have a - - - cut out next year for a reserve, that is set in place.

Councilman Walford: When do you anticipate if this contract goes through, that we will start seeing revenue increases?

Mr. Strong: When they start installing the meters. I think we would start seeing some increases there. How the structure of it is set up, is going to be important too. I think that's one other thing that you want to be looking at, and we've talked with our advisors on that also.

Councilman Walford: But we're going to have to start servicing the debt immediately.

Mr. Strong: I'm not sure of that.

Councilman Walford: Well they're not going to go to work free, I don't think.

Mr. Strong: No sir, that's not what I said. You said servicing the debt. I think it can be structured where you start paying this in time, and then what we will do, when the payments begin on that. But I'm not sure of that until I sit down and talk with our financial advisors, I don't know.

Councilman Walford: This is why I don't understand why we have to go ahead and authorize this contract right now. We're putting the cart before the horse. Why can't we

arrange our financing, know where we stand, know if the money is there, before we go forward with incurring the debt? I mean obviously, the Council doesn't want to take that into consideration. They voted down the idea of making sure the money is there before we spend it. Let me ask you something else. Did I make a correct statement yesterday, that there is absolutely no risk to the City of Shreveport on this? All we have to do is raise the water rates right? Water and Sewer is an enterprise fund that's got to pay it's own way, is that correct?

Mr. Strong: Councilman, I think anything you do in life has a certain amount of risk.

Councilman Walford: Let me rephrase that. What happens if we come up short in the Water and Sewer Enterprise Fund? Where does the money come from?

Mr. Strong: It will come from Water and Sewerage.

Councilman Walford: How do we get that?

Mr. Strong: It's from the water bills, sewer bills that is charged to the citizens.

Councilman Walford: And if there is not enough money, how do we get the additional?

Mr. Strong: It's going to be whether or not the General Fund puts in money to it, or if

- - -

Councilman Walford: I've never heard of the General Fund putting money into Water and Sewer Enterprise Fund. Why would the General Fund put money into the Water and Sewer Enterprise Fund?

Mr. Strong: I'm not here to answer that question.

Councilman Walford: The long and short of it is we're putting the citizens of Shreveport at a great risk of having to pay a higher water and sewer bills. We're picking a time when the financial markets are totally uncertain, and I've never seen anything like the pressure to go forward with this one company and this contract. It's amazing to me. It's amazing to me how low that company or someone working on their behalf would go as well. Thank you. I've got nothing else to say about it. I want to apologize to the public for the fact that you're going to pay more water.

Councilman Lester: Mr. Strong, don't leave so fast. If we were not to undertake this particular project, and we had a very wet summer, where people didn't use water, and there was an imbalance in the Water and Sewer Enterprise Fund, would we take the steps necessary to balance that fund? I mean that's the normal and customary situation right?

Mr. Strong: Right.

Councilman Lester: So, the idea that doing this project is going to somehow put our citizens at risk in terms of Water and Sewer, that's not exactly accurate. It's like a - - - I would dare say half truth, because the reality of it is this project is not going to add any additional burden, if there is an imbalance in the fund. Would that be a fair statement?

Mr. Strong: I'm not going to say it's not going to add any additional. Everything that you do can make changes to anything that goes on as far as the budget itself. But if we have a - - - we could very well have a dry summer and have the funding in place.

Councilman Lester: Right. So, this project in and of itself is not something - - - citizens water rates are not going to be dependent on whether or not this project passes. Would that be accurate to say?

Mr. Strong: I would agree with that.

Councilman Lester: Okay. Now, one of the major reasons for doing this project as I appreciate it, we had a really thorough presentation on yesterday regarding the amount of water being used versus the amount of water being billed. Certainly the perspective contractor has a pretty aggressive figure, but in my conversations to you, you had much more

conservative figure in terms of the amount of water that can be recouped with the installation of new water meters. And what we're talking about doing is not changing the meters for the small mom and pops. We're talking about large institutional customers, is that correct?

Mr. Strong: That is correct. And what this is to do, is to give an accurate accounting on the water that folk were selling. And some of these meters are 20 years old. They're running slower or they're not the right meters for the job, and that's why we're wanting to try to change them out.

Councilman Lester: And would it be fair to say that at least in some instances 20 years, sometimes less than that, we've suffered because we have not gotten the revenue that the city should have gotten in terms of water and sewerage. Would that be a fair statement?

Mr. Strong: That would be a very fair statement. And if we have another one, we might have more revenue coming in, and possibly it would have been this year.

Councilman Lester: So, if we were to move forward on this contract, and under your scenario which is looking at it much more conservative. If we're able to do this particular project, we put in the new water meters with the industrial customers, and they're read in a systematic way, we don't have to pay people to go out. Because right now, we're actually paying folks to actually go out and do that. We're going to be using technology to help us out in that direction. We're looking at increasing in fact revenue, because we know that there is water that is being used that is not being billed. Would that be fair?

Mr. Strong: That's correct.

Councilman Lester: And because there's water being used and not being billed, that's revenue that we're not collecting. Would that be fair to say?

Mr. Strong: That's correct.

Councilman Lester: So, in essence, you can talk about the technology, you can talk about the 'wow factor,' as I like to call it, but what it really gets down to is we're contracting out something much like a collection agency, that is going to actually go out and install better meters, that are going to be more accurate, and they're going to collect the money that has been owed to us, in some cases for 20 years, and in some cases, a little bit less than that. Would be fair to say?

Mr. Strong: They're going to account for the reading, not collect the money.

Councilman Lester: No, no, no, no, no. I'm using a parallel. They're going to account for that, and to the extent that is going to be accurately accounted for, then we will be able to garner that additional revenue.

Mr. Strong: Right.

Councilman Lester: I appreciate the diligence that you have used throughout this process. This is not something that has happened in a quick fashion. And as I appreciate it, it's gone through all the processes, the A&E Committee voted unanimously to move forward on it, so I wasn't a member of that committee, others were. So, I'm certainly - - - have read through the proposal, I think it's something that's necessary and to the extent that it's going to - - - we're going to incur some debt, but at the end of the day, we're going to get revenue from that. Let me ask you this question. In your mind with a much more conservative figure, than you have going forward, do you believe that the debt can be incurred with the revenue increase that we have found from accurately reading these meters?

Mr. Strong: Councilman, from what - - - and I'd like to say this too. That the process in looking at this new technology and everything is really - - - I started this in 2002. And actually going into 2003. But the auditors looked at it and said we needed to look at a different type system or more accurate type system. And where we have gone from there in looking and the technology has improved even greater to over a year ago, is when we actually

went out, in 2007 to put out a proposal on this. So there's been a lot of effort that I've looked into, talked to different agencies around on systems that are similar to this, or what is called the 'drive-by' system, and looking at it, and what you can do once it is all the way implemented in there, I totally believe that it will pay for itself.

Councilman Shyne: Mike, this is not really for you. I can draw up when you used the word 'drive-by,' cause I live in the hood. When you say 'drive-by,' get to ducking on.

Mr. Strong: Not the same thing.

Councilman Shyne: Mayor, you understand what I mean.

Mayor Glover: I understand.

Councilman Shyne: And I just wanted to clear this up. Basically I had two concerns, and the Administration answered those on yesterday. And I don't want anybody to think that somebody twisted my arm or did something immoral, or illegal to make me vote the way I voted. I think the Mayor and the Administration said that they were comfortable with this on yesterday. Am I right?

Mayor Glover: Correct.

Councilman Shyne: And I believe you all also stated, and I think I asked Triton, if they would stand by their minority figures, and I think the Administration and Triton said that they would stand by their minority figures. And Dale, you're a pretty strong guy, but I don't think you twisted my arm and Mr. Mayor, you got a heavy voice, I don't think you said anything out the way to me, or you didn't scare me with your heavy voice, to make me vote this way. So, I wouldn't want it to go out to the public that something was done. I mean, it really makes you all look bad too, to have insinuations made like that, that you all may have done something under the table or something that might have been illegal or immoral. But I just wanted it to be known that I'm voting my convictions and my conscious and I'm voting because the Administration said that this is something that we need to do and this is good for the city. So, I don't want to be put in that pile. Mr. Chairman, thank you. And I've been known to be a man of few words.

Councilman Webb: Yes I agree. I'm really surprised that Councilman Walford is wanting to delay this project. He was on the A&E Committee when they supported this thing unanimously. And I don't know what changed his mind. But I know I've met with Beth and Bob, and other folks. I've read the book, that you referenced yesterday wondering if any other Council Member looked in the book. I read the thing from front to cover, and I'm sold on it. And I think that we're in the 21st Century and we need to be moving forward and keeping up. We do have dilapidated meters. They've got to be changed out sooner or later, and I think now is better. I know this project is not going to move forward if we don't get the bonds sold for it. So, if bonds don't get sold, then the project will be put on hold. But I do believe that it's going to pay for itself. That's one reason I was sold on it. I would like to ask the Council if they would agree to at this time to allow me to suspend the rules to allow somebody to come up and speak on Public Comments on something that we're going to be - - - on an item that's going to be adopted. There was a wreck on I-20 and they weren't able to get here on time to speak. And I'd hate for anybody not to be able to speak on something.

Councilman Shyne: We have a motion on the floor.

Councilman Lester: Mr. Chairman, can we finish the motion that we have and then go back to that since we're in the middle of voting?

Councilman Webb: Okay, we'll do that. So I guess we need to vote on this.

Councilman Walford: No, I have more discussion.

Councilman Webb: Okay, go ahead. Councilman Walford.

Councilman Walford: Mr. Strong, you might need help from Triton on this one. I just want to clear up some revenue questions. So, these books were for November of 2007. And just for the Chairman's information, we did not vote on this particular project in A&E. It has been pulled out of a total project that we voted on. But my question - - - they're showing an increase in revenue from various entities. Well the first is going to be for you, they're not going to know this one. We increase the commercial water rates. Is that correct? Can you give me a percentage? In other words, Triton has given me figures here. They're saying that Willis Knighton's bill will increase by \$268,413. But it will actually be more than that, right? With the new rate structure?

Mr. Strong: Yes sir.

Councilman Walford: So how much that \$268 would be?

Mr. Strong: I couldn't tell you that off hand.

Councilman Walford: Well we know what percentage we went up right?

Mr. Strong: On the commercial, went up with a combination I think commercial and industrial, it was about 20%.

Councilman Walford: So, it would probably be more like \$360 (thousand). And Byrd, \$24,248, add 20% would be about \$28,000?

Mr. Strong: Councilman I couldn't tell you off hand without - - -

Councilman Walford: Schumpert, \$307,986, would be about \$360 (thousand).

Councilman Wooley: On this particular issue, I'm going to be voting 'NO.' As I stated yesterday, I believe in the project itself, I'm definitely all for a new infrastructure and making ourselves more efficient. I just am very concerned about the timing of this issue. You know what we've done and the actions we have conducted in the last few council meetings, as it relates to the budget and other things that we've voted on. You know we all underneath the banner of the economy and the condition of the economy is weak, and we shouldn't be moving forward with certain items. Even with the Police pay raise, I know there was concern that we didn't have the money, even though the money has been in the Police budget every year to make that happen. That wasn't actually borrowing money, for example (inaudible) has been borrowing \$7,000,000 to pay for one of his project. And my concern is that what Councilman Walford stated earlier, is that we have a \$75,000,000 bond out there with the interest rate that we could be incurring, you don't know I don't know, \$80-85-90 (million), I can't put an exact number on it, but it's a lot of money that we're having to incur and then we, myself, Councilman Walford, Art Thompson, was in the meeting with the financial advisor for the City, and the potential could almost be up to \$95,000,000 and we may have to raise rates just to take care of that particular debt. The potential is there. So, my concern is we've already raised rates this year. We've raised commercial rates this year. You know we've had revenue loss because of wet summers. We could have a dry summer next year. We don't know. That is a risk, like many things are a risk. I don't think we're in a position to take that kind of a risk and that's why I'd asked the Triton Group yesterday, were they willing to guarantee their project. Can you provide that type of guarantee because at the end of the day, if something goes wrong, and the projections don't come out, we're going to have to pay for that. And ultimately the taxpayer is going to have to pay for that. And I don't think we're in a financial position at this point, we have \$75,000,000 worth of bond debt and Water and Sewerage adding on another \$7-10,000,000 not including the interest that we're going to incur between the \$75,000,000 and the \$7-10,000,000, not knowing what kind of summer we're going to have, not knowing with the economy is going to do, it's not looking any better any time soon. I don't think we're in a position to borrow that kind of money right now. We should wait. Now, if Triton wants to guarantee the project and they say it would

cost us more money, then they actually may save us money. Because then we have the security of knowing that if something goes wrong with the numbers and projections, that we could feel confident at the end of the day, we're going to come out okay. And we won't have to go to the taxpayer and say 'Hey, now we have to raise your rates because we can't afford our debt.' And I think at this point we don't need to be raising or have the potential raise people's rates to cover something that we don't need to be doing at this particular time. That is why I'm voting 'NO' on this today. Thank you Mr. Chairman.

Councilwoman Bowman: I'm going to vote for the project, and you know I don't know if the sun is going to shine tomorrow. I don't know if it's going to rain tomorrow. I'm going to look up and see it when it happens. But I think that it has to go out for bonds anyway, and I believe that since I've been here, I've voted against increasing water rates. I just think that - - - well I'll tell you what. I'll just wait and see if the sun shines tomorrow, I've already voted. Thank you.

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

Councilman Webb: Now, I still would like to suspend the rules to allow this person to speak, Chris Carter.

Councilman Walford: Can you tell us what it's on?

Councilman Webb: Yeah, he wants to talk about the water meters. That's the reason why I was going to allow him to address the Council before we voted. That's what I stated. It was on an item to be adopted. But he still may want to talk, he may not.

Mr. Chris Carter: (2511 Linwood) Morrison's Supply Company is the name of the company that I manage. And I just wanted to talk on behalf of Triton and Bob, and Beth, and you know we've done business with them for the last three years. And supplying the products that are involved in his project. And just to let you guys know they're very honest people. They've paid their bills, they've spent a lot of money with our company in the town of Shreveport, where they could have bought it anywhere, upwards of probably \$3,000,000 in the last four years. And just to make y'all feel better about this company, they've kept their word like I said, and they've paid their bills on time, and I just wanted to let y'all know that passing this thing would be a good thing for the town of Shreveport. I just appreciate y'all's time and letting me speak.

Councilman Webb: We appreciate you coming down and appreciate those comforting words. Councilman Shyne?

Councilman Shyne: Chris, I think probably if you'd said that a little bit earlier, you might have been able to get two more votes.

Mr. Carter: I know.

Councilman Shyne: But it passed anyway.

Mr. Carter: There was a wreck on the interstate, and I had to go all the way around Shreveport to try to get here. But they're very important customers of mine, and like I say, they're not even from Shreveport, and because of a relationship that we have in that company, they've spent that money right here in Shreveport. And that's the kind of loyal people that they are. They could have bought in Baton Rouge or New Orleans or anywhere, but they've spent that money. I've got 16 employees, and it's been a - - - their business to me has been a major part of us being successful here in the town of Shreveport. Like I say, I apologize I was late, and I just wish I could have said that before hand. But anyway I just want y'all to

feel confident that moving forward with this project, it's a good honest company, and they've been good and loyal to the City of Shreveport and my company.

Councilman Webb: We appreciate your extra effort in getting here. So thank you very much. Mr. Mayor, I'm going to come back to you at this time. I know that you had some awards or recognition that you wanted to give.

Mayor Glover: Thank you Mr. Chairman, Members of the Council, I want to ask that Mr. Reginald Hodge here in front along with Shelly, our Director of Parks and Recreation, Public Buildings and whatever else is covered with those four letters of SPAR. Mr. Chairman and members of the Council, we have here before you today, one of our very finest City of Shreveport employees, Mr. Reginald Hodge. Mr. Hodge has been named the 2008 Chapter Member of the Year by the North Louisiana Chapter of the International Executive Housekeepers Association.

Councilman Shyne: Ah, that's great.

Mayor Glover: I'm also honored to say that yours truly is an honorary member of the North Louisiana Chapter of the International Executive Housekeepers Association.

Councilman Shyne: How did you get that?

Mayor Glover: Well it couldn't be because of my clean office, I can tell you that much. It would not be for that. I think they just took pity on me Mr. Shyne.

Councilman Shyne: Okay.

Mayor Glover: But I'm also honored to say that Mayor Lo Walker is also a member as well. And so we are very honored to have had a chance to be affiliated with these outstanding individuals, and in fact I missed what I'm sure is one of this season's finest Christmas parties, I believe last weekend?

Mr. Hodge: Yes sir.

Mayor Glover: Because they put on a great meeting every month, and have a great party every year. Mr. Hodge is the Division Manager of Environmental Services for SPAR. And he oversees all City Housekeeping Services and personnel. He also handles Risk Management for SPAR and is an outstanding and highly motivated and very dedicated City employee. He's a retired member of the United States Marine Corps.

Mr. Hodge: Hoorah!

Mayor Glover: Who leads by example, in his family, in his church, in the community and here on the job. And so on behalf of the entire City of Shreveport, Mr. Hodge, not only for your service to our country, but also for your outstanding service to the City of Shreveport, and for this significant outstanding honor that you have been given, it is my honor to present to you this Mayor's Award of Excellence. And I believe Shelly has some comments to make and a presentation to make as well.

Ms. Ragle-Stone: We're just so proud to be here today. Reggie is one of the finest employees in our department, and I would say one of the finest employees in the city. He's never at a loss for energy, enthusiasm, ideas, ways to move our department forward. He keeps us straight when we might be doing something dangerous, he's always looking out for our parks and our safety. I know Mr. Webb, you've called on us several times, Reggie's been the guy whose been out there to make sure things get corrected. Also when you drive up and down the street, and you see the city flags waving, Reggie keeps those up for our department. So, he does a lot in our department other than what he was hired to do. Those are all the other duties as assigned. And we're so proud of him and so proud to have him at SPAR. And so on behalf of us at SPAR and all of your fellow employees, we wanted to give this to you for being outstanding in your field and outstanding in our department.

Mr. Hodge: I am so proud to be a part of the 'Next Great City of The South.' I'm also very proud to be a part of the best department in Shreveport, and work for the best director in Shreveport. So on behalf of my family and I, I just say thank you so much, and I really love what I'm doing.

RESOLUTION NO. 273 OF 2008

A RESOLUTION AUTHORIZING THE SHREVEPORT AIRPORT AUTHORITY TO EXECUTE A PERMANENT RIGHT OF WAY AND EASEMENT WITH CENTERPOINT ENERGY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the Shreveport Airport Authority has been requested to grant a permanent right of way and easement to Centerpoint Energy in order to provide natural gas service to the new air cargo facility at Shreveport Regional Airport; and

WHEREAS, the location of the proposed right of way is shown on the drawing marked "Exhibit A", attached hereto and made a part hereof; and

WHEREAS, Section 18-33 of the Code of Ordinances authorizes the Authority to alienate immovable property only when specifically authorized to do so by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Shreveport City Council in due, regular and legal session convened, that the Shreveport Airport Authority is hereby authorized to execute a permanent right of way and easement with Centerpoint Energy over and through a part of the property shown on the attached Exhibit "A".

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

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

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

RESOLUTION NO. 274 OF 2008

A RESOLUTION RATIFYING TH A RESOLUTION AUTHORIZING THE RECEIPT OF A GRANT FROM THE LOUISIANA HOUSING FINANCE AGENCY; AUTHORIZING THE EXECUTION OF CONTRACTS, DOCUMENTS AND INSTRUMENTS ON BEHALF OF THE CITY OF SHREVEPORT RELATIVE TO RECEIPT AND DISBURSAL OF THE FUNDS; AUTHORIZING DISBURSAL OF THE PROCEEDS OF THE FUNDS TO OR ON BEHALF OF QUALIFYING FIRST TIME HOMEBUYERS; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the City of Shreveport ("City"), through its Department of Community Development has been awarded a \$1,000,000.00 grant ("funds") from the Louisiana Housing Finance Agency ("LHFA"); and

WHEREAS, the funds will be used in the construction or financing of up to twelve (12) units (“LHFA units”) of a twenty-five (25) unit City development to be located in the Stoner Hill section of the City (“the Project”);

WHEREAS, the City will hold the first mortgage for the LHFA units; and

WHEREAS, the Project will positively impact the availability of affordable housing in the City.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute any/all contracts, documents and other instruments on behalf of the City of Shreveport relative to receipt and disbursement of the funds.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to disburse the proceeds of the funds to or on behalf of prospective first-time homebuyers for purposes of the Project.

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

RESOLUTION NO. 276 OF 2008

A RESOLUTION REJECTING BIDS RECEIVED FOR IFB#08-081, ONE (1) NEW 6” PORTABLE TRASH PUMP AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, six (6) bids were received as a result of solicitations for One (1) New 6” Portable Trash Pump, IFB #08-081; and;

WHEREAS, the City has rejected these bids in accordance with La R.S. 38:2214 B, because of specification changes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #08-081 be rejected;

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 declared repealed.

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

RESOLUTION NUMBER 277 OF 2008

A RESOLUTION CHANGING CERTAIN CITY COUNCIL MEETING DATES IN 2009, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport in legal session convened, that it hereby reschedules 2009 Shreveport City Council Meeting Schedule as follows:

Administrative Conference

January 12, 2009
January 26, 2009
February 09, 2009
February 23, 2009
March 9, 2009
March 23, 2009
April 13, 2009
April 27, 2009
May 11, 2009
May 22, 2009
June 8, 2009
June 22, 2009
July 13, 2009
July 27, 2009
August 10, 2009
August 24, 2009
September 4, 2009
September 21, 2009
October 12, 2009
October 26, 2009
November 9, 2009
November 20, 2009
December 7, 2009
December 18, 2009

City Council Meeting

January 13, 2009
January 27, 2009
February 10, 2009
February 24, 2009
March 10, 2009
March 24, 2009
April 14, 2009
April 28, 2009
May 12, 2009
May 26, 2009
June 9, 2009
June 23, 2009
July 14, 2009
July 28, 2009
August 11, 2009
August 25, 2009
September 8, 2009
September 22, 2009
October 13, 2009
October 27, 2009
November 10, 2009
November 23, 2009
December 8, 2009
December 21, 2009

BE IT FURTHER RESOLVED that public notice of said meeting dates shall be given as required by law.

BE IT FURTHER RESOLVED that the dates scheduled herein may be changed in accordance with the City Council Rules of Procedure with public notice as required by law.

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

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

Read by title and as read, motion by Councilman Wooley, seconded by Councilman Long to adopt.

Councilman Shyne: Mr. Chairman, I was aiming to ask Mr. Thompson, does this coincide with your vacation dates in November and December?

Mr. Thompson: Yes, I have my Acapulco dates already.

Councilman Shyne: Oh, okay. Thank you sir. Mr. Mayor, I know you didn't know that, and I didn't either that he usually ease down South and get a little sun in.

Mayor Glover: South of the border?

Councilman Shyne: Yeah.

Mr. Thompson: Mr. Shyne, I don't need a tan.

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

INTRODUCTION OF RESOLUTIONS: *(Not to be adopted prior to January 13, 2009)*

1. **Resolution No. 278 of 2008:** A resolution authorizing the Mayor to donate ten (10) VHS camera system to the Red River Parish Sheriff's Office, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Long, seconded by Councilman Shyne to introduce Resolution No. 278 of 2008 to lay over until the next regular meeting.

Councilman Shyne: Mr. Mayor, I know you probably realize this, but you know the City of Coshatta made history in the last election down in Red River Parish. There was a female who was elected Mayor, and she happens to look like Bea over there.

Mayor Glover: Good politician and beautiful, huh Mr. Shyne?

Councilman Shyne: There you go.

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

INTRODUCTION OF ORDINANCES: *(Not to be adopted prior January 13, 2009)*

1. **Ordinance No. 177 of 2008:** An ordinance creating and establishing the intersection of Atkins Avenue and Centenary Boulevard as a four way stop intersection, and to otherwise provide with respect thereto. (C/Long)
2. **Ordinance No. 178 of 2008:** ZONING – C-51-08: 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 W. 70th Street, 385 feet east of Broadacres 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 a “Community Center with Community Programming for Yourth, Adults, Senior Citizens, After School & Summer Programs for Youth, GED Preparation for Adults, Computer Training Arts, & Crafts, Sewing, Independent Seniors, & Recording Studio, and any other uses affiliated with the Church/Community”, and to otherwise provide with respect thereto. (G/Bowman)
3. **Ordinance No. 179 of 2008:** ZONING – C-84-08: An ordinance amending Chapter 106 of the Code of Ordinances , the City of Shreveport Zoning Ordinance, by rezoning property located on the southwest corner of Ellerbe Road, and East Flournoy Lucas Road, Shreveport, Caddo Parish, Louisiana from R-A, Residence/Agriculture District to B-2 Neighborhood Business District, and to otherwise provide with respect thereto. (D/Wooley)
4. **Ordinance No. 180 of 2008:** ZONING: C-85-08: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of West 70th Street, 1,500 feet west of Buncombe

Road, 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.

5. **Ordinance No. 181 of 2008**: ZONING – C-89-08: 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 Maple Street, 386 feet east of Pierre Avenue, Shreveport, Caddo Parish, Louisiana from R-3, Urban, Multi-Family Residence District to B-1, Buffer Business District and to otherwise provide with respect thereto. (A/Lester)

Read by title and as read, motion by Councilman Shyne, seconded by Councilman Long to introduce Ordinance No(s). 177, 178, 179, 180, and 181 of 2008 to lay over until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

INTRODUCTION OF ORDINANCES: *(Not to be adopted prior January 27, 2009)*

1. **Ordinance No. 182 of 2008**: An ordinance stating the City of Shreveport's endorsement of James H. Lester and Juanita H. Lester to participate in the benefits of the Louisiana Restoration Tax Abatement Program, and to otherwise provide with respect thereto. *(Public Hearing will be held January 27, 2008)*

Read by title and as read, motion by Councilman Wooley, seconded by Councilman Long to introduce Ordinance No. 182 of 2008 to lay over until January 27, 2009. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

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

1. **Ordinance No. 166 of 2008**: An ordinance amending and reenacting Chapter 98 of the Code of Ordinances relative to vegetation, and to otherwise provide with respect thereto. *(Postponed December 9, 2008)*

Having passed first reading on November 25, 2008 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 Wooley to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

2. **Ordinance No. 167 of 2008**: An ordinance closing and abandoning the 40 foot wide Van Buren Street dedication in the Newton Heights Subdivision, and otherwise providing with respect thereto. (A/Lester) *(Postponed December 9, 2008)*

Having passed first reading on November 25, 2008 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 Wooley to adopt. Motion approved by the

following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

3. **Ordinance No. 175 of 2008**: An ordinance de-annexing to reduce the limits and boundaries of the City of Shreveport – as a 1.15 acre tract of land located north of Southern Trace Parkway and East of Lamplight way in the Southern Trace Phase V – Section XXI Subdivision in Section 29 (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (D/Wooley)

Having passed first reading on December 9, 2008 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long to adopt.

Councilman Wooley: I would ask my colleagues for a ‘NO’ vote on this de-annexation, for the simple reason that I think that this will open a Pandora’s box for people who have property. Because even though I know the argument was 1.15 acre, the question remains where do you draw the line. The next guy will come along and say 1.2, someone else may say 2.6. I just think in the best interest of the city, it should remain where it is. And I ask for a ‘NO’ vote. Thank you.

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

4. **Ordinance No. 176 of 2008**: An ordinance authorizing the lease of City owned property located at 601 Benton Kelly Drive to MB Industries, L.L.C., and to otherwise provide with respect thereto. (D/Wooley)

Having passed first reading on December 9, 2008 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Shyne, seconded by Councilman Wooley to postpone. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

Councilman Shyne: Calvin, I almost voted for you. I saw them doing that down in Baton Rouge.

The adopted ordinances and amendments follow:

ORDINANCE NO. 166 OF 2008

AN ORDINANCE TO AMEND AND REENACT CHAPTER 98 OF THE CODE OF ORDINANCES RELATIVE TO VEGETATION 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 Chapter 98 of the Code of Ordinances of the City of Shreveport is hereby amended and reenacted to read as follows:

ARTICLE I. IN GENERAL

Sec. 98-1. Definitions.

Arborist: A person engaged in the professional practice of tree care.

Critical Root Zone: A circular region measured outward from the tree trunk to the drip line representing the area of roots that must be maintained or protected for the tree's survival.

Drip Line: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

DBH: Diameter at breast height is the trunk diameter measured in inches at a height of 4.5 feet above the ground. If the tree splits into multiple trunks, the trunk is measured at its most narrow point beneath the split.

Large Tree: A tree with a mature height of 40 feet or more.

Medium Tree: A tree with a mature height of 20 to 40 feet.

Park Tree: Any tree located in a designated park or any area owned by the City to which the public has free access, except a street right of way.

Planting strip: The area between the curb and sidewalk, two curbs, a curb and fence, or a sidewalk and fence.

Public Right-of-Way: A street, sidewalk, alley or other public way, along with the adjacent land on which the city holds a servitude or full ownership.

Servitude: The legal grant of right-of-use to an area of designated private property, utilized by public corporations (states, municipalities) or companies providing public services such as gas, electricity, and telephone.

Shrub: A woody plant of low or medium height, usually multi-stemmed.

Small Tree: A tree with a mature height of 20 feet or less.

Street Tree: Any tree located within a public right-of-way.

Tree: A woody plant having a well defined stem or trunk and a definite crown which attains a mature height of at least 8 feet.

Sec. 98-2. Establishment of a City Tree Board

(a) There is hereby established a City Tree Board which shall consist of not less than 5 members, who shall be appointed by the Mayor. Members shall hold office for five years, provided that of those first appointed, there shall be one appointed for one year, one appointed for two years, one appointed for three years, one appointed for four years, and one appointed for five years. Vacancies

shall be filled in the same manner for the unexpired portion of the term.

(b) Three Member of the Board shall constitute a quorum. A majority vote shall be required for the adoption of any resolution.

(c) The Board shall keep a detailed record of its proceedings.

(d) The Board shall elect its own officers and adopt its own rules and regulations.

Sec. 98-3. Duties of the Tree Board

The Board, which shall function in an advisory capacity, shall consider, investigate, make findings, report and recommend upon any special matter or question regarding the care, preservation, pruning, planting, replacement, removal or disposition of street trees and park trees to the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate.

Sec. 98-4. Responsibility of Superintendent of Streets and Drainage or Director of SPAR.

Whenever a provision of this ordinance refers to the authority or approval of the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate, the appropriate official shall be the Superintendent of Streets and Drainage when the issue relates to a street tree, and the appropriate official shall be the Director of SPAR when the issue relates to a park tree.

ARTICLE II. TREES

Sec 98-26. Approved street and park trees

No trees other than those listed herein may be planted as street trees without permission from the Tree Board.

Small Trees: (20' or less)

Cherry, Japanese *Prunus serrulata*
Crape Myrtle *Lagerstroemia indica*
Dogwood, Flowering *Cornus florida*
Hawthorn, Washington *Crataegus phaenopyrum*
Holly, Deciduous *Ilex decidua*
Holly, Yaupon *Ilex vomitoria*
Hornbeam, American *Carpinus caroliniana*
Ligustrum, Wax Leaf *Ligustrum japonicum*
Magnolia, Saucer *Magnolia x So langiall*
Maple, Amur *Acer ginnala*
Plum, Purpleleaf *Prunus cerasifera*
Redbud, Eastern *Cercis canadensis*
Medium Trees: (20-40')

Birch, River *Betula nigra*
Cypress, Leland *Cupressocyparis leylandii*
Elm, Cedar *Ulmus crassifolia*
Elm, Chinese (Lacebark) *Ulmus parvifolia*
Elm, Winged *Ulmus alata*
Goldenrain Tree *Koelreuteria paniculata*
Holly, American *Ilex opaca*
Hornbeam, Eastern Hop *Ostrya virginiana*
Hornbeam, European *Carpinus betulus*
Locust, Thornless Honey *Gleditsia triacanthos*
Magnolia, Sweetbay *Magnolia virginiana*
Oak, Japanese Evergreen *Quercus glauca*
Pear, Callary (var.) *Pyrus calleryana* var.
Pine, Japanese Black *Pinus thunbergiana*
Pine, Scotch *Pinus sylvestris*
Pine, Spruce *Pinus glabra*
Pistache, Chinese *Pistacia chinensis*
Sassafras, Common *Sassafras albidum*

Large Trees(40' or more):

Ash, Green *Fraxinus pennsylvanica*
Ash, White *Fraxinus americana*
Cypress, Bald *Taxodium disticum*
Ginko (male) . *Ginkgo biloba*
Japanese Pagoda Tree *Sophora japonica*
Linden, Little Leaf *Tilia cordata*
Linden, Silver *Tilia tomentosa*
Maple, Red *Acer rubrum*
Maple, Sugar *Acer saccharum*
Oak, Blackjack *Quercus marilandica*
Oak, Bur *Quercus macrocarpa*
Oak, Chinquapin *Quercus muehlenbergii*
Oak, Northern Red *Quercus rubra*

Oak, Nuttall Quercus Nuttallii
Oak, Pin Quercus palustris
Oak, Post Quercus stellata
Oak, Sawtooth Quercus acutissima
Oak, Shumard Quercus Shumardi
Oak, Southern Red Oak Quercus falcata
Oak, Water Quercus nigra
Oak, White Quercus alba
Oak, Willow Quercus phellos
Pine, Loblolly Pinus taeda
Pine, Shortleaf Pinus echinata
Tulip Tree Liriodendron tulipifera
Zelkova Zelkova serrata

Sec. 98-27. Spacing and location

(a) No tree listed as small or medium in Section 98-26, regardless of its size when planted, shall be planted in a planting strip less than 4 feet in width. No tree listed as large shall be planted in a planting strip less than 6 feet in width. A planting strip is that area between the curb and sidewalk, two curbs, a curb and fence, or a sidewalk and fence.

(b) Trees shall be centered in the planting strip when the width of the planting strip is 8 feet or less.

(c) No street tree shall be planted closer than two feet from the back of the curb. In those instances where there is no curb, the measurement shall be taken from the edge of paving or shoulder of the road.

(d) Where sidewalks are attached to the curb as a continuous element, the street tree planting shall be at least three feet behind the sidewalk and must be located within the public right-of-way.

(e) Trees whose canopy at maturity will begin no less than nine feet above the ground may be approved within the sight triangle by the City Engineer, or his designee, in cases where there will be no visual interference at any time during the growth period with safe and efficient circulation at an intersection or driveway.

(f) No tree shall be planted closer than ten feet from a fire hydrant.

(g) No tree other than those listed as small trees herein shall be placed under or within ten lateral feet of an overhead utility line. Medium trees shall be placed at least ten lateral feet, and large trees at least twenty lateral feet from overhead utility lines. No tree shall be placed within five lateral feet of any underground public utility line.

(h) Trees placed in sidewalk plantings shall have a minimum of 16 square feet cutout area and shall be placed no closer than two feet from the back of the curb.

(i) The provisions of this section shall apply to all trees, including street trees, park trees, and trees on private property, unless specifically otherwise provided herein.

Sec. 98-28. Tree replacement

Street and park trees having a DBH of 12 inches or more which are lost or damaged to an extent that results in the loss of 1/4 of the root system or 1/3 of the tree canopy shall be replaced on a one-for-one basis. The minimum acceptable size at the time of planting shall be as follows: small trees, 6 feet; medium trees, 8 feet or 1 1/2 inch caliper; large trees, 10 feet or 2 inch caliper. Small trees will not be accepted as replacement trees except in those instances where they are replacing trees located under or within 10 lateral feet of overhead utility lines or within 5 lateral feet of any underground public utility line. In such a case, trees shall be replaced on a two-for-one basis.

Sec. 98-29. Care of Street and Park Trees

(a) Trimming, removal, etc. of trees within and adjacent to public right-of-ways and parks.

(1) No person shall excessively prune (pruning which results in disfiguring or destroying the natural canopy or shape of the tree), remove or otherwise disturb any street or park tree without authorization from the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate.

(2) This section shall not prohibit property owners adjacent to public right-of-ways from planting trees, provided that the selection and location of such trees is in accordance with Sec.98-26 and 98-27.

(3) All trees or shrubs located within public right-of-ways, parks or adjacent to sidewalks shall be trimmed and in such condition so as not to interrupt a clear vision of vehicular and pedestrian traffic or cause obstruction to vehicular or pedestrian traffic.

(4) All trees or shrubs located within public right-of-ways, parks or adjacent to sidewalks shall be trimmed and in such condition so as not to interfere with the proper diffusion of light from any streetlight or standard light.

(5) All trees and shrubs located within public right-of-ways, parks, or adjacent to sidewalks, shall be trimmed of all limbs and foliage to a height of 7 feet above the sidewalk or curb and 12 feet above a traffic lane, i.e. that portion of a street dedicated to through traffic.

(6) The city shall be responsible for maintaining trees and shrubs within the public right-of-ways and parks. However, property owners shall be responsible for maintaining those trees and shrubs within the right-of-way which are located between the property line and the city street and all trees and shrubs on private property which overhang and encroach into public right-of-ways and parks in accordance with the provisions of this ordinance. The city shall notify property owners who fail to maintain their trees and shrubs in accordance with these provisions in writing allowing 30 days for correction of the situation. In the event of failure of property owners to comply with notice, the city shall have the authority to correct the situation at the owner's expense. The cost for such work will be included on the owner's property tax notice.

(b) Abuse of street and park trees

No person shall attach any rope, wire, nails, signs or handbills to or carve any tree; allow any harmful chemical substance to come into contact with a tree; set fire or allow fire to burn nearby so as to injure any portion of a tree from fire or heat thereof; or otherwise disturb any street tree or park tree without authorization from the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate.

(c) Tree topping

No person shall top a street or park tree. Topping is defined as the severe cutting back of limbs to stubs greater than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. This section shall not apply to trees severely damaged by storms or other causes, or where other pruning practices are impractical, when the topping is approved in advance in writing by the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate.

(d) Dead or diseased tree removal

The City shall have the right to cause the removal of any dead or diseased trees on private property within the city when trees constitute a hazard to life or property, or harbor insects or disease which constitute a potential threat to other trees within the city. Property owners will be notified by the city to remove said trees at their own expense within 30 days. In the event of failure of property owners to comply with notice, the city shall have the authority to remove said trees and charge the cost of removal on the owner's property tax notice.

(e) Stump removal

All stumps of street and park trees shall be removed at or below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

(f) Use of climbing spikes

No person shall employ the use of climbing spikes in order to climb trees, unless the condition of the tree is such that it is impossible to climb without the use of such devices or if the tree is to be removed. If climbing spikes must be utilized, the person seeking to utilize them must first obtain written approval from the owner. Additionally, if such devices are used, the duty is incumbent upon the person using such devices to spray any tree climbed with climbing spikes with a spray consisting of proper pesticide and fungicide.

Sec. 98-30. Debris removal

(1) It is unlawful for any person engaged in the servicing of trees and shrubs to perform such services without removing all logs, limbs, and other debris from such premises at the same time services are performed. Said removal shall also apply to all logs, limbs, and other debris resulting from clearing, excavation, grading, and other construction activity by contractors. The City and other public utilities shall be exempt from this section during situations of adverse weather and service restoration.

(2) The requirements and obligations contained in subsection (1) of this section may be and are therefore exclusively assumed by the owner or occupant of the property by notifying the person performing such services in writing that he desires to retain logs limbs, or other debris for his own personal use. Such written notice shall be retained by the person performing such service for not less than 30 days, and a copy thereof shall be furnished to the city upon request.

Sec. 98-31. Protection of roots and trees during construction

(1) Any street or park tree in excess of 12" DBH shall be protected near any excavation or construction site by fencing off the area which constitutes the critical root zone as defined herein. All building material, dirt, debris and equipment shall be kept outside the fenced area.

(2) No person shall deposit, place, store, or maintain upon any public right-of-way or park any stone, brick, sand, concrete, or other materials which may impede the free passage of water, air, fertilizer, to the roots of any tree growing therein without written approval of the Superintendent of Streets and Drainage or Director of SPAR, whichever is appropriate. Such regulations do not apply to streets, alleys, sidewalks, or driveways.

(3) When excavating for underground utilities, tunneling under trees (12" DBH) which are to be saved will be the preferred method. Tunnels shall be a minimum depth of 24 inches and shall be made directly under the trunk, except in those instances of trees having taproots. In cases where tunneling is impractical, trenching may be done; however, no trench shall be located within 1/2 the distance of the dripline and trunk. Roots shall be cut with sharp instruments to assure smooth, flush cuts, thus reducing potential damage to the tree. All trenches shall be backfilled within the shortest amount of time possible and the soil shall not be compacted.

Sec. 98-32. Interference with city personnel

It shall be unlawful for any person to prevent, delay, or interfere with city personnel or agent of the city while engaged in any activity authorized by this ordinance.

Sec. 98-33. Appeals

Any person may appeal to the City Council any decision rendered by the Tree Board pursuant to this chapter by filing a written complaint with the City Clerk within ten days after the decision is rendered.

Sec. 98-34. Penalty

Upon conviction, any person, firm, or corporation violating any provision of this ordinance shall be punished by fine not exceeding \$500.00. Each day any violation shall continue shall constitute a separate offense. If any violation of the provisions of this ordinance results in the injury, mutilation, or death of a tree or shrub located on a public right-of-way or park, the cost of repair or replacement of such tree or shrub shall be borne by the party in violation. The imposition of any penalty hereunder shall not preclude the city or any adjacent or neighboring property owner who would be specifically damaged by such violation from instituting injunctive, mandamus, or other appropriate legal action or proceedings to prevent, correct, or abate such violation.

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 application 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 parts thereof in conflict are hereby repealed.

ORDINANCE NO. 167 OF 2008

BY:

AN ORDINANCE CLOSING AND ABANDONING THE 40 FOOT-WIDE VAN BUREN STREET DEDICATION IN THE NEWTON HEIGHTS SUBDIVISION, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Property Management Section of the Department of Operational Services has received a request to close and abandon the 40 foot-wide dedication for Van Buren Street in the Newton Heights Subdivision, as recorded in Book 450, Page 235, of the Conveyance Records of Caddo Parish, Louisiana, and as shown on the attached plat, and

WHEREAS, none of the polled utility companies have expressed an objection to this closure and abandonment, and

WHEREAS, the Office of the City Engineer has reviewed this request and has no objections to this closure and abandonment, and

WHEREAS, this closure and abandonment was approved by the Metropolitan Planning Commission on November 5, 2008, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, regular and legal session convened, that the 40 foot-wide dedication for Van Buren Street in the Newton Heights Subdivision and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby officially closed and abandoned.

BE IT FURTHER ORDAINED that a certified copy of this ordinance be filed and recorded in the official records of 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.

UNFINISHED BUSINESS:

Mr. Thompson: We have no items to be put on the agenda from Unfinished Business
Mr. Chairman.

1. **Ordinance No. 204 of 2006**: An ordinance amending the 2006 Budget for the Riverfront Development Special Revenue fund and otherwise providing with respect thereto. (Disparity Study) (A/Lester) (*Introduced November 14, 2006 – Tabled December 12, 2006*)
2. **Ordinance No. 205 of 2006**: An ordinance amending the 2006 Capital Improvements Budget and otherwise providing with respect thereto. (*Introduced November 14, 2006 – Tabled December 12, 2006*)
3. **Resolution No. 51 of 2007**: A resolution supporting the Employee Free Choice Act, and to otherwise provide with respect thereto. (*Tabled May 8, 2007*)
4. **Ordinance No. 122 of 2006**: Amending portions of Chapter 90 of the Code of Ordinances relative to traffic and vehicles and to otherwise provide with respect thereto. (A/Lester) (*Tabled September 11, 2007*)
5. **Ordinance No. 32 of 2008**: An ordinance to amend and reenact portions of Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to Retained Risk and to otherwise provide with respect thereto. (*Tabled April 22, 2008*)
6. **Ordinance No. 24 of 2008**: Amending Chapter 42 of the City of Shreveport Code of Ordinances to add Article XI relative to operation of a rendering plant or transfer center within the City of Shreveport and to otherwise provide with respect thereto. (*Tabled May 13, 2008*)
7. **Ordinance No. 58 of 2008**: ZONING - C-25-08: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of N. Market, 3,322 feet north of Martin Luther King Drive, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to B-1, Buffer Business District and to otherwise provide with respect thereto. (A/Lester) (*Tabled July 8, 2008*)
8. **Ordinance No. 83 of 2008**: ZONING: C-35-08 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Hilry Huckaby, 1800' south of North Lakeshore, Shreveport, Caddo Parish, Louisiana, from B-3-E , Community Business/Extended District, to B-3-E, Community Business/Extended Use District **Limited to “an office, equipment storage yard, with the addition of stockpile materials (wood chips/recyclable wood products” only**, and to otherwise provide with respect thereto. (A/Lester) (*Tabled August 26, 2008*)
9. **Ordinance No. 69 of 2008**: An ordinance authorizing the Mayor to execute an act of donation of City-Owned property to Urban Housing of America, Inc., Louisiana, and to otherwise provide with respect thereto. (*Tabled October 14, 2008*)
10. **Ordinance No. 97 of 2008**: An ordinance amending Chapter 42 of the Code of Ordinances relative to itinerate vendors and to otherwise providing with respect thereto. (E/Webb) (*Postponed September 9, 2008 until October 28, 2008*) (*Tabled October 14, 2008*)

11. **Ordinance No. 108 of 2008**: ZONING C-56-08 - An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Greenwood Road, 460 feet west of Marston, 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. (A/Lester) (*Postponed September 23, 2008*) (*Tabled October 14, 2008*)

12. **Ordinance No. 115 of 2008**: An ordinance requiring a permit for use of municipal property for business operations in the City of Shreveport; requiring the provision of certain information prior to issuance of such permit; and otherwise providing with respect thereto. (*Postponed September 23, 2008*) (*Tabled October 14, 2008*)

13. **PROPERTY STANDARDS APPEALS:**

HBO0700145 – 426 Woodrow, Shreveport, LA (F/Shyne) Ms. Carolyn Miller, 424 Woodrow, Shreveport, LA 71105 (C/Long) (*Tabled August 25, 2008*)

HBO0700081 – 1062 Dalzell Street, Shreveport, LA (B/Walford) Mr. Stanley W. Burke, III, 8848 Youree Drive, Shreveport, LA 71115 (D/Wooley) (*Postponed December 8, 2008 until January 12, 2009*)

PSD0700243 - 129 Stoner Ave, Shreveport, LA (B/Walford); Ms. Maria Orellana, 909 Anthony, Bossier City, LA 71112) (*Postponed November 10, 2008 until February 9, 2009*)

PSD0700058: 557 Egan Street, Shreveport, LA (B/Walford) Mr. Daniel Markulus, 853 Place, Shreveport, LA (B/Walford) (*Postponed October 27, 2008 until January 12, 2009*)

PSD0700214: 2732 Logan Street. Shreveport, LA (G/Bowman) Willie Roberson, 6915 Quilen Rd, Shreveport, LA (E/Webb) (*Postponed October 27, 2008 until January 26, 2009*)

PSD0700131: 1530 Arlington, Good Samaritan Funeral Home, Inc., Shreveport, La (A/Lester) Mr. Winnifred Jackson, 2200 Laurel St, Shreveport, La (A/Lester) (*Tabled June 9, 2008*)

PSD0600413 – 2330 Darien Street, Shreveport, LA 71103 (G/Bowman) Ms. Thressa Lovelace French, 2401 Darien Street, Shreveport, LA 71103 (G/Bowman) (*Postponed October 27, 2008 until January 12, 2009*)

PSD0600117 – 7024 S. Lakeshore Drive, Shreveport, LA (G/Bowman) Ms. Tanya Luker, 7024 S. Lakeshore Drive, Shreveport, LA (G/Bowman) (*Postponed December 8, 2008 until March 9, 2009*)

PSD0800043 – 7017 Janey Street, Shreveport, LA (F/Shyne) Mr. E. B. Robinson, M.D., 7941 Youree Drive, Shreveport, LA 71105 (D/Wooley) (*Postponed December 8, 2008 until January 12, 2009*)

PSD 0800215 – 2739 Lillian, Shreveport, LA (G/Bowman) Ms. Alice Hollingsworth, 726 Cotton Street #714, Shreveport, LA 71101 (B/Walford) (*Postponed December 8, 2008 until January 12, 2009 to Clean property, and until March 9, 2009 to rehabilitate property*)

NEW BUSINESS: None.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES: None.

CLERK'S REPORT: *The Clerk read the following:*

Letters of Appeal:

C-82-08: Frank Harris, (Applicant) Re: Property located on the north west corner of East 70th Street and Fern Avenue. (*To be considered Tuesday, January 23, 2009*)

BAC-135-08: 6900 Block of Fern Avenue, Frank Harris (Applicant), Special Exception Use, and Variance in hours of Operation in a B-1-E District. (*To be considered Tuesday, January 23, 2009*)

THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting)
ADJOURNMENT There being no further business to come before the Council, the meeting adjourned at approximately 4:15 p.m.

//s// **Ron Webb, Chairman**

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